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Mar 27 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM JASPER COUNTY
Court of General Sessions

Charles J. McCutchen, Circuit Court Judge

Appellate Case No. 2025-002350

THE STATE,

Appellant,

v.

MARK ELLIOTT MARTIN, JR.,

Respondent.

MOTION TO WITHDRAW APPEAL

The State, through its undersigned counsel, would respectfully show unto the Court as follows:

I.

On November 20, 2025, the State filed a timely notice of appeal in *State v. Mark Elliott Martin, Jr.* At present, the State's appeal in this matter is currently pending before this Court.

II.

On March 17, 2026, Respondent entered a global disposition of numerous charges against him, including all charges related to this appeal. As part of this plea agreement, the State dismissed all charges against Respondent related to this appeal. Therefore, the issues raised in this appeal are moot. *See State v. Green*, 337 S.C. 67, 71, 522 S.E.2d 602, 604 (Ct. App. 1999) ("When


judgment on an issue can have no practical effect upon an existing case or controversy, the issue is moot."). Accordingly, pursuant to Rule 260(c) of the South Carolina Appellate Court Rules, the State moves to withdraw its notice of appeal and requests that this Court dismiss the appeal. *See* Rule 260(c), SCACR ("An appeal or other proceeding may be dismissed on motion of the appellant or petitioner upon such terms as may be fixed by the court.").

WHEREFORE, the State requests that this Court permit the State to withdraw its notice of appeal, dismiss this appeal, and grant any such other and further relief that this Court may deem just and proper.

ALAN WILSON
Attorney General

BRIAN H. GIBBS
Assistant Attorney General

I. MCDUFFIE STONE, III
Solicitor, Fourteenth Judicial Circuit

By: 

Brian H. Gibbs
S.C. Bar No. 104197

Attorneys for Appellant

March 27, 2026
Columbia, South Carolina

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PROOF OF SERVICE

I, Grace Sommer, certify that I have served this Motion to Withdraw Appeal on Jeffery Scott Stephens, Esquire, counsel of record for the Respondent, by electronic mail to the address listed for counsel in the South Carolina Attorney Information System.

I further certify that all parties required by Rule 262(c) of the South Carolina Appellate Court Rules to be served have been served.

This 27th day of March 2026.



Grace Sommer
Legal Assistant

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