

The South Carolina Court of Appeals

The State, Respondent,

v.

Danardis Mitchell, Appellant.

Appellate Case No. 2026-000272

ORDER

On February 9, 2026, Appellant filed a notice of appeal. On February 10, 2026, Appellant filed a motion to reconsider with the lower court. On April 17, 2026, Appellant filed a "motion to withdraw notice of appeal as premature / with leave to refile" in order for the lower court to hear the motion to reconsider. Respondent filed reply that included a clocked filing of the motion to reconsider and argued the motion to reconsider was untimely based on the date stamp. Appellant did not file a reply. After careful consideration, we deny Appellant's motion. See Rule 29(a), SCRCrimP (providing "post-trial motions shall be made within ten (10) days after the imposition of the sentence"); Rule 203(b)(2), SCACR ("When a *timely* post-trial motion is made under Rule 29(a), SCRCrimP, the time to appeal shall be stayed and shall begin to run from receipt of written notice of entry of an order granting or denying such motion." (emphasis added)); Rule 205 SCACR ("Upon the service of the notice of appeal, the appellate court shall have exclusive jurisdiction over the appeal; the lower court or administrative tribunal shall have jurisdiction to entertain petitions for writs of supersedeas as provided by Rule 241.").

 CJ
FOR THE COURT

Columbia, South Carolina

cc:

Danardis Mitchell, 00283053

Jared Sullivan Newman, Esquire

Wanda H. Carter, Esquire

Alexa Rae Casavecchia, Esquire

Alan McCrory Wilson, Esquire

Mark Reynolds Farthing, Esquire

FILED
Jun 01 2026