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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of General Sessions

Roger M. Young Sr, Circuit Court Judge

Indictment Nos.: 2026GS0800265-266, 2026GS0800248, 2026GS0800417

The State,

Respondent,

v.

Jerell Mcmillan,

Appellant.

MOTION TO WITHDRAW APPEAL

The Appellant, Jerell Mcmillan, by and through undersigned counsel hereby moves this Honorable Court to withdraw the appeal in the above-referenced matter pursuant to Rule 260(c) of the South Carolina Appellate Court Rules.

As grounds for this motion, Appellant states that he wishes to pursue the more appropriate avenue of post-conviction relief and therefore wishes to withdraw the direct appeal.

WHEREFORE, Appellant respectfully requests that the court enter an order allowing the withdrawal and dismissal of this appeal.

Respectfully submitted,

Aimee J. Zmroczek, Esq.
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Attorney for Appellant

Other Counsel of Record:
Melody Brown; mbrown@scag.gov

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State of South Carolina,

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Appellant.

PROOF OF SERVICE

I certify that I have served the Motion to withdraw appeal on Melody Brown by email delivery, on August 31, 2026, addressed to her at:

Melody Brown; mbrown@scag.gov

August 31, 2026

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Celebrating over 10 years of Fighting for Justice!
2011 - 2026

Email: ctappfiling@sccourts.org
The Honorable Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

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RE: The State v. Jerell Mcmillan

Appellate Case No. 2026-001006

Dear Ms. Kitchings:

On Behalf of the appellant, Jerell Mcmillan, I respectfully am enclosing a Motion to withdraw appeal. I will also be providing an affidavit from appellant, Jerell Mcmillan as soon as appellant is safely in his new housing in SCDC. Appellant is currently in process of being moved to Lee Correctional from Kirkland Correctional.

Respectfully Submitted,

Aimee J. Zmroczek

CC: Melody Brown