

# The South Carolina Court of Appeals

The State, Respondent,

v.

Robert Lee Nelson, Appellant.

Appellate Case No. 2012-212640

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## ORDER

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On December 18, 2013, Appellant's counsel filed a letter acknowledging Appellant signed a plea agreement to two murder charges and as part of the plea agreement, Appellant agreed to withdraw this appeal. Appellant's counsel added "[i]t is my understanding . . . that this agreement was placed on the record during the November 18, 2013 guilty plea hearing." Respondent has now filed a motion to dismiss this appeal, arguing Appellant has received the benefit of his plea agreement, entered with the advice of counsel, and this appeal should be dismissed in accordance with the plea agreement. Appellant did not file a return.

We construe Appellant's December 18, 2013 letter as a request to voluntarily withdraw this appeal. Because it appears that Appellant, with full understanding of all possible consequences of this action and with agreement of counsel, wishes to withdraw and dismiss this matter, this appeal is dismissed. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

 C.J.  
FOR THE COURT

Columbia, South Carolina

cc:  
Susan Barber Hackett, Esquire  
Deborah R.J. Shupe, Esquire  
Gwen T. Hyatt

**FILED**

2/3/14 EAC