

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM UNION COUNTY  
Court of Common Pleas

William A. McKinnon , Circuit Court Judge

Appellate Case No. 2018-001902

**RECEIVED**  
OCT 31 2018  
SC Court of Appeals

In the Matter of the Care  
and Treatment of

Melvin Beam

Appellant.

NOTICE OF MOTION AND  
MOTION FOR WITHDRAWAL AND DISMISSAL OF APPEAL

Please take notice that the undersigned attorney for the appellant hereby moves before the Court for an Order allowing appellant to withdraw the appeal in this matter and have the same dismissed by the Court based upon the following:

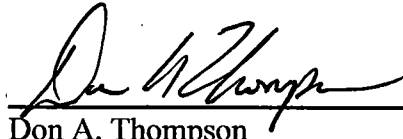
1. The undersigned was appointed to represent the appellant regarding his annual review in a sexually violent predator matter.
2. A jury trial was conducted in Union County, S.C., on October 8-9, 2018, with the Honorable William A. McKinnon presiding.

3. The jury returned a verdict adverse to the appellant (i.e., a verdict that appellant should remain committed for long term control, care and treatment). As a result, Judge McKinnon issued an Order of Continued Commitment.
4. The appellant instructed the undersigned to appeal said verdict and Order.
5. On October 16, 2018, the undersigned served a Notice of Appeal on the State of South Carolina by depositing a copy of the same in the United States Mail, postage prepaid, addressed to the State's attorney of record, James G. Bogle, Jr., Assistant Attorney General, S.C. Attorney General's Office, Post Office Box 11549, Columbia, South Carolina 29211.
6. On that same day, the Notice of Appeal and Proof of Service was sent by mail, postage prepaid, to the Union County Clerk of Court for filing.
7. On October 18, 2018, the Notice of Appeal, Proof of Service and a copy of Judge McKinnon's written Order was sent by mail, postage prepaid, to the Clerk of Court for the South Carolina Court of Appeals for filing.
8. The undersigned does not believe that any viable issue for appeal exists in this matter and has so informed the appellant.

THEREFORE, the undersigned, as attorney for the appellant, and with the consent of the appellant, prays that this Honorable Court allow the appellant to withdraw his appeal and to have the same dismissed pursuant to Rule 260(c) SCACR.

Respectfully Submitted,

October 30, 2018

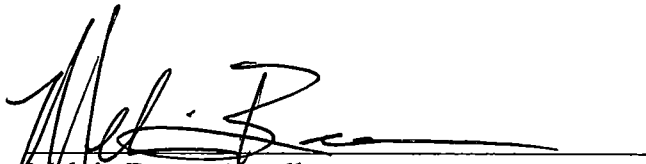


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Attorney for Appellant

Other Counsel of Record:  
James G. Bogle, Jr.  
Assistant Attorney General  
S.C. Attorney General's Office  
Post Office Box 11549  
Columbia, S.C. 29211  
(803) 734-3970

I, Melvin Beam, the appellant in this matter agree with, and consent to, the withdrawal of, and dismissal of, my appeal in this matter.



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Melvin Beam, Appellant

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PROOF OF SERVICE

I certify that I have served the Notice of Motion and Motion for Withdrawal and Dismissal of Appeal on the State of South Carolina (respondent) by delivering and leaving a copy of the same with the State's attorney of record, James G. Bogle, Jr., at his office at the S.C. Attorney General's Office, Rembert Dennis Building, 1000 Assembly Street, Room #519, Columbia, South Carolina 29201, on October 31, 2018.

October 31, 2018



Don A. Thompson  
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