## THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.

## THE STATE OF SOUTH CAROLINA In The Court of Appeals

Larry Koon, Appellant,
v.
Gary Morgan, Respondent.
Appellate Case No. 2011-187786
Appeal From Newberry County Eugene C. Griffith, Jr., Circuit Court Judge
Unpublished Opinion No. 2012-UP-568 Submitted October 1, 2012 – Filed October 24, 2012
AFFIRMED
Larry Koon, of Little Mountain, pro se.
Jeffrey M. Anderson, of Davis, Frawley, Anderson McCauley, Ayer, Fisher, & Smith, LLC, of Lexington, for Respondent.

**PER CURIAM:** Larry Koon appeals the trial court's grant of summary judgment in his favor, arguing the trial court erred in (1) refusing to award him monetary damages on his claim and delivery action and (2) denying his motion to alter or

amend without conducting a hearing. We affirm<sup>1</sup> pursuant to Rule 220(b), SCACR, and the following authorities:

- 1. As to whether the trial court erred in refusing to award Koon damages: *Plyler v. Burns*, 373 S.C. 637, 645, 647 S.E.2d 188, 192-93 (2007) ("Judicial immunity serves as a bar to litigation against a judicial officer.").
- 2. As to whether the trial court erred in denying Koon's motion to alter or amend without conducting a hearing: *Herron v. Century BMW*, 395 S.C. 461, 465, 719 S.E.2d 640, 642 (2011) ("At a minimum, issue preservation requires that an issue be raised to and ruled upon by the trial [court.]"); *id.* ("Constitutional arguments are no exception to the preservation rules, and if not raised to the trial court, the issues are deemed waived on appeal.").

## AFFIRMED.

HUFF, THOMAS, and GEATHERS, JJ., concur.

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<sup>&</sup>lt;sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.