## 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

The State, Respondent,
v.
James C. Williams, Appellant.
Appellate Case No. 2013-001849
Appeal From Lexington County William P. Keesley, Circuit Court Judge
Unpublished Opinion No. 2016-UP-458 Submitted September 1, 2016 – Filed November 9, 2016
AFFIRMED

James C. Williams, pro se.

Attorney General Alan McCrory Wilson, Chief Deputy Attorney General John W. McIntosh, Senior Assistant Deputy Attorney General Donald J. Zelenka, and Assistant Attorney General J. Anthony Mabry, all of Columbia; and Solicitor Donald V. Myers, of Lexington, for Respondent.

**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: See Rule 29(b), SCRCrimP ("A motion for a new trial based on afterdiscovered evidence must be made within one (1) year after the date of actual discovery of the evidence by the defendant or after the date when the evidence could have been ascertained by the exercise of reasonable diligence."); Jamison v. State, 410 S.C. 456, 470, 765 S.E.2d 123, 130 (2014) ("[W]hen [an appellant] seeks relief on the basis of newly discovered evidence following a guilty plea, relief is appropriate only where the applicant presents evidence showing that (1) the newly discovered evidence was discovered after the entry of the plea and, in the exercise of reasonable diligence, could not have been discovered prior to the entry of the plea; and (2) the newly discovered evidence is of such a weight and quality that, under the facts and circumstances of that particular case, the 'interest of justice' requires the applicant's guilty plea to be vacated."); State v. Irvin, 270 S.C. 539, 545, 243 S.E.2d 195, 197-98 (1978) ("The granting of a new trial because of after-discovered evidence is not favored, and [the appellate court] will sustain the [trial] court's denial of such a motion unless there appears an abuse of discretion.").

AFFIRMED.<sup>1</sup>

LOCKEMY, C.J., and SHORT and MCDONALD, JJ., concur.

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