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.
Marquis Dellan Evans, Appellant.
Appellate Case No. 2016-000307
Appeal From York County John C. Hayes, III, Circuit Court Judge Unpublished Opinion No. 2017-UP-445 Submitted October 1, 2017 – Filed November 29, 2017
AFFIRMED
Appellate Defender Lara Mary Caudy, of Columbia, for Appellant.

Attorney General Alan McCrory Wilson and Senior Assistant Deputy Attorney General Deborah R.J. Shupe, both of Columbia; and Solicitor Kevin Scott Brackett, of York, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *State v. Barnes*, 407 S.C. 27, 35, 753 S.E.2d 545, 550 (2014) ("A South Carolina criminal defendant has the constitutional right to represent himself

under both the federal and state constitutions."); State v. Reed, 332 S.C. 35, 41, 503 S.E.2d 747, 750 (1998) (providing an accused may exercise this right by "waiv[ing] the right to counsel and proceed[ing] pro se" (italics omitted)); Faretta v. California, 422 U.S. 806, 835 (1975) (explaining the requirement that a criminal defendant must be "made aware of the dangers and disadvantages of selfrepresentation, so that the record will establish that 'he knows what he is doing and his choice is made with eyes open'" (quoting Adams v. United States ex rel. McCann, 317 U.S. 269, 279 (1942)); Prince v. State, 301 S.C. 422, 423-24, 392 S.E.2d 462, 463 (1990) ("To establish a valid waiver of counsel, *Faretta* requires the accused be: (1) advised of his right to counsel, and (2) adequately warned of the dangers of self-representation."); State v. Cash, 309 S.C. 40, 42, 419 S.E.2d 811, 813 (Ct. App. 1992) ("Although a specific inquiry by the [trial court] expressly addressing the disadvantages of a pro se defense is preferred, the ultimate test is not the trial [court's] advice but the accused's understanding." (italics omitted)); State v. Bryant, 383 S.C. 410, 415, 680 S.E.2d 11, 13 (Ct. App. 2009) ("[W]hen the trial court fails to expressly make this inquiry, this court will examine the record to determine whether the accused had sufficient background or was apprised of [his] rights by some other source.").

AFFIRMED.¹

SHORT, KONDUROS, and GEATHERS, JJ., concur.

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¹ We decide this case without oral argument pursuant to Rule 215, SCACR.