

**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.

Alphonso Morgan, Jr., Appellant.

Appellate Case No. 2016-000269

Appeal From Greenwood County
Eugene C. Griffith, Jr., Circuit Court Judge

Unpublished Opinion No. 2018-UP-233
Submitted May 1, 2018 – Filed June 6, 2018

AFFIRMED

Appellate Defender Robert M. Pachak, of Columbia, for
Appellant.

Attorney General Alan McCrory Wilson and Assistant
Attorney General Mark Reynolds Farthing, both of
Columbia, for Respondent.

PER CURIAM: Alphonso Morgan, Jr. appeals the trial court's denial of his
motion for immunity from prosecution under the Protection of Persons and

Property Act.¹ We affirm pursuant to Rule 220(b), SCACR, and the following authorities: *State v. Munsch*, 287 S.C. 313, 314, 338 S.E.2d 329, 330 (1985) ("Guilty pleas act as a waiver of all non-jurisdictional defects and defenses."); *Whetsell v. State*, 276 S.C. 295, 297, 277 S.E.2d 891, 892 (1981) ("The general rule is that guilty pleas, freely and voluntarily entered, act as a waiver of all non-jurisdictional defects and defenses, including the claims of a violation of a constitutional right prior to the plea."); *Vogel v. City of Myrtle Beach*, 291 S.C. 229, 231, 353 S.E.2d 137, 138 (1987) ("[A guilty plea] conclusively disposes of all prior issues including independent claims of deprivations of constitutional rights."); *State v. Tucker*, 376 S.C. 412, 418, 656 S.E.2d 403, 406 (Ct. App. 2008) ("A plea of guilty and the ensuing conviction comprehend all of the factual and legal elements necessary to sustain a binding, final judgment of guilt and a lawful sentence." (quoting *U.S. v. Broce Construction Co.*, 488 U.S. 563, 565 (1989))); *State v. Sims*, Op. No. 5553 (S.C. Ct. App. filed April 18, 2018) (Shearouse Adv. Sheet No. 16 at 30, 33) (finding "[appellant's] statutory immunity claim [under the Protection of Persons and Property Act] warrants no exception to the rule against conditional pleas and the key role it plays in ensuring the finality of judgments" and holding "the viability of [appellant's] immunity claim ended with his plea").

AFFIRMED.²

HUFF, GEATHERS, and MCDONALD, JJ., concur.

¹ S.C. Code Ann. §§ 16-11-410 to -450 (2015).

² We decide this case without oral argument pursuant to Rule 215, SCACR.