

**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**

David Miller, Appellant,

v.

ENT & Face PA, and Brian Wilson, MD, Respondents.

Appellate Case No. 2019-000359

Appeal From York County
Daniel Dewitt Hall, Circuit Court Judge

Unpublished Opinion No. 2021-UP-445
Submitted October 1, 2021 – Filed December 15, 2021

AFFIRMED

Chad Alan McGowan and Eve Schafer Goodstein, both
of McGowan Hood & Felder, LLC, of Rock Hill; and
Whitney Boykin Harrison, of McGowan Hood & Felder,
LLC, of Columbia, all for Appellant.

Andrew F. Lindemann, of Lindemann & Davis, P.A., of
Columbia; and Hutson S. Davis, Jr. and Stephen Harrison
Williams, both of Johnson & Davis, PA, of Bluffton, all
for Respondents.

PER CURIAM: David Miller appeals the trial court's denial of his motion for a directed verdict, arguing the trial court erred by failing to grant a directed verdict as to breach of the duty of care in his medical malpractice action.

Because Dr. Brian Wilson's testimony allowed for more than one inference as to the standard of care and whether he admitted to the breach of that care, the trial court did not err by denying Miller's motion for a directed verdict on the issue of breach. Accordingly, we affirm pursuant to Rule 220(b), SCACR, and the following authorities: *Wright v. Craft*, 372 S.C. 1, 18, 640 S.E.2d 486, 495 (Ct. App. 2006) ("When reviewing a motion for directed verdict or JNOV, an appellate court must employ the same standard as the trial court."); *Swinton Creek Nursery v. Edisto Farm Credit, ACA*, 334 S.C. 469, 476, 514 S.E.2d 126, 130 (1999) ("In ruling on a motion for directed verdict, a court must view the evidence and all reasonable inferences in the light most favorable to the non-moving party."); *id.* ("When the evidence yields only one inference, a directed verdict in favor of the moving party is proper."); *Wright*, 372 S.C. at 19, 640 S.E.2d at 496 ("When considering directed verdict motions, neither the trial court nor the appellate court has authority to decide credibility issues or to resolve conflicts in the testimony or evidence.").

AFFIRMED.¹

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

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