

**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.

Michael Gregory Youman, Jr., Appellant.

Appellate Case No. 2023-001609

Appeal From Orangeburg County
Heath P. Taylor, Circuit Court Judge

Unpublished Opinion No. 2024-UP-364
Submitted October 10, 2024 – Filed October 16, 2024

AFFIRMED

Senior Appellate Defender Lara Mary Caudy, of
Columbia, for Appellant.

General Counsel Matthew C. Buchanan, of the South
Carolina Department of Probation, Parole and Pardon
Services, of Columbia, for Respondent.

PER CURIAM: Michael Gregory Youman, Jr., appeals the trial court's revocation of his probation. On appeal, Youman argues the trial court abused its discretion because the State's evidence—an incident report and the victim's statement—was insufficient to support its finding that he violated conditions of his

probation. He asserts the evidence was insufficient because he had not yet been convicted of the alleged crime described in the incident report, and neither the incident report nor the victim's statement was a sworn statement. We affirm pursuant to Rule 220(b), SCACR.

We hold the State presented sufficient evidence for the trial court to find Youman violated conditions of his probation because the incident report and the victim's statement established Youman possessed a firearm and threatened the victim's life. *See State v. Lee*, 350 S.C. 125, 129, 564 S.E.2d 372, 374 (Ct. App. 2002) ("[An appellate c]ourt will not disturb the [trial c]ourt's decision to revoke probation unless the decision was influenced by an error of law, was without evidentiary support, or constituted an abuse of discretion."); *State v. Allen*, 370 S.C. 88, 94, 634 S.E.2d 653, 655 (2006) ("The trial court must determine whether the State has presented sufficient evidence to establish that a probationer has violated the conditions of his probation."); *Lee*, 350 S.C. at 131, 564 S.E.2d at 375 ("Once the determination is made that a probationer has violated the conditions of his probation, the [trial court] can require the probationer to serve all or a portion of the sentence originally imposed."); *State v. Pauling*, 371 S.C. 435, 437-39, 639 S.E.2d 680, 681-82 (Ct. App. 2006) (holding the trial court did not abuse its discretion in revoking probation because it relied on arrest warrants and affidavits of investigators when it revoked Pauling's probation although he had not been convicted at the time of his probation revocation hearing).

As to Youman's argument that the State's evidence was insufficient because it relied on unsworn statements, we hold he did not preserve this argument for appellate review because he did not argue this at his probation revocation hearing. *See State v. Dunbar*, 356 S.C. 138, 142, 587 S.E.2d 691, 694 (2003) ("A party may not argue one ground at trial and an alternate ground on appeal.").

AFFIRMED.¹

THOMAS, HEWITT, and VINSON, JJ., concur.

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