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.

Shellie Lavette Davis, Appellant.

Appellate Case No. 2018-000366

Appeal From Lexington County
Thomas A. Russo, Circuit Court Judge

Unpublished Opinion No. 2026-UP-440
Submitted September 17, 2026 – Filed September 23, 2026

AFFIRMED

Appellate Defender Gary Howard Johnson, II, of Columbia, for Appellant.

Attorney General Alan McCrory Wilson, Deputy Attorney General Donald J. Zelenka, Senior Assistant Deputy Attorney General Melody Jane Brown, and Assistant Attorney General Zachary William Jones, all of Columbia; and Solicitor Samuel R. Hubbard, III, of Lexington, all for Respondent.

PER CURIAM: Shellie Davis appeals the trial court's denial of her parole eligibility under section 16-25-90 of the South Carolina Code (2015). On appeal, Davis argues the trial court erred in finding she did not qualify for battered spouse classification despite finding a history of domestic abuse, in multiple formats, occurring on both sides of the marital relationship. We affirm pursuant to Rule 220(b), SCACR.

We hold the trial court did not abuse its discretion in finding Davis failed to prove by a preponderance of the evidence that she suffered a qualifying history of criminal domestic violence at the hands of her husband. *See State v. Blackwell-Selim*, 392 S.C. 1, 3, 707 S.E.2d 426, 427 (2011) ("In criminal cases, the appellate court sits to review errors of law only and is bound by factual findings of the trial court unless an abuse of discretion is shown."); *id.* at 3, 707 S.E.2d at 427-28 ("The appellate court does not reevaluate the facts based on its own view of the preponderance of the evidence but simply determines whether the trial judge's ruling is supported by any evidence."); § 16-25-90 (providing "an inmate who was convicted of . . . an offense against a household member is eligible for parole after serving one-fourth of his prison term when the inmate at the time he . . . was convicted of an offense against the household member, . . . presented credible evidence of a history of criminal domestic violence . . . suffered at the hands of the household member"). Initially, the court's findings were not inconsistent. Its reference to scattered domestic abuse in multiple forms and on both sides of the relationship did not amount to a finding that Davis suffered a qualifying history of criminal domestic violence at her husband's hands. In making its determination, the court considered evidence that Davis's husband physically abused her, as well as evidence undermining her claim, including her journals' silence concerning physical abuse and testimony that she was the primary aggressor during one domestic incident. Thus, the court's findings have evidentiary support. *See Blackwell-Selim*, 392 S.C. at 3-4, 707 S.E.2d at 428 (stating that in order to receive early parole pursuant to section 16-25-90, the defendant must demonstrate by a preponderance of the evidence that criminal domestic violence was suffered at the hands of the victim); *id.* at 4, 707 S.E.2d at 428 ("[M]ere production of evidence does not automatically result in earlier parole eligibility; instead, the defendant must persuade the judge by presenting proof which leads the trier of fact to find that the existence of the contested fact is more probable than its nonexistence."); *State v. Grooms*, 343 S.C. 248, 253, 540 S.E.2d 99, 101 (2000) ("[T]he defendant must do more than simply present evidence; she must persuade the trial judge her evidence is reliable."). Accordingly, the trial court did not abuse its discretion.

AFFIRMED.[1]

GEATHERS, HEWITT, and VINSON, JJ., concur.

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