

**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.

Rico Green, Appellant.

Appellate Case No. 2013-000441

Appeal From Lancaster County
Brooks P. Goldsmith, Circuit Court Judge

Unpublished Opinion No. 2014-UP-244
Submitted May 1, 2014 – Filed June 25, 2014

AFFIRMED

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

Attorney General Alan McCrory Wilson and Senior
Assistant Deputy Attorney General Salley W. Elliott,
both of Columbia; and Solicitor Douglas A. Barfield, Jr.,
of Lancaster, for Respondent.

PER CURIAM: Rico Green appeals his guilty pleas for trafficking in cocaine ten to twenty-eight grams and trafficking in cocaine base ten to twenty-eight grams, arguing the circuit court erred in accepting his impermissibly conditional guilty

pleas. We hold the circuit court did not err in accepting Green's guilty pleas. "[I]n South Carolina, a guilty plea constitutes a waiver of nonjurisdictional defects and claims of violations of constitutional rights." *State v. Rice*, 401 S.C. 330, 331-32, 737 S.E.2d 485, 485 (2013). Although the circuit court may not accept a conditional guilty plea,¹ Green never sought to preserve an issue or subject his guilty pleas to any condition. Instead, the record reveals Green simply decided to plead guilty after the circuit court denied his pre-trial motions. Accordingly, the circuit court did not err in accepting Green's guilty pleas.

AFFIRMED.²

HUFF, THOMAS, and LOCKEMY, JJ., concur.

¹ See *In re Johnny Lee W.*, 371 S.C. 217, 220, 638 S.E.2d 682, 684 (2006) ("A [circuit] court may not accept a conditional guilty plea.").

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