

**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**

Raymond Edmonds, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2010-168749

Appeal From Richland County
Clifton Newman, Trial Judge
G. Thomas Cooper, Jr., Post-Conviction Relief Judge

Unpublished Opinion No. 2014-UP-260
Heard September 11, 2013 – Filed June 25, 2014

AFFIRMED

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

Attorney General Alan McCrory Wilson, Assistant
Deputy Attorney General David Spencer, and Assistant
Attorney General Daniel Gourley, all of Columbia, for
Respondent.

PER CURIAM: In this appeal from the circuit court's denial of post-conviction relief (PCR), Petitioner argues defense counsel was ineffective in failing to provide an adversarial challenge to the State's case. Petitioner did not raise an argument of per se prejudice at the PCR hearing and this issue was not ruled on by the PCR court. Thus, this issue is not preserved. *See Kollé v. State*, 386 S.C. 578, 589, 690 S.E.2d 73, 79 (2010) (noting an issue that was neither raised to nor ruled upon by the PCR court is not preserved for appellate review). Petitioner was required to demonstrate "he was prejudiced by counsel's performance in such a manner that, but for counsel's error, there is a reasonable probability the result of the proceedings would have been different." *Taylor v. State*, 404 S.C. 350, 359, 745 S.E.2d 97, 102 (2013). However, Petitioner failed to challenge the PCR court's determination that he was not prejudiced by defense counsel's representation. Accordingly, this determination is the law of the case. *See Caprood v. State*, 338 S.C. 103, 112, 525 S.E.2d 514, 518 (2000) (stating an unappealed ruling is the law of the case and will not be considered by the court).

AFFIRMED.

HUFF, GEATHERS, and LOCKEMY, JJ., concur.