

**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**

Galisa S. Mitioglo, Appellant,

v.

William F. Voyles, Respondent.

Appellate Case No. 2013-000019

Appeal From Anderson County
R. Lawton McIntosh, Circuit Court Judge

Unpublished Opinion No. 2014-UP-311
Submitted July 1, 2014 – Filed August 6, 2014

AFFIRMED

Donald Loren Smith, of Attorney Office of Donald
Smith, of Anderson, for Appellant.

Langdon Cheves, III, of Turner Padgett Graham & Laney,
PA, of Greenville, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: *Duncan v. Hampton Cnty. Sch. Dist. No. 2*, 335 S.C. 535, 547, 517
S.E.2d 449, 455 (Ct. App. 1999) ("The trial court *must* grant a new trial absolute if
the verdict is so grossly excessive that it shocks the conscience of the court and

clearly indicates the amount of the verdict was the result of caprice, passion, prejudice, partiality, corruption, or other improper motive. Alternatively, the trial court *may* grant a new trial absolute when, sitting as the thirteenth juror, it concludes the jury's verdict is not supported by the evidence. However, [t]he jury's determination of damages is entitled to substantial deference. On appeal, the appellate court reviews a denial of a new trial motion for an abuse of discretion. The appellate court will not reverse the trial court's decision unless it is controlled by an error of law or is not supported by the evidence." (alteration in original) (citations and internal quotation marks omitted).

AFFIRMED.¹

HUFF, THOMAS, and MCDONALD, JJ., concur.

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