

**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 Supreme Court**

The State, Respondent,

v.

Christopher Ryan Whitehead, Petitioner.

Appellate Case No. 2012-213683

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS

Appeal from Kershaw County
G. Thomas Cooper, Jr., Circuit Court Judge

Memorandum Opinion No. 2015-MO-033
Heard December 11, 2014 – Filed June 10, 2015

AFFIRMED AS MODIFIED

Appellate Defender LaNelle Cantey DuRant, of
Columbia, for Petitioner.

Attorney General Alan M. Wilson, Chief Deputy
Attorney General John W. McIntosh, Senior Assistant
Deputy Attorney General Donald J. Zelenka, Senior
Assistant Attorney General Melody J. Brown, and
Solicitor Daniel E. Johnson, all of Columbia, for the
Respondent.

JUSTICE KITTREDGE: We granted a writ of certiorari to review the court of appeals' unpublished opinion in *State v. Whitehead*, Op. No. 2012-UP-526 (S.C. Ct. App. filed Sept. 12, 2012). For the reasons set forth in *State v. McDonald*, 412 S.C. 133, 771 S.E.2d 840 (2015), we affirm as modified. While the admission of the codefendants' statements violated the Confrontation Clause,¹ in view of the overwhelming evidence of guilt, the error was harmless.

AFFIRMED AS MODIFIED.

TOAL, C.J., PLEICONES, BEATTY and HEARN, JJ., concur.

¹ U.S. Const. amend. VI; see *Bruton v. United States*, 391 U.S. 123 (1968).