

**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, Appellant,

v.

Nicholas M. Blair, Respondent.

Appellate Case No. 2014-001003

Appeal From Berkeley County
Deadra L. Jefferson, Circuit Court Judge

Unpublished Opinion No. 2016-UP-105
Submitted November 1, 2015 – Filed March 2, 2016

AFFIRMED

Marcus Keith Gore and Catherine Fant, both of the South Carolina Department of Public Safety, of Blythewood, for Appellant.

Gregory A. DeLuca, of DeLuca & Maucher, L.L.P., of Moncks Corner, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: Rule 220(c), SCACR ("The appellate court may affirm any ruling, order, decision or judgment upon any ground(s) appearing in the Record on Appeal."); *State v. Sheppard*, 391 S.C. 415, 423, 706 S.E.2d 16, 20 (2011) ("[A]n

issue may not be raised for the first time on appeal."); *State v. Adams*, 354 S.C. 361, 380, 580 S.E.2d 785, 795 (Ct. App. 2003) ("Arguments not raised to or ruled upon by the trial court are not preserved for appellate review."); *State v. Dunbar*, 356 S.C. 138, 142, 587 S.E.2d 691, 694 (2003) ("A party may not argue one ground at trial and an alternate ground on appeal."); *State v. Cope*, 405 S.C. 317, 339, 748 S.E.2d 194, 205 (2013) ("Prohibiting an appellant from raising an issue for the first time on appeal ensures that the trial court is able 'to rule properly after it has considered all relevant facts, law, and arguments.'" (quoting *Herron v. Century BMW*, 395 S.C. 461, 465, 719 S.E.2d 640, 642 (2012))); *State v. Gault*, 375 S.C. 570, 573, 654 S.E.2d 98, 99-100 (Ct. App. 2007) (finding an appellant's argument that had been raised on appeal to the circuit court unpreserved because the appellant had not raised that argument at trial to the magistrate court).

AFFIRMED.¹

HUFF, A.C.J., and WILLIAMS and THOMAS, JJ., concur.

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