THE STATE OF SOUTH CAROLINA
In The Court of Appeals

The State, Respondent,

v.

Christopher Terell Gilyard, Appellant.

Appellate Case No. 2014-001714

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

Unpublished Opinion No. 2016-UP-383
Submitted April 1, 2016 – Filed July 27, 2016

REVERSED AND REMANDED

Appellate Defender David Alexander, of Columbia, for Appellant.

Attorney General Alan McCrory Wilson and Senior Assistant Attorney General John Benjamin Aplin, both of Columbia; and Solicitor Scarlett Anne Wilson, of Charleston, for Respondent.

PER CURIAM: Christopher Terell Gilyard appeals his conviction and thirteen-year sentence for second-degree criminal sexual conduct with a minor, arguing the trial court erred by (1) denying his request to charge the jury on circumstantial

evidence pursuant to *State v. Logan*,[1] (2) charging the jury on section 16-3-659.1 of the South Carolina Code (2015) after the jury submitted a question during deliberation regarding a witness's testimony that the victim had been involved in a prior rape allegation, and (3) charging the jury that the victim's testimony did not have to be corroborated.

Pursuant to our supreme court's recent opinion in *State v. Stukes*,[2] the trial court erred by charging the jury that the victim's testimony did not have to be corroborated. *See id.* at 26 (holding such a charge "is an impermissible charge on the facts and therefore unconstitutional"). Moreover, the error was not harmless beyond a reasonable doubt because the State's case relied in large part on the victim's credibility. Accordingly, we reverse and remand for a new trial.[3]

REVERSED AND REMANDED.[4]

HUFF, KONDUROS and GEATHERS, JJ., concur.

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[1] 405 S.C. 83, 99-100, 747 S.E.2d 444, 452-53 (2013).
[2] Op. No. 27633 (S.C. Sup. Ct. filed May 4, 2016) (Shearouse Adv. Sh. No. 18 at 25).
[3] Because we reverse on this ground, we decline to address Gilyard's remaining arguments. *See Futch v. McAllister Towing of Georgetown, Inc.*, 335 S.C. 598, 613, 518 S.E.2d 591, 598 (1999) (holding an appellate court need not address remaining issues when resolution of a prior issue is dispositive).
[4] We decide this case without oral argument pursuant to Rule 215, SCACR.