

**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**

Charles Griggs, Appellant,

v.

Ashleytowne Recreational Development, Inc.,
Respondent.

Appellate Case No. 2011-187066

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

Unpublished Opinion No. 2012-UP-614
Submitted October 1, 2012 – Filed November 21, 2012

AFFIRMED

Charles Griggs, of Acworth, Georgia, *pro se*.

Derek Dean, of Simons & Dean, of Charleston, for
Respondent.

PER CURIAM: Charles Griggs appeals the circuit court's dismissal of his appeal from the magistrate court for failure to timely file an appeal. We affirm pursuant to Rule 220(b), SCACR, and the following authorities:

1. As to whether the circuit court properly dismissed Griggs's appeal: S.C. Code Ann. § 18-7-20 (Supp. 2011) ("The appellant, within thirty days after written notice of judgment has been given him or his attorney by the magistrate . . . except when the judgment is announced at the trial in the presence of the appellant or his attorney then no written notice is necessary, shall serve a notice of appeal, stating the grounds upon which the appeal is founded.").

2. As to Griggs's remaining arguments: *Wilder Corp. v. Wilke*, 330 S.C. 71, 76, 497 S.E.2d 731, 733 (1998) ("It is axiomatic that an issue cannot be raised for the first time on appeal, but must have been raised to and ruled upon by the [circuit court] to be preserved for appellate review.").

AFFIRMED.¹

SHORT, KONDUROS, and LOCKEMY, JJ., concur.

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