

**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, Respondent,

v.

Patrick Dean Lowrance, Appellant.

Appellate Case No. 2013-000320

Appeal From Greenville County
Letitia H. Verdin, Circuit Court Judge

Unpublished Opinion No. 2017-UP-154
Submitted February 1, 2017 – Filed April 12, 2017

AFFIRMED

Chief Appellate Defender Robert Michael Dudek and
Appellate Defender Taylor Davis Gilliam, both of
Columbia, for Appellant.

Attorney General Alan McCrory Wilson and Senior
Assistant Deputy Attorney General John Benjamin Aplin,
both of Columbia; and Solicitor William Walter Wilkins,
of Greenville, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: *State v. Woods*, 382 S.C. 153, 158, 676 S.E.2d 128, 131 (2009) ("A

mistrial is the equivalent of no trial and leaves the cause pending in the [trial] court."); *id.* ("It leaves the parties 'as though no trial had taken place.'" (quoting *Grooms v. Zander*, 246 S.C. 512, 514, 144 S.E.2d 909, 910 (1965))); *State v. Smith*, 336 S.C. 39, 43-44, 518 S.E.2d 294, 296 (Ct. App. 1999) ("Because a mistrial is the equivalent of no trial, the trial [court] could not rely on any evidentiary rulings from the nugatory proceeding."); *State v. Dunbar*, 356 S.C. 138, 142, 587 S.E.2d 691, 693 (2003) ("In order for an issue to be preserved for appellate review, it must have been raised to and ruled upon by the trial [court]."); *id.* at 142, 587 S.E.2d at 693-94 ("Issues not raised and ruled upon in the trial court will not be considered on appeal."); *State v. Hoffman*, 312 S.C. 386, 393, 440 S.E.2d 869, 873 (1994) ("A contemporaneous objection is required to properly preserve an error for appellate review."); *id.* (providing appellant's issue was not preserved because "[t]he defense objection was very broadly made, and not contemporaneous to the . . . [alleged] error").

AFFIRMED.¹

LOCKEMY, C.J., and HUFF and THOMAS, JJ., concur.

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