

**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**

Palmetto Citizens Federal Credit Union, Respondent,

v.

Butch Johnson, Appellant.

Appellate Case No. 2011-184346

Appeal From Richland County
J. Michelle Childs, Circuit Court Judge

Unpublished Opinion No. 2012-UP-658
Submitted November 1, 2012 – Filed December 19, 2012

AFFIRMED

Butch Johnson, of Columbia, pro se.

Suzanne G. Grigg and Jennifer Joan Hollingsworth, both
of Nexsen Pruet, LLC, of Columbia; and Kirsten Elena
Small, of Nexsen Pruet, LLC, of Greenville, for
Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: *Sundown Operating Co., Inc. v. Intedge Indus., Inc.*, 383 S.C. 601,
606, 681 S.E.2d 885, 888 (2009) ("The decision whether to set aside an entry of

default or a default judgment lies solely within the sound discretion of the trial [court]."); *id.* ("The trial court's decision will not be disturbed on appeal absent a clear showing of an abuse of that discretion."); *id.* ("An abuse of discretion occurs when the [court] issuing the order was controlled by some error of law or when the order, based upon factual, as distinguished from legal conclusions, is without evidentiary support."); S.C. Code Ann. § 15-9-740 (Supp. 2011) ("The order of publication shall direct the publication to be made in one newspaper . . . to be served and for such length of time as may be deemed reasonable not less than once a week for three weeks."); *Tenney v. Am. Pipe Mfg. Co.*, 96 F. 919, 919-20 (1899) (holding service by publication is not complete until the expiration of the last week of publication); Rule 12(a), SCRCP ("A defendant shall serve his answer within 30 days after the service of the complaint upon him . . ."); Rule 55(a), SCRCP ("When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise, the clerk shall enter his default upon the calendar (file book).").

AFFIRMED.¹

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

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