

**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 Supreme Court**

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Andrew Ray Longshore,                      Respondent,

v.

South Carolina Law  
Enforcement Division,                      Appellant.

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Appeal From Newberry County  
Frank R. Addy, Circuit Court Judge

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Memorandum Op. No. 2012-MO-009  
Heard April 4, 2012 – Filed April 11, 2012

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**AFFIRMED**

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Attorney General Alan Wilson, Chief Deputy Attorney General John W. McIntosh and Senior Assistant Attorney General David Spencer, of Columbia, for Appellant.

John A. O'Leary, of Columbia, for Respondent.

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**PER CURIAM:** South Carolina Law Enforcement Division ("SLED") appeals the decision of the circuit court, which reversed the family court's order requiring Andrew Longshore ("Respondent") to register on the South

Carolina Sex Offender Registry.<sup>1</sup> SLED contends the circuit court erred as: (1) it was without subject matter jurisdiction to review the family court's decision; and (2) Respondent, who was adjudicated delinquent after he admitted guilt to having committed criminal sexual conduct with a minor in the second degree, was not statutorily exempt from the registration requirement.

We affirm the circuit court's order pursuant to Rule 220(b)(1), SCACR, and the following authorities: Hazel v. State, 377 S.C. 60, 659 S.E.2d 137 (2008) (citing section 15-53-20 of the Declaratory Judgment Act, which provides that courts of record within their respective jurisdictions shall have power to declare rights, status, and other legal relations whether or not further relief is or could be claimed, and concluding that the Court of Common Pleas had the power to make a factual finding as to whether respondent's kidnapping conviction required him to register as a sex offender); S.C. Code Ann. § 63-3-510(B) (2010) (formerly codified as section 20-7-400 and stating, "Whenever the court has acquired the jurisdiction of any child under seventeen years of age, jurisdiction continues so long as, in the judgment of the court, it may be necessary to retain jurisdiction for the correction or education of the child, but jurisdiction shall terminate when the child attains the age of twenty-one years. Any child who has been adjudicated delinquent and placed on probation by the court remains under the authority of the court only until the expiration of the specified term of his probation. This specified term of probation may expire before but not after the eighteenth birthday of the child."); State v. Jennings, 394 S.C. 473, 481-82, 716 S.E.2d 91, 95 (2011) (recognizing that for an issue, including a constitutional issue, to be properly preserved for appellate review it must be raised to and ruled on by the trial court).

**AFFIRMED.**

**PLEICONES, ACTING CHIEF JUSTICE, BEATTY,  
KITTREDGE, HEARN, JJ., and Acting Justice James E. Moore, concur.**

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<sup>1</sup> S.C. Code Ann. §§ 23-3-400 to -555 (2007 & Supp. 2011).