



# The South Carolina Court of Appeals

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POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
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June 10, 2020

Mr. Victor R Seeger, Esquire  
1330 Lady Street  
Suite 401  
Columbia SC 29201

Mr. William M. Blich, Jr., Esquire  
PO Box 11549  
Columbia SC 29211

Re: The State v. Kevin McDaniels  
Appellate Case No. 2018-000070

Dear Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

*V. Claire Allen*

CLERK

cc: Barry Joe Barnette, Esquire  
Alan McCrory Wilson, Esquire  
The Honorable J. Mark Hayes, II

**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.

Kevin McDaniels, Appellant.

Appellate Case No. 2018-000070

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Appeal From Spartanburg County  
J. Mark Hayes, II, Circuit Court Judge

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Unpublished Opinion No. 2020-UP-179  
Submitted May 1, 2020 – Filed June 10, 2020

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**AFFIRMED**

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Appellate Defender Victor R. Seeger, of Columbia, for  
Appellant.

Attorney General Alan McCrory Wilson and Senior  
Assistant Deputy Attorney General William M. Blich,  
both of Columbia; and Solicitor Barry Joe Barnette, of  
Spartanburg, all for Respondent.

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**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following  
authority: S.C. Code Ann. § 24-13-40 (Supp. 2019) ("In every case in computing  
the time served by a prisoner, full credit against the sentence must be given for

time served prior to trial and sentencing, and may be given for any time spent under monitored house arrest. Provided, however, that credit for time served prior to trial and sentencing shall *not* be given . . . when the prisoner *is serving a sentence for one offense and is awaiting trial and sentence for a second offense* in which case he shall not receive credit for time served prior to trial in a reduction of his sentence for the second offense." (emphases added).

**AFFIRMED.**<sup>1</sup>

**WILLIAMS, KONDUROS, and HILL, JJ., concur.**

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.