



# The South Carolina Court of Appeals

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November 03, 2021

Ms. Lara Mary Caudy, Esquire  
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Ms. Ambree Michele Muller, Esquire  
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Re: The State v. Robert W McCaffrey, Jr.  
Appellate Case No. 2019-000540

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: Alan McCrory Wilson, Esquire  
Scarlett Anne Wilson, Esquire  
The Honorable D. Craig Brown

**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.

Robert W. McCaffery, Jr., Appellant.

Appellate Case No. 2019-000540

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Appeal From Charleston County  
D. Craig Brown, Circuit Court Judge

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Unpublished Opinion No. 2021-UP-371  
Submitted October 1, 2021 – Filed November 3, 2021

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**AFFIRMED**

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Appellate Defender Lara Mary Caudy, of Columbia, for  
Appellant.

Attorney General Alan McCrory Wilson and Assistant  
Attorney General Ambree Michele Muller, both of  
Columbia; and Solicitor Scarlett Anne Wilson, of  
Charleston, all for Respondent.

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**PER CURIAM:** Robert W. McCaffery appeals his conviction for obstruction of  
justice and sentence of ten years' imprisonment. McCaffery argues the trial court

erred by denying his motion for a directed verdict because the State did not prove he obstructed justice.

Because there was substantial evidence tending to prove McCaffery was guilty of obstructing justice—including evidence that he initially lied to police regarding his whereabouts, encouraged his paramour to lie to police, and authored a letter that purported to be from his missing wife—we find the trial court did not err by denying McCaffery's motion for a directed verdict. Accordingly, we affirm pursuant to Rule 220(b), SCACR, and the following authorities: *State v. Cope*, 405 S.C. 317, 348, 748 S.E.2d 194, 210 (2013) ("In an appeal from the denial of a directed verdict motion, the appellate court must view the evidence in the light most favorable to the State."); *id.* ("If there is any direct evidence or substantial circumstantial evidence reasonably tending to prove the guilt of the accused, the Court must find the case was properly submitted to the jury." (quoting *State v. Curtis*, 356 S.C. 622, 633, 591 S.E.2d 600, 605 (2004))); *State v. Lyles-Gray*, 328 S.C. 458, 464, 492 S.E.2d 802, 805 (Ct. App. 1997) ("Under common-law obstruction of justice, 'it is an offense to do *any* act which prevents, obstructs, impedes, or hinders the administration of justice.'" (quoting *State v. Cogdell*, 273 S.C. 563, 567, 257 S.E.2d 748, 750 (1979))); *State v. Singleton*, 430 S.C. 546, 553-54, 846 S.E.2d 361, 365 (Ct. App. 2020) (holding evidence showing the defendant intentionally implicated a party he knew to be innocent to protect the guilty party was sufficient to support a charge for common-law obstruction of justice); *State v. Needs*, 333 S.C. 134, 146, 508 S.E.2d 857, 863 (1998) (stating evidence showing a witness concealed information and lied to investigators to protect the defendant was sufficient to support a charge for common-law obstruction of justice); *State v. Love*, 275 S.C. 55, 62, 271 S.E.2d 110, 113 (1980) ("Success in the effort to obstruct justice is not necessary to constitute the offense; it is sufficient if some act is done in furtherance of the endeavor.").

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

**HUFF, THOMAS, and GEATHERS, JJ., concur.**

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