



The South Carolina Court of Appeals

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February 09, 2022

Mrs. Wanda H. Carter, Esquire
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Ms. Ambree Michele Muller, Esquire
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Re: The State v. David D. Cockrell
Appellate Case No. 2020-001070

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
The Honorable Edward W. Miller

**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.

David Dwyer Cockrell, Appellant.

Appellate Case No. 2020-001070

Appeal From Greenville County
Edward W. Miller, Circuit Court Judge

Unpublished Opinion No. 2022-UP-040
Submitted February 1, 2022 – Filed February 9, 2022

AFFIRMED

Appellate Defender Wanda H. Carter, of Columbia, for
Appellant.

Attorney General Alan McCrory Wilson and Assistant
Attorney General Ambree Michele Muller, both of
Columbia, for Respondent.

PER CURIAM: David Dwyer Cockrell appeals the amount of restitution ordered by the circuit court following his guilty plea to two counts of uttering a fraudulent check. On appeal, he contends his restitution should only have been the \$60 his landlord incurred by attempting to cash the fraudulent checks rather than the

amount of the checks—\$10,000—plus the \$60. We affirm pursuant to Rule 220(b), SCACR, and the following authorities: S.C. Code Ann. § 17-25-322(A) (2014) ("When a defendant is convicted of a crime which has resulted in pecuniary damages or loss to a victim, the court must hold a hearing to determine the amount of restitution due the victim or victims of the defendant's criminal acts. The restitution hearings must be held unless the defendant in open court agrees to the amount due, and in addition to any other sentence which it may impose, the court shall order the defendant make restitution or compensate the victim for any pecuniary damages."); S.C. Code Ann. § 17-25-322(B)(4) (2014) ("In determining the manner, method, or amount of restitution to be ordered, the court may take into consideration . . . (4) any burden or hardship upon the victim as a direct or indirect result of the defendant's criminal acts . . .").

AFFIRMED.¹

THOMAS, GEATHERS, and VINSON, JJ., concur.

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