

**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**

South Carolina Department of Social Services,
Respondent,

v.

Sherecca D., Tyrone B., James D., and Jean D.,
Defendants,

Of whom Sherecca D. is the Appellant,

In the interest of a Minor under the age of 18.

Appellate Case No. 2012-207206

Appeal From Dillon County
Michael S. Holt, Family Court Judge

Unpublished Opinion No. 2012-UP-663
Submitted December 3, 2012 – Filed December 12, 2012

AFFIRMED

R. Scott Joye, of Joye, Nappier & Risher, LLC, of
Murrells Inlet, for Appellant.

Parker Edwards Howle, of Howle Law Firm, of
Darlington, for Respondent.

John Thomas, of Conway, for the Guardian ad Litem.

PER CURIAM: Affirmed¹ pursuant to Rule 220(b), SCACR, and the following authorities: *Simmons v. Simmons*, 392 S.C. 412, 414, 709 S.E.2d 666, 667 (2011) ("In appeals from the family court, [the appellate] court reviews factual and legal issues de novo."); *Lewis v. Lewis*, 392 S.C. 381, 392, 709 S.E.2d 650, 655 (2011) ("[W]hile retaining the authority to make our own findings of fact, we recognize the superior position of the family court judge in making credibility determinations." (footnote omitted)); *id.* (stating the burden is upon the appellant to convince this court that the family court erred in its findings of fact); *Ex parte Morris*, 367 S.C. 56, 61, 624 S.E.2d 649, 652 (2006) ("In appeals from the family court, the appellate court has the authority to find the facts in accordance with its view of the preponderance of the evidence."); *id.* ("This broad scope of review does not, however, require the appellate court to disregard the findings of the family court."); *id.* at 62, 624 S.E.2d at 652 ("This degree of deference is especially true in cases involving the welfare and best interests of a minor child.").²

AFFIRMED.

SHORT and KONDUROS, JJ., and CURETON, A.J., concur.

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

² We enter this decision without prejudice to the right of the mother to bring an action for a change of custody based on changed circumstances.