

**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**

Antonio Moore, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2010-156608

Appeal From York County
Brooks P. Goldsmith, Circuit Court Judge

Unpublished Opinion No. 2013-UP-441
Heard November 6, 2013 – Filed November 27, 2013

AFFIRMED

Deputy Chief Appellate Defender Wanda Carter, of
Columbia, for Petitioner.

Attorney General Alan McCrory Wilson, Senior
Assistant Deputy Attorney General Salley W. Elliott,
Assistant Attorney General J. Rutledge Johnson, and
Assistant Attorney General Joshua L. Thomas, all of
Columbia, for Respondent.

PER CURIAM: This appeal arises out of the denial of Petitioner Antonio Moore's application for post-conviction relief (PCR). On appeal, Moore argues the PCR court erred by failing to find the State breached the plea agreement when it requested a greater sentence than agreed to in the plea agreement. We affirm pursuant to Rule 220(b), SCACR, and the following authorities: *Dempsey v. State*, 363 S.C. 365, 368, 610 S.E.2d 812, 814 (2005) ("This Court gives great deference to the [PCR] court's findings of fact and conclusions of law."); *Smith v. State*, 369 S.C. 135, 138, 631 S.E.2d 260, 261 (2006) ("In reviewing the PCR court's decision, this Court is concerned only with whether there is any evidence of probative value to support that decision."); *Suber v. State*, 371 S.C. 554, 558-59, 640 S.E.2d 884, 886 (2007) (noting the court will uphold the findings of the PCR court when there is any evidence of probative value to support them and will reverse when the decision is controlled by an error of law).

AFFIRMED.

FEW, C.J., and PIEPER, and KONDUROS, JJ., concur.