

**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.

Dameon Myers, Appellant.

Appellate Case No. 2014-002775

Appeal From Georgetown County
Larry B. Hyman, Jr., Circuit Court Judge

Unpublished Opinion No. 2017-UP-260
Submitted May 1, 2017 – Filed June 28, 2017

AFFIRMED

Dameon Myers, pro se.

Attorney General Alan McCrory Wilson and Assistant
Attorney General Vann Henry Gunter, Jr., both of
Columbia; and Solicitor Jimmy A. Richardson, II, of
Conway, for Respondent.

PER CURIAM: Dameon Myers appeals the circuit court's order denying his writ of error *coram nobis* and a demand for dismissal for failure to state the proper jurisdiction and venue. On appeal, Myers argues the circuit court (1) did not possess judicial power, (2) made a substantive error in denying Loushanda Myers

the opportunity to present her petition, (3) acted in excess of its jurisdiction, (4) did not possess lawful and proper jurisdiction to enter a judgment and conviction against him, and (5) cannot decide matters of the United States Constitution.

Initially, we find South Carolina no longer recognizes the writ of error *coram nobis*. See Rule 60, SCRCP ("Writs of coram nobis, coram vobis, audita querela, and bills of review and bills in the nature of a bill of review, are abolished, and the procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules or by an independent action."). Further, although the circuit court does have jurisdiction to consider timely post-trial motions, such motions must be made within ten days of the sentence. Here, even if Myers's writ is construed as a Rule 29(a), SCRCP, motion, it was untimely. See Rule 29(a), SCRCP ("Except for motions for new trials based on after-discovered evidence, post-trial motions shall be made within ten (10) days after the imposition of the sentence."). Accordingly, the circuit court's order is

AFFIRMED.¹

WILLIAMS and KONDUROS, JJ., and LEE, A.J., concur.

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