

**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**

Rudolph Cochran, Appellant,

v.

Omeegas of Charleston Community Uplift Project,
Respondent.

Appellate Case No. 2020-001581

Appeal From Charleston County
Roger M. Young, Sr., Circuit Court Judge

Unpublished Opinion No. 2021-UP-452
Submitted December 8, 2021 – Filed December 22, 2021

AFFIRMED

Thomas Bacot Pritchard, of Parker Nelson & Associates,
of Charleston, for Appellant.

PER CURIAM: Rudolph Cochran appeals an order from the circuit court following a non-jury trial, finding he failed to establish claims for breach of contract or unjust enrichment. On appeal, he argues only that Omeegas of Charleston Community Uplift Project was unjustly enriched for the time period when it had use of the HVAC units in the building.

The HVAC units were installed sometime in early 2008 and were stolen from the property sometime during July 2008 and 2009. Although Cochran established the total amount he expended for the HVAC units, he failed to establish any amount of damages attributable to any period of time in which the HVAC units were used before they were stolen. Accordingly, we affirm pursuant to Rule 220(b), SCACR, and the following authorities: *Horry Cty. v. Ray*, 382 S.C. 76, 80, 674 S.E.2d 519, 522 (Ct. App. 2009) ("The appellate court's standard of review in equitable matters is our own view of the preponderance of the evidence."); *Pinckney v. Warren*, 344 S.C. 382, 387, 544 S.E.2d 620, 623 (2001) ("However, this broad scope of review does not require an appellate court to disregard the findings below or ignore the fact that the trial [court] is in the better position to assess the credibility of the witnesses."); *id.* at 387-88, 544 S.E.2d at 623 ("Moreover, the appellant is not relieved of his burden of convincing the appellate court the trial [court] committed error in [its] findings."); *Dema v. Tenet Physician Servs. Hilton Head, Inc.*, 383 S.C. 115, 123, 678 S.E.2d 430, 434 (2009) ("Unjust enrichment is an equitable doctrine which permits the recovery of *that amount the defendant has been unjustly enriched* at the expense of the plaintiff." (emphasis added)).

AFFIRMED.¹

LOCKEMY, C.J., and WILLIAMS and MCDONALD, JJ., concur.

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