THE STATE OF SOUTH CAROLINA
In The Supreme Court

The State, Respondent,

v.

Larry T. Chestnut, Appellant.

Appellate Case No. 2012-212800

Appeal from Horry County
Steven H. John, Circuit Court Judge

Memorandum Opinion No. 2015-MO-002
Heard September 24, 2014 – Filed January 14, 2015

AFFIRMED

Jeremy A. Thompson, of Columbia, for Appellant.

Attorney General Alan Wilson and Senior Assistant Deputy Attorney General Deborah R.J. Shupe, both of Columbia, for Respondent.

PER CURIAM: Appellant Larry T. Chestnut appeals his conviction and sentence for voluntary manslaughter, challenging the rule that where a defendant in a joint trial introduces evidence, the State is entitled to the final argument. *State v. Huckie*, 22 S.C. 298, 300 (1885). In this case, however, neither Appellant nor his

codefendant presented evidence, and as a result, Appellant and his codefendant had the final argument. We affirm pursuant to Rule 220(b)(1), SCACR, and the following authorities: *State v. Freiburger*, 366 S.C. 125, 135, 620 S.E.2d 737, 742 (2005) ("The rule is well established that if asserted errors are not presented to the lower Court, the question cannot be raised for the first time on appeal." (citation omitted)); *State v. Schmidt*, 288 S.C. 301, 303, 342 S.E.2d 401, 402–03 (1986) ("Ordinarily, this Court will not review alleged error of the exclusion of testimony unless a proffer of testimony is properly made on the record." (citation omitted)); *Dillon Cnty. v. Maryland Cas. Co.*, 217 S.C. 66, 76, 59 S.E.2d 640, 644 (1950) ("No one can obtain a decision as to the invalidity of a law on the ground that it impairs the rights of others, for one attacking the constitutionality of a statute is not the champion of any rights except his own." (citation and quotations omitted)).

AFFIRMED.

TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ., concur.