

**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.

Anthony Baxter, Appellant.

Appellate Case No. 2008-085166

Appeal From Edgefield County
R. Knox McMahon, Circuit Court Judge

Unpublished Opinion No. 2012-UP-505
August 1, 2012 – Filed September 5, 2012

AFFIRMED

Deputy Chief Appellate Defender Wanda H. Carter, of
Columbia, for Appellant.

Attorney General Alan Wilson, Chief Deputy Attorney
General John W. McIntosh, Senior Assistant Deputy
Attorney General Salley W. Elliott, Assistant Attorney
General Christina Catoe, all of Columbia; and Solicitor
Donald V. Myers, of Lexington, for Respondent.

PER CURIAM: Counsel for appellant filed a brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), asserting there were no meritorious grounds for appeal and requesting permission to withdraw from further representation. The Court denied the request to withdraw and directed the parties to file additional briefs.

After careful consideration of the record and briefs, the judgment of the trial court is affirmed¹ pursuant to Rule 220(b), SCACR, and the following authority: *State v. White*, 361 S.C. 407, 412, 605 S.E.2d 540, 542 (2004) (noting that a trial court properly "refus[es] to charge a lesser included offense where there is no evidence tending to show the defendant was guilty only of the lesser offense").

AFFIRMED.

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

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