

**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**

SCDSS and Susan Wilkey, Respondents,

v.

Samuel Heyward, Jr., Appellant.

Appellate Case No. 2011-204207

Appeal From Berkeley County
Jack A. Landis, Family Court Judge

Unpublished Opinion No. 2012-UP-604
Submitted October 26, 2012 – Filed November 7, 2012

AFFIRMED

Merrill A. Cox, of Cox Law Firm, of Goose Creek, for
Appellant.

Paul F. LeBarron, of the South Carolina Department of
Social Services, of Charleston, for Respondents.

PER CURIAM: Samuel Heyward, Jr., appeals the family court's denial of his motion in reference to bankruptcy. Heyward argues an automatic stay in a Chapter 13 bankruptcy bars the continuation of an order of incarceration for civil contempt for failure to pay child support. We affirm pursuant to Rule 220(b)(1), SCACR,

and the following authorities: *King v. King*, 384 S.C. 134, 142, 681 S.E.2d 609, 614 (Ct. App. 2009) (holding issues must be raised to and ruled upon by the family court to be preserved for appellate review); *Bodkin v. Bodkin*, 388 S.C. 203, 219, 694 S.E.2d 230, 239 (Ct. App. 2010) (holding when the family court fails to rule on an issue presented, the issue must be raised in a Rule 59(e), SCRCP, motion to be preserved for review).

AFFIRMED.¹

SHORT, KONDUROS, and LOCKEMY, JJ., concur.

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