

**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.

Tammy Pond, Appellant.

Appellate Case No. 2011-202531

Appeal From Aiken County
Doyet A. Early, III, Circuit Court Judge

Unpublished Opinion No. 2012-UP-618
Submitted October 1, 2012 – Filed November 21, 2012

AFFIRMED

Appellate Defender Robert M. Pachak, of Columbia, for
Appellant.

J. Benjamin Aplin, South Carolina Department of
Probation, Parole and Pardon Services, of Columbia, for
Respondent.

PER CURIAM: Pond appeals the revocation of her probation, arguing the circuit court erred because her failure to make court ordered payments was not willful, and the circuit court failed to make a finding on the record that the failure was willful. We affirm¹ pursuant to Rule 220(b), SCACR, and the following authorities: S.C. Code Ann. § 24-21-460 (2007) (providing the circuit court has the option to "revoke the probation or suspension of sentence" and "require the defendant to serve all or a portion only of the sentence imposed"); *State v. Allen*, 370 S.C. 88, 94, 634 S.E.2d 653, 655 (2006) ("The determination of whether to revoke probation in whole or part rests within the sound discretion of the [circuit] court."); *State v. Hamilton*, 333 S.C. 642, 648, 511 S.E.2d 94, 97 (Ct. App. 1999) ("Probation is a matter of grace; revocation is the means to enforce the conditions of probation."); *id.* at 648-49, 511 S.E.2d at 97 ("[B]efore revoking probation, the circuit [court] must determine if there is sufficient evidence to establish that the probationer has violated [the] probation conditions."); *id.* at 649, 511 S.E.2d at 97. ("It is only when probation is revoked *solely* for failure to pay fines or restitution that a finding of willfulness is mandatory.").

AFFIRMED.

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

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