

**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.

Jerry Alan Goode, Appellant.

Appellate Case No. 2011-197007

Appeal From York County
G. Thomas Cooper, Jr., Circuit Court Judge

Unpublished Opinion No. 2013-UP-208
Submitted April 1, 2013 – Filed May 22, 2013

AFFIRMED

Appellate Defender David Alexander, of Columbia, for
Appellant.

Attorney General Alan McCrory Wilson and Assistant
Attorney General Christina J. Catoe, both of Columbia,
for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: S.C. Code Ann. § 24-13-40 (2007) ("In every case in computing the
time served by a prisoner, full credit against the sentence shall be given for time

served prior to trial and sentencing. *Provided, however, that credit for time served prior to trial and sentencing shall not be given . . . when the prisoner is serving a sentence for one offense and is awaiting trial and sentence for a second offense in which case he shall not receive credit for time served prior to trial in a reduction of his sentence for the second offense.*" (emphasis added)); *see also Blakeney v. State*, 339 S.C. 86, 89, 529 S.E. 9, 11 (2000) (holding a prisoner serving time in jail awaiting trial and sentencing on an unrelated charge was entitled to credit for time served after a hold was placed on him and a warrant for his arrest was issued); *Crooks v. State*, 326 S.C. 171, 174-75, 485 S.E.2d 374, 375-76 (1997) (holding time served in section 24-13-40 means the time during which a defendant is in pre-trial confinement and charged with the offense for which he is sentenced, as long as he is not serving time for a prior conviction); *State v. Benton*, 338 S.C. 151, 157, 526 S.E.2d 228, 231 (2000) (holding an issue is not preserved for appellate consideration if the appellant concedes the issue in the trial court).

AFFIRMED.¹

FEW, C.J., and GEATHERS and LOCKEMY, JJ., concur.

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