

**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.

Gerald Pitts, Appellant.

Appellate Case No. 2012-208266

Appeal From Spartanburg County
J. Derham Cole, Circuit Court Judge

Unpublished Opinion No. 2013-UP-482
Submitted December 1, 2013 – Filed December 23, 2013

AFFIRMED

Chief Appellate Defender Robert Michael Dudek, of
Columbia, for Appellant.

Attorney General Alan McCrory Wilson and Assistant
Attorney General William M. Blicht, Jr., both of
Columbia, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: *State v. Harris*, 391 S.C. 539, 545, 706 S.E.2d 526, 529 (Ct. App.
2011) ("The granting of a new trial because of after-discovered evidence is not

avored, and this court will affirm the trial court's denial of such a motion unless the trial court abused its discretion." (internal quotation marks omitted)); *id.* ("The credibility of newly-discovered evidence is for the trial court to determine."); *id.* ("Recantation of testimony ordinarily is unreliable and should be subjected to the closest scrutiny when offered as ground for a new trial."); *id.* at 545-46, 706 S.E.2d at 529 (finding the trial court did not abuse its discretion in denying the motion for a new trial after it found the recantation testimony was not credible).

AFFIRMED.¹

HUFF, GEATHERS, and LOCKEMY, JJ., concur.

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