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.
Gary Wayne Presley, Appellant.
Appellate Case No. 2013-002475
Appeal From Richland County Robert E. Hood, Circuit Court Judge Unpublished Opinion No. 2015-UP-411
Submitted July 1, 2015 – Filed August 12, 2015
AFFIRMED
Appellate Defender Robert M. Pachak, of Columbia, for Appellant.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *State v. McEachern*, 399 S.C. 125, 136, 731 S.E.2d 604, 609 (Ct. App.

Attorney General Alan McCrory Wilson and Assistant

Attorney General Jennifer Ellis Roberts, both of Columbia; and Solicitor Daniel Edward Johnson, of

Columbia, for Respondent.

2012) ("The admission or exclusion of evidence falls within the sound discretion of the trial court and will not be disturbed on appeal absent an abuse of that discretion."); Rule 401, SCRE ("'Relevant evidence' means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence."); Rule 403, SCRE ("Although relevant, evidence may be excluded if its probative value is substantially outweighed by the danger of unfair prejudice"); *State v. Brooks*, 341 S.C. 57, 62, 533 S.E.2d 325, 328 (2000) ("The determination of the prejudicial effect of evidence must be based on the entire record, and the result will generally turn on the facts of each case.").

AFFIRMED.¹

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

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