

**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.

Dantonyo Andropulis Heath, Appellant.

Appellate Case No. 2013-001663

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Appeal From York County  
John C. Hayes, III, Circuit Court Judge

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Unpublished Opinion No. 2015-UP-487  
Submitted September 1, 2015 – Filed October 14, 2015

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**AFFIRMED**

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Appellate Defender Susan Barber Hackett, of Columbia,  
for Appellant.

Attorney General Alan McCrory Wilson and Assistant  
Attorney General William M. Blicht, Jr., both of  
Columbia; and Solicitor Kevin Scott Brackett, of York,  
for Respondent.

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**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following  
authorities: *State v. Baccus*, 367 S.C. 41, 48, 625 S.E.2d 216, 220 (2006) ("In

criminal cases, the appellate court sits to review errors of law only."); *Gibson v. State*, 334 S.C. 515, 524, 514 S.E.2d 320, 324 (1999) ("[A *Brady*<sup>1</sup>] claim is complete if the accused can demonstrate (1) the evidence was favorable to the accused, (2) it was in the possession of or known to the prosecution, (3) it was suppressed by the prosecution, and (4) it was material to guilt or punishment." (footnote omitted)); *State v. Taylor*, 333 S.C. 159, 177, 508 S.E.2d 870, 879 (1998) ("Evidence is material only if there is a reasonable probability that, had the evidence been disclosed to the defense, the result of the proceeding would have been different." (alteration and internal quotation marks omitted)); *id.* ("A 'reasonable probability' is a probability sufficient to undermine confidence in the outcome." (internal quotation marks omitted)).

**AFFIRMED.**<sup>2</sup>

**SHORT, GEATHERS, and MCDONALD, JJ., concur.**

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<sup>1</sup> *Brady v. Maryland*, 373 U.S. 83 (1963).

<sup>2</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.