

**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.

Kenneth Jordan Bell, Appellant.

Appellate Case No. 2013-001841

Appeal From Horry County
Roger L. Couch, Circuit Court Judge

Unpublished Opinion No. 2015-UP-447
Submitted May 1, 2015 – Filed September 2, 2015

AFFIRMED

Appellate Defenders Carmen Vaughn Ganjehsani and
Laura Ruth Baer, both of Columbia, for Appellant.

Attorney General Alan McCrory Wilson and Assistant
Attorney General Jennifer Ellis Roberts, both of
Columbia; and Solicitor Jimmy A. Richardson, II, of
Conway, for Respondent.

PER CURIAM: Kenneth Jordan Bell appeals his convictions for first-degree burglary, armed robbery, kidnapping, possession of a weapon during a violent

crime, and criminal conspiracy, arguing the trial court erred in (1) incorrectly instructing the jury about the consequences of a mistrial and (2) excluding evidence about a prior drug deal between one of the victims and a co-defendant. We affirm pursuant to Rule 220(b), SCACR, and the following authorities:

1. As to the first issue: *State v. Aleksey*, 343 S.C. 20, 27, 538 S.E.2d 248, 251 (2000) ("The standard for review of an ambiguous jury instruction is whether there is a reasonable likelihood that the jury applied the challenged instruction in a way that violates the Constitution."); *State v. Simmons*, 384 S.C. 145, 178, 682 S.E.2d 19, 36 (Ct. App. 2009) ("In reviewing jury charges for error, this [c]ourt must consider the [trial] court's jury charge as a whole in light of the evidence and issues presented at trial."); *id.* ("If, as a whole, the charges are reasonably free from error, isolated portions which might be misleading do not constitute reversible error."); *id.* ("A jury charge is correct if, when the charge is read as a whole, it contains the correct definition and adequately covers the law."); *State v. Singleton*, 319 S.C. 312, 316, 460 S.E.2d 573, 575 (1995) ("The trial [court] has a duty to urge the jury to reach a verdict but [it] may not coerce them."); *id.* at 316, 460 S.E.2d at 575-76 ("It is not coercion when a trial [court] instructs the jury that failure to reach a verdict will require a new trial at additional expense" (footnotes omitted)).

2. As to the second issue: *State v. King*, 367 S.C. 131, 136, 623 S.E.2d 865, 867 (Ct. App. 2005) ("The admission or exclusion of evidence is left to the sound discretion of the trial [court]."); *id.* ("A court's ruling on the admissibility of evidence will not be reversed on appeal absent an abuse of discretion or the commission of legal error which results in prejudice to the defendant."); *id.* ("Error without prejudice does not warrant reversal.").

AFFIRMED.¹

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

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