

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**

State of South Carolina, Respondent,

v.

Aaron Van Hendrix, Appellant.

Appellate Case No. 2016-000208

Appeal From Pickens County
Perry H. Gravely, Circuit Court Judge

Unpublished Opinion No. 2019-UP-022
Heard December 3, 2018 – Filed January 9, 2019

AFFIRMED

Appellate Defender David Alexander, of Columbia, for Appellant.

Attorney General Alan McCrory Wilson and Assistant Attorney General Mark Reynolds Farthing, both of Columbia; and Solicitor William Walter Wilkins, III, of Greenville, for Respondent.

PER CURIAM: Aaron Van Hendrix appeals his convictions of two counts of criminal sexual conduct with a minor (CSCM) in the first degree and one count of CSCM in the third degree. We affirm pursuant to Rule 220(b), SCACR, and the

following authorities: *State v. Brewer*, 411 S.C. 401, 406, 768 S.E.2d 656, 658 (2015) ("The admission or exclusion of evidence is left to the sound discretion of the trial judge, whose decision will not be reversed on appeal absent an abuse of discretion." (quoting *State v. Black*, 400 S.C. 10, 16, 732 S.E.2d 880, 884 (2012))); *State v. Cope*, 405 S.C. 317, 341, 748 S.E.2d 194, 206 (2013) ("[T]o be admissible, evidence of third-party guilt must be 'limited to such facts as are inconsistent with [the defendant's] own guilt, and to such facts as raise a reasonable inference or presumption as to his own innocence.'" (alteration by court) (quoting *State v. Gregory*, 198 S.C. 98, 104, 16 S.E.2d 532, 534 (1941))); *Commerce Ctr. of Greenville, Inc. v. W. Powers McElveen & Assocs.*, 347 S.C. 545, 559, 556 S.E.2d 718, 726 (Ct. App. 2001) ("Generally, there is no abuse of discretion where the excluded testimony is merely cumulative of other evidence proffered to the jury.").

AFFIRMED.

HUFF, SHORT, and WILLIAMS, JJ., concur.