

**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 Supreme Court**

Jeffery T. Lucas, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2013-000455

Lower Court Case No. 2010-CP-32-00803

Appeal From Lexington County
William P. Keesley, Trial Judge
Clifton Newman, Post-Conviction Relief Judge

Memorandum Opinion No. 2014-MO-047
Submitted November 19, 2014 – Filed December 10, 2014

AFFIRMED

Tommy Arthur Thomas, of Irmo, for Petitioner.

Attorney General Alan Wilson, Chief Deputy
Attorney General John W. McIntosh, Assistant
Deputy Attorney General Salley W. Elliott, and
Assistant Attorney General John Walter Whitmire, all
of Columbia, for Respondent.

PER CURIAM: Petitioner seeks a writ of certiorari from the denial of his application for post-conviction relief (PCR). We deny the petition on petitioner's Question II.

Because there is sufficient evidence to support the PCR judge's finding that petitioner did not knowingly and intelligently waive his right to a direct appeal, we grant certiorari on petitioner's Question I, dispense with further briefing, and proceed with a review of the direct appeal issue pursuant to *Davis v. State*, 288 S.C. 290, 342 S.E.2d 60 (1986).

Petitioner's conviction and sentence are affirmed pursuant to Rule 220(b)(1), SCACR, and the following authorities: *State v. Freiburger*, 366 S.C. 125, 620 S.E.2d 737 (2005) (an argument not raised to and ruled on by the trial judge is not preserved for appellate review); *State v. Green*, 397 S.C. 268, 724 S.E.2d 664 (2012); *State v. Johnson*, 338 S.C. 114, 525 S.E.2d 519 (2000); *State v. Kornahrens*, 290 S.C. 281, 350 S.E.2d 180 (1986), *cert. denied*, 480 U.S. 940 (1987); *State v. Middleton*, 288 S.C. 21, 339 S.E.2d 692 (1986), *cert. denied*, 488 U.S. 872 (1988).

AFFIRMED.

**TOAL, C.J., PLEICONES, BEATTY, KITTREDGE and HEARN, JJ.,
concur.**