

**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.

Stevie Curtis Higgins, Jr., Appellant.

Appellate Case No. 2014-000393

Appeal From Charleston County
Roger M. Young, Circuit Court Judge

Unpublished Opinion No. 2015-UP-238
Submitted February 1, 2015 – Filed May 6, 2015

AFFIRMED

Deputy Chief Appellate Defender Wanda H. Carter, of
Columbia, for Appellant.

Attorney General Alan McCrory Wilson and Assistant
Attorney General Jennifer Ellis Roberts, both of
Columbia; and Solicitor Scarlett Anne Wilson, of
Charleston, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: Rule 220(c), SCACR ("The appellate court may affirm any ruling,

order, decision or judgment upon any ground(s) appearing in the Record on Appeal."); *State v. Provet*, 405 S.C. 101, 107, 747 S.E.2d 453, 456 (2013) ("South Carolina appellate courts review Fourth Amendment determinations under a clear error standard."); *id.* (stating that under the clear error standard, the appellate court will affirm if there is any evidence to support the trial court's ruling); *State v. Pichardo*, 367 S.C. 84, 96, 623 S.E.2d 840, 846 (Ct. App. 2005) ("The 'clear error' standard means an appellate court will not reverse a trial court's findings of fact simply because it would have decided the case differently."); *State v. Moultrie*, 316 S.C. 547, 551, 451 S.E.2d 34, 37 (Ct. App. 1994) ("A warrantless search that precedes a formal arrest is nonetheless valid if the arrest quickly follows."); *id.* ("The fact that an arresting officer improperly base[s] a search of an individual on a *Terry*-stop rationale does not prevent the State from otherwise justifying the search by proving probable cause to make a warrantless arrest of the individual existed prior to the search."); *id.* at 552, 451 S.E.2d at 37 ("[P]robable cause for a warrantless arrest generally exists 'where the facts and circumstances within the arresting officer's knowledge are sufficient for a reasonable person to believe that a crime has been or is being committed by the person to be arrested.'" (quoting *United States v. Miller*, 925 F.2d 695, 698 (4th Cir. 1991))); S.C. Code Ann. § 16-23-20 (Supp. 2014) (making it unlawful for anyone to carry a handgun about his person except in a limited number of circumstances); S.C. Code Ann. § 56-5-3160 (2006) (making it unlawful for a pedestrian to walk along a roadway where a sidewalk or shoulder is available, and providing that "[w]here neither a sidewalk nor a shoulder is available, any pedestrian walking along and upon a highway shall walk as near as practicable to an outside edge of the roadway").

AFFIRMED.¹

SHORT, LOCKEMY, and McDONALD, JJ., concur.

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