

**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**

Mark D. Ostendorff, Appellant,

v.

School District of Pickens County Board of Trustees,
School District of Pickens County, Alex Saitta, Judy
Edwards, Jimmy Gillespie, Herbert Cooper, Jim Shelton,
Ben Trotter, Kelly Pew, Henry Hunt, and Robert
Folkman, Respondents.

Appellate Case No. 2014-001737

Appeal From York County
Letitia H. Verdin, Circuit Court Judge

Unpublished Opinion No. 2016-UP-421
Submitted September 1, 2016 – Filed October 5, 2016

AFFIRMED

Mark D. Ostendorff, of Central, pro se.

Thomas Kennedy Barlow and Mary Allison Caudell, of
Childs & Halligan, PA, of Columbia, for Respondents.

PER CURIAM: Mark Ostendorff appeals the circuit court's decision to grant the Respondents' motion to dismiss improperly named defendants. Ostendorff argues

the circuit court erred because (1) the dismissal improperly gave the employees total immunity, (2) the dismissal involved issues of fact that should have been determined by a jury, (3) the Pickens County School District may not be responsible for all of the actions of its employees, (4) the dismissal violated his due process rights, (5) the dismissal violated his equal protection rights, (6) the circuit court did not make any findings of fact, and (7) the Pickens County School District Board of Trustees is a separate entity. We affirm.¹

1. We find Ostendorff abandoned issue one. *See First Sav. Bank v. McLean*, 314 S.C. 361, 363, 444 S.E.2d 513, 514 (1994) (stating issues not argued or supported by authority are deemed abandoned).

2. We find Ostendorff did not preserve issues two, three, four, five, and six. *See Wilder Corp. v. Wilke*, 330 S.C. 71, 76, 497 S.E.2d 731, 733 (1998) ("It is axiomatic that an issue cannot be raised for the first time on appeal, but must have been raised to and ruled upon by the [circuit court] to be preserved for appellate review.").

3. We find Ostendorff conceded issue seven to the circuit court. *See TNS Mills, Inc. v. S.C. Dep't of Revenue*, 331 S.C. 611, 617, 503 S.E.2d 471, 474 (1998) ("An issue conceded in a lower court may not be argued on appeal.").

AFFIRMED.

WILLIAMS, THOMAS, and GEATHERS, JJ., concur.

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