

**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.

Nicholas Shane Newell,

Appellant.

---

Appeal From York County  
John C. Hayes, III, Circuit Court Judge

---

Unpublished Opinion No. 2012-UP-345  
Submitted May 1, 2012 – Filed June 6, 2012

---

**APPEAL DISMISSED**

---

Appellate Defender Robert M. Pachak, of Columbia,  
for Appellant.

Tommy Evans, Jr. and J. Benjamin Aplin, both of  
Columbia, for Respondent.

**PER CURIAM:** Nicholas Shane Newell appeals his probation revocation, arguing his due process rights were violated as the arrest warrant

does not indicate that he was provided a preliminary hearing upon his arrest. After a thorough review of the record and counsel's brief pursuant to Anders v. California, 386 U.S. 738 (1967), and State v. Williams, 305 S.C. 116, 406 S.E.2d 357 (1991), we dismiss the appeal and grant counsel's motion to be relieved.<sup>1</sup>

**APPEAL DISMISSED.**

**PIEPER, KONDUROS, and GEATHERS, JJ., concur.**

---

<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.