

**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.

George Arsenio Smith,

Appellant.

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Appeal From Clarendon County  
R. Ferrell Cothran Jr., Circuit Court Judge

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Unpublished Opinion No. 2012-UP-350  
Submitted April 2, 2012 – Filed June 6, 2012

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**AFFIRMED**

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Appellate Defender Elizabeth A. Franklin-Best, of  
Columbia, for Appellant.

Attorney General Alan Wilson, Chief Deputy  
Attorney General John W. McIntosh, Senior  
Assistant Deputy Attorney General Salley W. Elliott,  
and Senior Assistant Attorney General Harold M.

Coombs Jr., all of Columbia; and Solicitor Ernest A. Finney III, of Sumter, for Respondent.

**PER CURIAM:** George Arsenio Smith appeals his twenty-year sentence for a conviction of assault and battery with intent to kill, arguing the sentence exceeded the maximum sentence allowed by law. We affirm<sup>1</sup> pursuant to Rule 220(b)(1), SCACR, and the following authorities: S.C. Code Ann. § 16-3-620 (2003) ("The crime of assault and battery with intent to kill shall . . . be punished by imprisonment not to exceed twenty years."); 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."); Tant v. S.C. Dep't of Corr., 395 S.C. 446, 449, 718 S.E.2d 753, 755 (Ct. App. 2011) ("Under ordinary circumstances, [the Department of Corrections] must determine the sentence imposed by the [circuit] court from the sentencing sheets.").

**AFFIRMED.**

**FEW, C.J., HUFF and SHORT, JJ., concur.**

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