

**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.

Michael Montgomery,

Appellant.

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Appeal From Chester County  
Doyet A. Early, III, Circuit Court Judge

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Unpublished Opinion No. 2012-UP-412  
Submitted June 1, 2012 – Filed July 11, 2012

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**APPEAL DISMISSED**

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

Attorney General Alan Wilson, Chief Deputy  
Attorney General John W. McIntosh, and Senior  
Assistant Deputy Attorney General Salley W. Elliott,  
all of Columbia; and Solicitor Douglas A. Barfield,  
Jr., of Lancaster, for Respondent.

**PER CURIAM:** Michael Montgomery appeals his convictions of growing and manufacturing marijuana and possession of marijuana, arguing the trial court erred in failing to declare a mistrial after the State elicited improper testimony. 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<sup>1</sup> the appeal and grant counsel's motion to be relieved.

**APPEAL DISMISSED.**

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

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