## 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.  Sharen Bailey, Appellant.  Appellate Case No. 2012-212618  Appeal From Sumter County Howard P. King, Circuit Court Judge George C. James, Jr., Circuit Court Judge  Unpublished Opinion No. 2013-UP-343 Submitted July 1, 2013 – Filed September 4, 2013  AFFIRMED  Appellate Defender Robert M. Pachak, of Columbia, for Appellant.  Attorney General Alan McCrory Wilson and Assistant Attorney General John Benjamin Aplin, both of Columbia, for Respondent.	
Sharen Bailey, Appellant.  Appellate Case No. 2012-212618  Appeal From Sumter County Howard P. King, Circuit Court Judge George C. James, Jr., Circuit Court Judge  Unpublished Opinion No. 2013-UP-343 Submitted July 1, 2013 – Filed September 4, 2013  AFFIRMED  Appellate Defender Robert M. Pachak, of Columbia, for Appellant.  Attorney General Alan McCrory Wilson and Assistant Attorney General John Benjamin Aplin, both of	The State, Respondent,
Appellate Case No. 2012-212618  Appeal From Sumter County Howard P. King, Circuit Court Judge George C. James, Jr., Circuit Court Judge  Unpublished Opinion No. 2013-UP-343 Submitted July 1, 2013 – Filed September 4, 2013  AFFIRMED  Appellate Defender Robert M. Pachak, of Columbia, for Appellant.  Attorney General Alan McCrory Wilson and Assistant Attorney General John Benjamin Aplin, both of	v.
Appeal From Sumter County Howard P. King, Circuit Court Judge George C. James, Jr., Circuit Court Judge  Unpublished Opinion No. 2013-UP-343 Submitted July 1, 2013 – Filed September 4, 2013  AFFIRMED  Appellate Defender Robert M. Pachak, of Columbia, for Appellant.  Attorney General Alan McCrory Wilson and Assistant Attorney General John Benjamin Aplin, both of	Sharen Bailey, Appellant.
Howard P. King, Circuit Court Judge George C. James, Jr., Circuit Court Judge  Unpublished Opinion No. 2013-UP-343 Submitted July 1, 2013 – Filed September 4, 2013  AFFIRMED  Appellate Defender Robert M. Pachak, of Columbia, for Appellant.  Attorney General Alan McCrory Wilson and Assistant Attorney General John Benjamin Aplin, both of	Appellate Case No. 2012-212618
Appellate Defender Robert M. Pachak, of Columbia, for Appellant.  Attorney General Alan McCrory Wilson and Assistant Attorney General John Benjamin Aplin, both of	Howard P. King, Circuit Court Judge George C. James, Jr., Circuit Court Judge  ————  Unpublished Opinion No. 2013-UP-343
Appellant.  Attorney General Alan McCrory Wilson and Assistant Attorney General John Benjamin Aplin, both of	AFFIRMED
Attorney General John Benjamin Aplin, both of	11
<del></del>	Attorney General John Benjamin Aplin, both of

**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *State v. Ezell*, 321 S.C. 421, 425, 468 S.E.2d 679, 681 (Ct. App. 1996)

("A [jury] charge is sufficient if, when considered as a whole, it covers the law applicable to the case."); *id.* ("The judge properly instructs the jury if he adequately states the applicable law."); *State v. Jackson*, 301 S.C. 49, 50, 389 S.E.2d 654, 655 (1990) ("When a defendant is tried *in absentia*, the trial court should instruct the jury that the defendant's failure to appear may not be construed as an admission of guilt.").

**AFFIRMED.**<sup>1</sup>

SHORT, THOMAS, and PIEPER, JJ., concur.

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