

**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.

David Allen Tindal, Jr., Appellant.

Appellate Case No. 2018-001213

Appeal From Fairfield County
Thomas A. Russo, Circuit Court Judge

Unpublished Opinion No. 2020-UP-289
Submitted October 1, 2020 – Filed October 14, 2020

AFFIRMED

Appellate Defender Lara Mary Caudy, of Columbia, for
Appellant.

Attorney General Alan McCrory Wilson and Senior
Assistant Deputy Attorney General William M. Blich,
Jr., both of Columbia; and Solicitor Randy E. Newman,
Jr., of Lancaster, for Respondent.

PER CURIAM: David Allen Tindal, Jr. appeals his conviction for distribution of methamphetamine, arguing the trial court abused its discretion by refusing to grant a mistrial after a witness gave prejudicial testimony. Because any prejudice

resulting from the witness's statement was minimal and the trial court gave a curative instruction sufficient to cure any alleged error, we affirm pursuant to Rule 220(b), SCACR, and the following authorities: *State v. Culbreath*, 377 S.C. 326, 331, 659 S.E.2d 268, 271 (Ct. App. 2008) ("Whether to grant or deny a mistrial motion is a matter within the trial court's sound discretion, and the court's decision will not be disturbed on appeal absent an abuse of discretion amounting to an error of law."); *State v. Herring*, 387 S.C. 201, 216, 692 S.E.2d 490, 498 (2009) ("The grant of a motion for a mistrial is an extreme measure which should be taken only where an incident is so grievous that the prejudicial effect can be removed in no other way."); *State v. George*, 323 S.C. 496, 510, 476 S.E.2d 903, 911-12 (1996) ("If the trial [court] sustains a timely objection to testimony and gives the jury a curative instruction to disregard the testimony, the error is deemed to be cured.").

AFFIRMED.¹

HUFF, WILLIAMS, and GEATHERS, JJ., concur.

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