

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )  
Karolina Richardson and Krista Richardson, )  
Plaintiffs, )  
v. )  
Mt. Pleasant Square Associates, II, LLC d/b/a )  
Oyster Park Apartments, Dewberry Capital )  
Corporation, and GREP Southeast, LLC, )  
Defendants. )

IN THE COURT OF COMMON PLEAS  
FOR THE NINTH JUDICIAL CIRCUIT  
CASE NO.: 2018-CP-10-3286

**ORDER DENYING DEFENDANTS'  
MOTION FOR JUDGMENT  
NOTWITHSTANDING VERDICT**

**RECEIVED**  
**Aug 29 2022**  
**SC Court of Appeals**

This matter came before the Court upon Defendants Mt. Pleasant Square Associates, II, LLC d/b/a Oyster Park Apartments, Dewberry Capital Corporation, and GREP Southeast, LLC's ("Defendants") Motion for Judgment Notwithstanding Verdict (hereinafter "Defendants' JNOV Motion").

In ruling on a motion for directed verdict, and similarly on a motion for JNOV, the trial court cannot disturb the factual findings of a jury unless a review of the record shows no evidence which reasonably supports them. *Horry County v. Laychur*, 315 S.C. 364, 434 S.E.2d 259 (1993); *Force v. Richland Mem'l. Hosp.*, 322 S.C. 283, 471 S.E.2d 714 (Ct. App. 1996). Further, the trial court should uphold a jury's verdict if there is any evidence to sustain it. *Burns v. Universal Health Services, Inc.*, 361 S.C. 221, 231-33, 603 S.E.2d 605, 611 (Ct. App. 2004); *Shupe v. Settle*, 315 S.C. 510, 445 S.E.2d 651 (Ct. App. 1994). "[I]n ruling on a motion to set aside a verdict, the trial court is concerned with the existence of evidence, not as weight." *State v. Gunter*, 273 S.C. 347, 256 S.E. 2d 317 (1979). Granting or denying a new trial motion rests with the court's discretion, and the court's decision will not be disturbed on appeal unless the court's findings are wholly

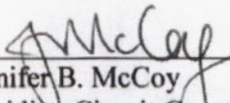
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unsupported by the evidence or its conclusions are controlled by an error of law. *Vinson v. Hartley*  
324 S.C. 389, 405, 477 S.E.2d 715, 723 (Ct. App. 1996).

Here, there was substantial evidence in support of Plaintiffs' claims, and the jury weighed the evidence presented at trial and reached a reasonable conclusion as to the value to Plaintiffs' damages suffered as a proximate result of Defendants' conduct. Based upon the foregoing, Defendants' JNOV Motion is hereby DENIED.

IT IS SO ORDERED.

  
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Jennifer B. McCoy  
Presiding Circuit Court Judge

August 24, 2022  
Charleston, South Carolina