

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FOURTEENTH JUDICIAL CIRCUIT
COUNTY OF BEAUFORT)	
)	CIVIL ACTION NO.: 2019-CP-07-01995
Ronnie L. Douglas, Eric J. Douglas,)	
Jacqueline Walker, Donna Harding, and Diane)	
Brenda Spears,)	
)	
Plaintiffs,)	
)	
v.)	ORDER DENYING
)	PLAINTIFFS' MOTION FOR
)	RECONSIDERATION
Kevin Holmes,)	
)	
Defendant)	

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SC Court of Appeals

This matter is before the Court upon Plaintiffs' Motion for Reconsideration of the Court's August 16, 2022 Order Granting Defendant's Motion for Summary Judgment. On September 6, 2022, Defendant filed a Response in Opposition to Plaintiffs' Motion for Reconsideration. For the reasons provided herein, Plaintiffs' Motion for Reconsideration is DENIED.

On July 22, 2022, the Court heard oral arguments regarding Defendant's Motion for Summary Judgment. Prior to oral arguments, Defendant submitted a memorandum of law in support of his motion, with accompanying exhibits, court records, deposition testimony, and transcript of hearing. Plaintiffs did not file a response to the Motion for Summary Judgment. Following the summary judgment hearing, the Court allowed Plaintiffs ten (10) days to supplement any information relevant to the issues raised at the hearing. On July 27, 2022, Plaintiffs supplemented their Summary Judgment information by filing a letter and a Form 4 Order denying a Motion to Dismiss previously filed by Defendant.

On August 16, 2022, the Court entered its Order Granting Defendant's Motion for Summary Judgment. Plaintiffs filed the instant Motion for Reconsideration on August 25, 2022.

As grounds for reconsideration, Plaintiffs state that (1) at the Summary Judgement hearing, “Defendant argued that this matter had already been dismissed,” (Pls.’ Mot. for Recons. at 1), and (2) “[t]he motion for Summary Judgement was not heard.” (*Id.* at 1-2).

As for the first ground for reconsideration, Defendant did not argue that this action had already been dismissed at the Summary Judgement hearing. Further, the Court did not indicate “concern regarding [any] alleged dismissal.” (*Id.* at 2). Rather, the Court observed that the motion to dismiss was made pursuant to Rule 12(b)(6), SCRCp, and denied accordingly. Thus, the denial of Defendant’s motion to dismiss was undisputed at the hearing.

As for the second ground for reconsideration, the Court heard Defendant’s Motion for Summary Judgment at a duly noticed hearing on July 22, 2022. Prior to the hearing, Plaintiff failed to submit a response to Defendant’s Motion for Summary Judgment. At the hearing, the Court did not exclude any argument from Plaintiffs and even allowed Plaintiffs ten (10) days to supplement any information relevant to the issues raised at the hearing. Ultimately, Plaintiffs failed to address the relevant issues raised at the summary judgment hearing, as argued by Defendant and set forth more fully in the Court’s August 16, 2022 Order.

Therefore, the Court DENIES Plaintiffs’ Motion for Reconsideration.

IT IS SO ORDERED.

The Honorable R. Ferrell Cothran, Jr.

October _____, 2022
Manning, South Carolina



Beaufort Common Pleas

Case Caption: Ronnie L Douglas , plaintiff, et al VS Kevin Holmes
Case Number: 2019CP0701995
Type: Order/Other

So Ordered

s/ R. Ferrell Cothran, Jr., 2144