

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	CASE NO.: 2022-CP-26-0313
	)	
Kenneth Dippel,	)	
	)	
Petitioner,	)	ORDER
	)	(DENYING 59E MOTION)
vs.	)	
	)	
	)	
State of South Carolina, et	)	
al,	)	
	)	
Respondents.	)	

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SCRCP 59(E) HEARING DATE: NO HEARING JAN 12 2023  
 PLAINTIFF'S ATTORNEY: SELF-REPRESENTED  
 S.L.E.D. ATTORNEY: ADAM L. WHITSETT  
 HORRY COUNTY SOL. OFFICE COUNSEL: JIMMY A RICHARDSON, II  
 COURT REPORTER: DECIDED WITHOUT HEARING  
 PRESIDING JUDGE: GEORGE M. McFADDIN, Jr.  
 ORDER PREPARED BY PRESIDING JUDGE

In this summary judgment action where cross motions were offered, a hearing was held before me on August 29, 2022. Plaintiff appeared representing himself and Mr. Whitsett appeared representing the State. Mr. Richardson appeared representing the 15<sup>th</sup> Circuit Solicitor's office. I took the matter under consideration and issued a ruling on September 12, 2022. The final order was filed with the Horry County Clerk of Court on November 28, 2022. At the initial motion hearing all parties were well represented, and Plaintiff, to his credit, offered his position that reflected well his preparation. I denied Plaintiff's motions and granted the Defendants' motion for summary judgment.

Plaintiff timely filed and served his SCRCP 59(e) motion on this court. I have carefully read his motion, and I respectfully decline to grant Plaintiff's motion to alter, amend, or vacate the final order filed on November 28, 2022.

Plaintiff requested that this court "schedule an in person (sic) hearing" to hear his SCRCF 59(e) motion. I respectfully decline to set and hold a "reconsideration" hearing. In subsection (f) of SCRCF 59 it is stated clearly that such a hearing "...may in the discretion of the court be determined on the briefs filed by the parties without oral argument." Here, both parties, to include Plaintiff, have clearly provided their separate arguments for the court's consideration. Plaintiff has, with admirable alacrity, provided his positions well. This court does not need briefs from any parties. This court has the discretion to determine that a hearing to address the motion is not needed.

Based upon the foregoing, it is done and ORDERED this 19th day of December 2022, at Sumter, South Carolina, that Plaintiff's SCRCF 59(e) motion shall be, and is, hereby denied. It is further ORDERED that this court declines to set and hold a hearing to address Plaintiff's motion.

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GEORGE M. McFADDIN, Jr.  
PRESIDING JUDGE



Horry Common Pleas

**Case Caption:** Kenneth D Dippel VS South Carolina State Of , defendant, et al

**Case Number:** 2022CP2600313

**Type:** Order/Other

So Ordered

S/George M. McFaddin, Jr., #2759

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