

Paul Roy Osmundson  
PLAINTIFF(S)

School District 5 Of Lexington And Richland Counties et al  
DEFENDANT(S)

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

After careful review, pursuant to SCRPC Rule 59(g), this court denies the Plaintiff's motion for reconsideration because Plaintiff failed to provide the motion to the trial judge within ten days of filing. Plaintiff filed his motion for reconsideration on October 31, 2022. however, a copy was not provided to the court pursuant to Rule 59(g). The Court did not receive notice until December 21, 2022, when an email was sent to the court with the motion attached. In Smith v. Fedor, 422 S.C. 118, 809 S.E.2d 612 (Ct. App. 2017), the trial court denied Smith's motion for reconsideration because he did not timely provide a copy of the motion to the judge. (see page 2)

**ORDER INFORMATION**

This order  ends  does not end the case.

See Page 2 for additional information.

**For Clerk of Court Office Use Only**

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 01/06/2023 .

Ricland Counties

**RECEIVED**  
**Jan 24 2023**  
SC Court of Appeals

**NAMES OF TRADITIONAL FILERS SERVED BY MAIL**

## **Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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The Court in Smith stated, "Rule 59(g) would lack any purpose if trial courts committed error by denying the motion for failure to comply with the rule." 422 S.C. at 126, 809 S.E.2d at 616. Plaintiff's motion for reconsideration was not timely presented pursuant to Rule 59(g). Therefore, Plaintiff's motion for reconsideration is denied.



Richland Common Pleas

**Case Caption:** Paul Roy Osmundson vs School District 5 Of Lexington And Richland Counties , defendant, et al  
**Case Number:** 2021CP4003694  
**Type:** Order/Electronic Form 4

IT IS SO ORDERED!

s/ Alison Renee Lee