

Mar 22 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	NINTH JUDICIAL CIRCUIT
COUNTY OF BERKELEY)	CASE NO.: 2018-CP-08-00344
)	
BCE 2015 LLC,)	
Plaintiff,)	
)	
vs.)	ORDER ON PLAINTIFF'S MOTION
)	TO RECONSIDER, ALTER AND/OR
YVONNE C. KNIGHT and)	AMEND THIS COURT'S ORDER DATED
ELEANOR C. BROWN,)	OCTOBER 31, 2022
Defendants.)	
)	

The above-entitled action came back before this court on February 7, 2023, pursuant to Plaintiff's motion filed under Rules 52(b) and 59(e) of the South Carolina Rules of Civil Procedure seeking an order reconsidering, altering and/or amending the findings of the order issued by this court on October 31, 2022.

Present at the hearing was the Plaintiff, through its' managing member, Jason Maxwell, and the Plaintiff's attorneys, John J. Dodds, III, and Stephen P. Groves, Sr. Also present was counsel for the Defendants, H. Ronald Stanley.

The written motion filed by the Plaintiff sets forth 22 grounds upon which the Plaintiff asked this court to reconsider, alter or amend its previous judgment in favor of the Defendants. All 22 grounds were argued by counsel for the Plaintiff at the hearing. Counsel for the Plaintiff also sought to introduce additional evidence at the hearing which was objected to by counsel for the Defendants. This court denied Plaintiff's motion to introduce any additional evidence into the record at the hearing, but this court did allow counsel for the Plaintiff to make a proffer of the additional evidence that it sought to introduce.

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Upon due consideration of the grounds sets forth by the Plaintiff in its written motion and the able arguments of counsel for the Plaintiff and defendants, this court finds and concludes that Plaintiff's request for post-trial relief pursuant to grounds 1 through 3 and grounds 5 through 22 should be and is hereby denied.

This court further finds and concludes that pursuant to the written motion and the argument of counsel as to ground number 4, the previous order issued by this court on October 31, 2022, should be amended to address and rule upon Plaintiff's claim for entitlement to an easement by necessity.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff's motion to reconsider, alter and/or amend the previous order of this court dated October 31, 2022 is denied except as to the amendment of the said order to consider and rule on Plaintiff entitlement to an easement by necessity which this court has addressed through the issuance of an amended order.

AND IT IS SO ORDERED.

s/ _____



Berkeley Common Pleas

Case Caption: Bce 2015 Llc VS Lottie Taucer, Estate Of , defendant, et al
Case Number: 2018CP0800344
Type: Master/Order/Other

AND IT SO ORDERED!

s/Dale E. Van Slambrook #3079