

Exhibit

**D**

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Alan G. Nix,

Plaintiff,

v.

Churchill Park and Churchill  
Park Homeowners' Association,  
Inc.,

Defendants.

IN THE COURT OF COMMON PLEAS

CIVIL ACTION NUMBER: 2020-CP-40-  
6054

Order on Plaintiff's  
SCRCP 59(e) Motion

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MAY 03 2023

SC Court of Appeals

SCRCP 59(E) HEARING DATE: NO HEARING  
PLAINTIFF'S ATTORNEY: SELF-REPRESENTED  
DEFENDANT'S ATTORNEY: MORGAN BRYANT  
COURT REPORTER: NOT APPLICABLE  
PRESIDING JUDGE: GEORGE M. McFADDIN, Jr.  
ORDER PREPARED BY PRESIDING JUDGE

Plaintiff filed 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 January 3, 2023. This ruling encompasses "reconsideration" of the attorney's fees and costs award granted.

I respectfully decline to hold a "reconsideration" hearing. In subsection (f) of SCRCP 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 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 9th day of March, 2023 at Sumter, South Carolina, that Plaintiff's SCRCP

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.



Richland Common Pleas

**Case Caption:** Alan G Nix vs Churchill Park

**Case Number:** 2020CP4006054

**Type:** Order/Other

So Ordered

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

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Nix  
1401 Densmore Circle  
Mount Pleasant, SC 29466

3 Mar 2023  
2020-CP-40-06054

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JENNY ABBOTT-KITCHINGS  
CLERK OF COURT  
1220 SENATE ST.  
COLUMBIA, SC 29201