

Nov 03 2023

SC Court of Appeals

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2022-CP-23-02699

WEEKEND WARRIOR LANDSCAPING, LLC,

MDK STEEL CORP., and POINT 08, LLC,

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: the COURT
Attorney for: [] Plaintiff [] Defendant or [] Self-Represented Litigant

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.
[x] 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. See Page 2 for additional information.
[] ACTION DISMISSED (CHECK REASON): [] Rule 12(b), SCRCP; [] Rule 41(a), SCRCP (Vol. Nonsuit); [] Rule 43(k), SCRCP (Settled); [] Other
[] ACTION STRICKEN (CHECK REASON): [] Rule 40(j), SCRCP; [] 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 formal order [x] Statement of Judgment by the Court:

This matter is before the Court on MOTION of the defendant, Point 08, LLC, pursuant to Rule 59(e), SCRCP, TO ALTER OR AMEND an order of this Court denying its motion to set aside an entry of default made pursuant to Rule 55(c) and Rule 60(b), SCRCP.

A motion to alter or amend judgment brought pursuant to Rule 59(e), SCRCP, may be determined on the briefs filed by the parties and without oral argument. Pollard v. County of Florence, 314 S.C. 397 (Ct. App. 1994).

After consideration of the record, the argument of counsel, memoranda submitted, and the applicable rules and case law, this Court finds that the defendant's motion to set aside an entry of default was properly denied by the court and therefore defendant's Rule 59 (e) MOTION to ALTER or AMEND should be and IS therefore DENIED.

Plaintiff's counsel is instructed to prepare a formal proposed order if either party finds a more detailed order is desired.



Greenville Common Pleas

Case Caption: Weekend Warrior Landscaping LLC vs. MDK Steel Corp , defendant,
et al
Case Number: 2022CP2302699
Type: Order/Form 4

IT IS SO ORDERED!

s/J. Derham Cole 2053