

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )  
 )  
Emily Major )  
Plaintiff/Appellant, )  
 vs. )  
 )  
James Major, )  
Defendant/Respondent. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
THE FIFTH JUDICIAL CIRCUIT

CASE NO.: 2023-CP-40-03612

**ORDER DENYING PLAINTIFF'S  
MOTION TO RECONSIDER**

**RECEIVED**

**Sep 17 2024**

**SC Court of Appeals**

This matter is before the Court upon Plaintiff/Appellant's Motion to Reconsider (titled by the movant as a Petition for Rehearing) pursuant to Rule 59(e), SCRCP. The Motion asks this Court to alter, amend, or reconsider its Order affirming the decision of the magistrate.

The purpose of Rule 59(e), SCRCP, to alter or amend the judgment is to request the trial judge to "reconsider matters properly encompassed in a decision on the merits." *Arnold v. State*, 309 S.C. 157, 172, 420 S.E.2d 834, 842 (1992). Consequently, a party usually is allowed to ask the court to reconsider its decision even if it means rehashing all or part of an argument previously presented. *See Elam v. S.C. Dep't of Transp.*, 361 S.C. 9, 22, 602 S.E.2d 772, 779 (2004). A party may wish to file such a motion when he or she believes the court misunderstood, failed to fully consider, or failed to rule on an argument or issue, and the party wishes for the court to reconsider or rule on it. *Elam*, 361 S.C. at 24, 602 S.E.2d at 779.

After reviewing the applicable law and considering the arguments raised in the Petition, the Court is unable to discover any material fact or principle of law that has either been overlooked or disregarded. The Court further finds no error of law nor fact not appropriately considered.

Accordingly, the Court concludes that altering, amending, or reconsidering its prior Order is unwarranted, and that the issues raised in the Motion do not change the Court's reasoning or conclusions. As such, Plaintiff's Rule 59(e) Motion is denied.

IT IS SO ORDERED.

September 3<sup>rd</sup>, 2024  
Sumter, South Carolina.

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The Honorable Kristi F. Curtis



Richland Common Pleas

**Case Caption:** Emily Major VS James Major

**Case Number:** 2023CP4003612

**Type:** Order/Other

So Ordered

s/ Kristi F. Curtis, Circuit Court Judge, No. 2762