

STATE OF SOUTH CAROLINA)

COUNTY OF FLORENCE)

Kathleen Carter)

vs.)

Joseph R. Carter)

Plaintiff)

2020 DEC 18 P 3:54

Defendant)

Docket No. 2018-DR-21-00544)

IN THE FAMILY COURT
12TH JUDICIAL CIRCUIT

JUDGMENT IN A
FAMILY COURT CASE

CERTIFIED: A TRUE COPY
Doris Poulos O'Hara
CLERK OF COURT - FAMILY COURT
FLORENCE COUNTY, S.C.

Submitted by: CLERK OF COURT	DORIS POULOS O'HARA FAMILY COURT FLORENCE COUNTY, SC	Attorney for <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant or <input type="checkbox"/> Self-Represented Litigant <input type="checkbox"/> GAL

DECISION BY COURT (check all that apply)

- This action came to trial, hearing or was resolved by consent and an order was rendered.
- This action has been dismissed pursuant to Rule 12(b), SCRPC Rule 41(a), SCRPC
 Rule 43(k), SCRPC Family Court Benchmark
 Other: _____

IT IS ORDERED AND ADJUDGED: See attached order; Statement of Judgment by the Court:

Additional information for Clerk: _____

ORDER INFORMATION

- This is a Temporary Final order. If Final, does this order end the case? Yes No
 Support is not ordered is ordered, and it is to be paid through the court. directly to the CP.
 Case number under which support is paid if different from this one: _____
 This order involves the immediate issuance dismissal of a bench warrant, or does not apply.
 The following motions are ended by this order (include motion filing date): _____
 This order adds or dismisses the following parties to this case:
 dismiss add: _____ dismiss add: _____

RECEIVED
Jan 06 2021
SC Court of Appeals

INFORMATION FOR THE JUDGMENT INDEX/TRANSCRIPT OF JUDGMENT (§ 20-9-670(B)(1))		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information to enroll, indicate "N/A" in one of the boxes below.		
Judgment In Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount to be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order: _____		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the South Carolina Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: title abstractors and researchers should refer to the official court order for judgment details.**

Family Court Judge

Judge Code

Date

FOR CLERK OF COURT OFFICE USE ONLY

This judgment was entered on the 12/18/2020 and a copy mailed first class or placed in the appropriate attorney's box on 12/21/2020 to attorneys of record or to parties (when appearing pro se) as follows:

Brendan P. Barth-mailed
P.O Box 107
Florence, SC 29503
ATTORNEY(S) FOR THE PLAINTIFF(S)

Rebecca West-mailed
P.O Box 2485
Lexington, SC 29071
ATTORNEYS FOR THE DEFENDANT(S)

Doris Parks O'Hara
CLERK OF COURT

Court Reporter:

Michele D. Sturkie-mailed
1506 W. Palmetto Street
Florence, SC 29506

Custodial Parent (if applicable): _____

CERTIFIED: A TRUE COPY

Vanessa Poulos O'Hara
CLERK OF COURT - FAMILY COURT
FLORENCE COUNTY, S.C.

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

FILED

IN THE FAMILY COURT
TWELFTH JUDICIAL CIRCUIT

2020 DEC 18 P 3:49

Kathleen S. Carter,
Plaintiff,
Vs.
Joseph R. Carter,
Defendant.

DORIS POULOS O'HARA
FAMILY COURT
FLORENCE COUNTY, SC

ORDER DENYING DEFENDANT'S
MOTION TO ALTER OR AMEND
JUDGMENT AND/OR MOTION FOR
RECONSIDERATION
Docket No.: 2018-DR-21-0544

RECEIVED
Jan 06 2021
SC Court of Appeals

Date of Hearing: December 9, 2020
Trial Judge: Timothy H. Pogue
Plaintiff's Attorney: Brendan P. Barth
Defendant's Attorney: Rebecca West and Michele D. Sturkie
Court Reporter: DCRP

This matter came before the Court on the defendant's Notice of Motion and Motion to Alter or Amend Order and/or Motion for Reconsideration pursuant to Rule 52 (b), SCRPC, and Rule 59 (e), SCRPC. This motion was heard by the Court on December 9, 2020. Present were the attorneys and the plaintiff.

After fully reviewing the arguments, exhibits, and pleadings of the parties, I find that the Court remains satisfied with the legal correctness and the essential justice of its Final Divorce Decree of August 5, 2020. Therefore, the defendant's motion is respectfully denied.

The defendant requested that should the Court deny the defendant's motion, it specifically address two issues: 1.) the three (3) Stifel Accounts established by the Defendant prior to the parties' marriage, and 2.) what amount the Court imputed to the defendant as income.

- 1.) Three Stifel Accounts: The Court was swayed by the plaintiff's testimony that during the nineteen (19) year course of the marriage she was assured by the defendant that the parties were depositing and contributing marital money/income into those three (3) Stifel Accounts. The defendant denied the same. This Court heard the testimony of the parties and was able to observe the conduct and demeanor of each party and judge their credibility. It is also odd that the defendant presented no documentary evidence to confirm his assertion that he did not make any contributions to these accounts during this nineteen (19) year marriage. He further testified that although this litigation went on for over two (2) years and the documents were in his

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