

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

Walter Buchanan,)
)
) Petitioner,)
)
) v.)
) **ORDER DENYING MOTION**
) **FOR RECONSIDERATION**
)
) South Carolina Department of
) Environmental Services and Silfab Solar,)
)
) Respondents.)
 _____)

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SC Court of Appeals

This matter is before the South Carolina Administrative Law Court (ALC or Court) pursuant to a Motion for Reconsideration (Motion) filed by Walter Buchanan (Petitioner) on January 2, 2025. This Court previously issued an Order of Dismissal on December 23, 2024, granting a Joint Motion to Dismiss filed by the South Carolina Department of Environmental Services¹ (DES or Department) and Silfab Solar (Silfab). Importantly, Petitioner failed to respond to the Department's Motion to Dismiss. *See* SCALC Rule 19 (“[f]ailure of a party to timely file a response may be deemed a consent by that party to the relief sought in the motion or petition.”).

Now, in its Motion, Petitioner requests the Court reconsider its legal analysis under the guise of the discovery of new evidence. On January 10, 2025, Silfab filed its Response to the Motion.

For the reasons stated below, Petitioner's Motion is denied.

DISCUSSION

As grounds for his Motion for Reconsideration, Petitioner cites to Rule 59(e) of the South Carolina Rules of Civil Procedure (SCRCP). Rule 59(e), SCRCP, provides for the timeframe to file a motion to alter or amend the judgment in Circuit Court, which is inapplicable to this case. *See* SCALC Rule 68 (“the South Carolina Rules of Civil Procedure and the South Carolina Appellate Court Rules, in contested cases and appeals respectively, may, in the discretion of the presiding administrative law judge, be applied to resolve questions not addressed by these rules.”).

¹ Prior to July 1, 2024, the Department was recognized as the Department of Health and Environmental Control. South Carolina Act No. 60 of 2023 and section 1-30-140 of the South Carolina Code (Westlaw Edge through 2024 Act No. 210).



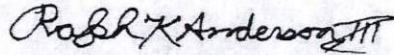
motion or petition.” Enforcement of court rules is ordinary practice and thus, I find Petitioner’s argument unavailing.

Accordingly, Petitioner’s Motion is denied.

ORDER

IT IS THEREFORE ORDERED that Petitioner’s Motion for Reconsideration is **DENIED**.

AND IT IS SO ORDERED.



Ralph King Anderson, III
Chief Administrative Law Judge

January 17, 2025
Columbia, South Carolina