

TATE OF SOUTH CAROLINA  
COUNTY OF ORANGEBURG

Rommel McCants,

Plaintiff,

vs.

Allstate Insurance Company, Nettie Gass,  
and Unknown Managers, Administrators  
and Adjusters of Defendant Allstate  
Insurance Company (Collectively referred  
to as Defendants Doe),

Defendant.

THE COURT OF COMMON PLEAS  
FIRST JUDICIAL CIRCUIT

C/A#: 2023CP3801227

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

This matter came before me on Plaintiff's Motion to Reconsider this Court's Order dated November 5, 2024, granting partial summary judgment to the Defendants. A hearing was held on this Motion on January 9, 2025. Virginia Williams appeared for the Plaintiff and Johnston Cox appeared for the Defendants.

Rule 59(e) of the South Carolina and federal rules of civil procedure is practically identical. *Elam v. S.C. Dep't of Transp.*, 361 S.C. 9, 22, 602 S.E.2d 772, 779 (2004). The purpose of a motion filed pursuant to Rule 59(e) of the SCRCF is to "request the trial judge to reconsider matters properly encompassed in a decision on the merits." Rule 59(e), SCRCF. Rule 59 motions should only be granted if the circuit court finds that there has been an intervening change of controlling law, that new evidence has become available, or that there is a need to correct a clear error or prevent manifest injustice. *Robinson v. Wix Filtration Corp. LLC*, 599 F.3d 403, 411 (4th Cir. 2010).

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**Feb 21 2025**

**SC Court of Appeals**

After hearing arguments from both parties and reviewing the memoranda, supporting documentation, and relevant case law, I find no basis under Rule 59(e) to reconsider, alter, or amend the Court's Order dated November 5, 2024, granting partial summary judgment to the Defendants.

THEREFORE, Plaintiff's Motion to Reconsider is denied.

AND IT IS SO ORDERED.



Orangeburg Common Pleas

**Case Caption:** Rommel Mccants VS Allstate Insurance Company , defendant, et al

**Case Number:** 2023CP3801227

**Type:** Order/Other

So Ordered

s/ Thomas W. McGee III, Judge Code 2786