

**THE STATE OF SOUTH CAROLINA
THE SUPREME COURT**

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S.C. SUPREME COURT

**RUFUS RIVERS AND MERLE RIVERS, PRO SE
RESPONDENTS**

VS.

**JAMES SMITH, JR.
PETITIONER**

**Appellate Case No. 2020-000451
Supreme Court Case No. 2023-01318**

MOTION TO ALTER OR AMEND PURSUANT TO RULE 59

COMS NOW, Respondents Rufus Rivers and Merle Rivers, and respectfully moves this Honorable Court to alter or amend its judgment pursuant to rule 59 of the Rules of Civil Procedure, and to include the attached affidavits and statements as part of the record for consideration. In support of this motion, Respondents states as follows:

BACKGROUND

On February 19, 2025, this court entered its judgment in the above-referenced case. Respondents seek to include additional evidence in the form of statements and affidavits that are material that are material to issues raised in this case.

GROUND FOR FOR THE MOTION

The attached statements and affidavits supports Respondent's initial claims as it relates to their detrimental reliance/course performance. The inclusion of this evidence is necessary to prevent manifest injustice and to ensure that court has a complete and accurate record upon which to base to base its decision.

LEGAL BASIS

Rule 59 of the rules for civil procedure permits a party to request that the court alter or amend its judgment to correct errors of law or fact, or to consider newly discovered evidence. The attached evidence meets the criteria for admissibility under rule 59, as it is relevant, material, and directly impacts the issues in this case.