

FORM 4

STATE OF SOUTH CAROLINA  
COUNTY OF DORCHESTER  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE  
CASE NUMBER 2010CP1802243

CERTIFIED COPY

Kay Howell Jordan

Marion Howell Tolson

Betty L. S. Judge  
2013 AUG 20 PM 2:13

Lewis V Jordan

*Cheryl...*  
CLERK OF COURT

PLAINTIFF(S)

DORCHESTER COUNTY

DEFENDANT(S)

Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	<input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.  See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  
 Rule 43(k), SCRPC (Settled);  Other: \_\_\_\_\_
- ACTION STRICKEN (CHECK REASON):  Rule 40(j) SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other: \_\_\_\_\_
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):  
 Affirmed;  Reversed;  Remanded;  Other:

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order; (formal order to follow)  Statement of Judgment by the Court:

ORDER INFORMATION

This order  ends  does not end the case.

Additional Information for the Clerk: **Defendant's Motion to Reconsider is denied and dismissed without oral argument. I find that all arguments properly raised to the Court have already been ruled upon and this Court will not consider further arguments on the matter.**

INFORMATION FOR THE JUDGMENT INDEX

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, 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 SC 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.**

RECEIVED

SEP 25 2013

Maité Murphy  
Circuit Court Judge

*Maité Murphy*

2166  
Judge Code

8/14/2013  
Date

**For Clerk of Court Office Use Only**

This judgment was entered on 8/202013, and a copy mailed first class or placed in the appropriate attorney's box on 8/202013, to attorneys of record or to parties (when appearing pro se) as follows:

Woodrow Grady Jordan PO Box 1207 Easley, SC  
296411207

Robert F. McCurry Jr. PO Drawer 329 Orangeburg, SC  
29116

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

*Cheryl Graham*

Court Reporter

Cheryl Graham - Clerk of Court

**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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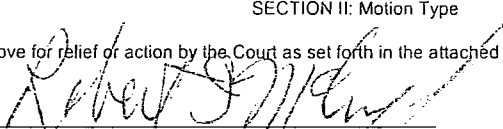
Kay Howell Jordan, Marion Howell  
Tolson and Lewis Virgil Howell,  
[x] Plaintiffs,

vs.  
Betty L. S. Judy,  
[x] Defendant,

Case No.: 2010-CP-18-2243

MOTION INFORMATION FORM  
AND COVER SHEET

check box above indicating submitting party

<u>name, SC Bar No. and address of plaintiff's attorney</u> W. Grady Jordan, Esquire Smith Jordan Lavery & Lee, PA P.O. Box 1207 Easley, SC 29641 Telephone: _____ Fax: _____ e-mail: _____ Other: _____ Attorney for the Plaintiff	<u>name, SC Bar No. and address of defendant's attorney</u> Robert F. McCurry, Jr., Esquire SC Bar Number: 003762 P.O. Drawer 329. Orangeburg, SC 29116 Telephone: 803-531-3000 Fax: 803-531-3030 e-mail: rfmc Curry@hbrtlp.com Other: _____ Attorney for the Defendant
<input checked="" type="checkbox"/> MOTION HEARING REQUESTED (Attach written motion and complete SECTIONS I and III) <input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (Complete SECTIONS II and III)	
SECTION I: Hearing Information	
Nature of Motion: <u>Motion for Reconsideration</u> Estimated Time Needed: 15 minutes Court Reporter Needed: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
SECTION II: Motion Type	
<input checked="" type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion - I hereby move for relief or action by the Court as set forth in the attached proposed order.	
 Signature of Attorney for Plaintiff/Defendant	<u>July 15, 2013</u> Date Submitted
SECTION III: Motion Fee	
<input checked="" type="checkbox"/> PAID - AMOUNT <u>\$ 25.00</u> <input type="checkbox"/> EXEMPT: <input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRPC) <input type="checkbox"/> Proposed Order submitted at request of the court; or, reduced to writing from motion made in open court per Judge's instructions Name of Court Reporter _____ <input type="checkbox"/> Other: _____	
JUDGE'S SECTION <input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE: _____ CODE: _____ DATE: _____
CLERK'S VERIFICATION	
Collected by: _____ (Print Name)	
DATE FILED _____	
<input type="checkbox"/> MOTION FEE COLLECTED: _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: _____	

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 2013 JUL 15 PM 4:37  
 CLERK OF COURT  
 DORCHESTER COUNTY

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS  
C/A No.: 2010-CP-18-2243

COUNTY OF DORCHESTER

Kay Howell Jordan, Marion Howell  
Tolson, and Lewis Virgil Howell,

Plaintiffs,

vs.

NOTICE OF MOTION AND MOTION  
FOR RECONSIDERATION

Betty L. S. Judy,

Defendant.

The Defendant above named, having received the Order of the Court dated June 17, 2013 and filed on July 2, 2013, does hereby file its Notice and Motion for the Court to reconsider its Order in several respects. Counsel for the Defendant received the Order on July 8, 2013 and makes its Motion on the following grounds:

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CLERK OF COURTY  
DORCHESTER COUNTY

1. The Defendant requests that the Court reconsider those portions of the Order dealing with the testimony of the parties and witnesses as to the usage of the dike area, the testimony of the witnesses as to the fencing placed upon the dike area, and the documentation and exhibits regarding these issues.

2. The Defendant further requests that the Court reconsider those portions of the Order dealing with the testimony, documentation and evidence presented regarding the plats, witnesses and surveyors in the case. The Defendant believes that the Court erred in failing to rule that the 1996 Ashley Surveying plat, based upon the 1927 Moorer plat, shows that the common boundary line between the two parcels is as indicated in the 1996 Ashley Surveying plat.

The Defendant does hereby make this Motion for Reconsideration regarding the above items pursuant to Statutory and Case Law of the State of South Carolina and pursuant to the South Carolina Rules of Civil Procedure.

HORGER, BARNWELL & REID, LLP

By: 

Robert F. McCurry, Jr.

Attorney for the Defendant

P.O. Drawer 329

Orangeburg, SC 29116

(803) 531-3000

Dated: July 15, 2013  
Orangeburg, SC

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS  
C/A No.: 2010-CP-18-82243

COUNTY OF DORCHESTER

Kay Howell Jordan, Marion Howell  
Tolson, and Lewis Virgil Howell,

Plaintiffs,

vs.

CERTIFICATE OF SERVICE BY MAIL

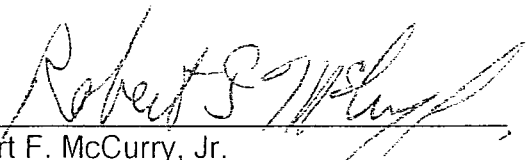
Betty L. S. Judy,

Defendant.

This is to certify that I have this 15<sup>th</sup> day of July, 2013,  
deposited in the United States Mail, with sufficient postage affixed thereto, Defendant's  
Notice of Motion and Motion for Reconsideration in the above entitled action to the party  
below:

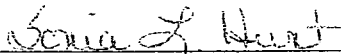
W. Grady Jordan, Esquire  
Smith Jordan Lavery & Lee PA  
P.O. Box 1207  
Easley, SC 29641

The Hon. Maite D. Murphy  
Dorchester County Master-in-Equity  
5200 E. Jim Bilton Blvd.  
St. George, SC 29477



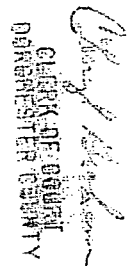
Robert F. McCurry, Jr.  
Attorney for the Defendant

SWORN to before me this 15<sup>th</sup>  
day of July, 2013.



Notary Public for SC

My Comm. Expires: 4-6-2014



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