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Aug 17 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
Jimmy Helms,)
)
Plaintiff,)
)
vs.)
)
Debbie Willing,)
)
Defendant.)

IN THE COURT OF COMMON PLEAS

C.A. No.: 2015-CP-40-07268

**ORDER DENYING MOTION FOR
RECONSIDERATION AND DENYING
MOTION FOR NEW TRIAL**

This matter is before the Court pursuant to Defendant's Notice of Motion and Motion for Reconsideration or in the Alternative Motion for New Trial that was E-Filed on June 29, 2021 and served on June 30, 2021, within the 10 days prescribed by Rule 59(e). Plaintiff is represented by S. Jahue Moore, Esq. and Defendant is represented by Lakesha Jeffries, Esq.

The original order in this case was signed on June 21, 2021. The order held that a partnership existed and partnership property was equitably divided amongst the Plaintiff and Defendant. Defendant's Motion to Reconsider contends that the Court erred in declaring a partnership existed, erred in deeming that the 812 Meeting Street and 820 Meeting Street properties could not be equitably sold, failed to order a winding up of the affairs of the partnership, and erred in dividing sale proceeds, litigation proceeds, and a deposit account balance.

The Motion to Reconsider or for New Trial is hereby DENIED. The analysis in the June 21, 2021 order of the existence of a partnership is reaffirmed and the winding up of partnership affairs was accomplished by the equitable division of the partnership property. The equitable division of property in the June 21, 2021 order relied on the filings and testimony of the parties at trial and a forensic accountant report prepared by Marcus Hodge that included extensive financial records of the Plaintiff and Defendant.

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IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Defendant's Notice of Motion and Motion for Reconsideration or in the Alternative Motion for New Trial is hereby DENIED.

AND IT IS SO ORDERED.

THE HONORABLE L. CASEY MANNING
CHIEF ADMINISTRATIVE JUDGE
FIFTH JUDICIAL CIRCUIT

_____, 2021

Columbia, South Carolina



Richland Common Pleas

Case Caption: Jimmy Helms vs Debbie Willing

Case Number: 2015CP4007268

Type: Order/Other

So Ordered

s/L. Casey Manning, 2061