

Jun 09 2025

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF SPARTANBURG )  
 )  
 DARIUS CATHCART, )  
 )  
 ) APPLICANT. )  
 )  
 v. )  
 )  
 THE STATE OF SOUTH CAROLINA, )  
 )  
 ) RESPONDENT. )  
 )

IN THE COURT OF COMMON PLEAS

SEVENTH JUDICIAL CIRCUIT

Case No. 2018-CP-42-2286

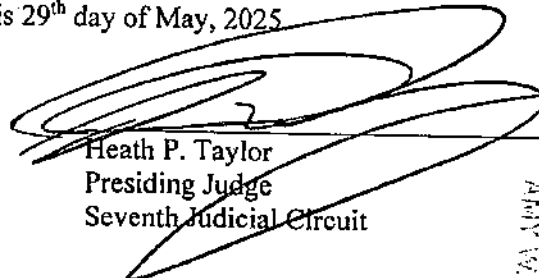
SECOND AMENDED ORDER  
DENYING MOTION TO  
RECONSIDER

This matter is before the Court on Respondent's Second Motion to Reconsider, Alter or Amend pursuant to Rule 59 (e), SCRCF filed May 19, 2025 which is hereby granted. This Court hereby vacates its order filed May 7, 2025. *See, Swing v. Swing*, 445 S.C. 340, 352, 914 S.E.2d 158, 165 (2025) ("Today we clarify that 'timely' as that term is used in Rules 203(b)(1) and 59(f), means the Rule 59(e) motion was served on the opposing parties within ten days from the date of receipt of written notice of the entry of the order the merits of which the motion purports to address). Respondent's initial Motion to Reconsider, Alter or Amend filed February 3, 2025 was timely served.

After careful consideration of the substantive issues raised in Respondent's Motion to Reconsider, Alter or Amend filed February 3, 2025, the motion is hereby denied without oral argument as permitted by Rule 59(f), SCRCF.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Respondent's Motion to Reconsider, Alter or Amend filed February 3, 2025 is hereby denied.

**AND IT IS SO ORDERED** this 29<sup>th</sup> day of May, 2025



Heath P. Taylor  
 Presiding Judge  
 Seventh Judicial Circuit

Columbia, South Carolina

CLERK OF COURT  
 SPARTANBURG COUNTY  
 AMY W. COX

2025 MAY 30 AM 10:17

FILED