

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

Hon. R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2024-000739

Dorothy Pierce Appellant,

V.

Jerry Edwards, Edwards Group Holdings, Inc., Edwards Printing, Respondent McDuff; MJM Law, LLC; Riley Morningstar; The Journal Newspaper; Hal Welch... Respondents.

**APPELLANT’S MOTION TO VACATE AND DECLARE VOID *AB INITIO* THE
CIRCUIT COURT’S ORDER OF SEPTEMBER 20, 2024, FOR LACK OF
JURISDICTION**

Dorothy Pierce (“Appellant”), appearing *pro se*, respectfully moves this Honorable Court, pursuant to Rule 225 of the South Carolina Appellate Court Rules, for an order declaring the Circuit Court's order of September 20, 2024, to be void *ab initio*, vacating said order, and confirming that Respondent Jerry Edwards remains a party to this appeal. The order is a legal nullity for two independent and dispositive reasons:

- I. when the order was entered, the Circuit Court had been divested of its subject-matter jurisdiction for more than five months by Appellant’s previously-perfected appeal, and;
- II. the underlying Rule 59(e) motion on which the order was based was itself untimely filed.

I. UNDISPUTED PROCEDURAL TIMELINE

On March 20, 2024, the Oconee County Circuit Court issued a series of orders that are the subject of this appeal. These orders denied Appellant's Motion to Suspend All Deadlines, denied Appellant's motions for summary judgment against both the Journal Respondents and the McDuff Respondents, and granted summary judgment in favor of Respondents Richard Hunt McDuff and MJM Law, LLC.

On March 29, 2024, Appellant timely filed and served her Notice of Appeal, challenging the entirety of the Circuit Court’s orders entered on March 20, 2024. The appeal specifically addresses the grant of summary judgment to certain respondents and the denial of Appellant’s own motions. This act perfected the appeal and, pursuant to Rule 205 of the South Carolina Appellate Court Rules, transferred exclusive jurisdiction over all matters encompassed by those orders to this Court.

On April 1, 2024, after exclusive jurisdiction had already vested in this Court, Respondent Jerry Edwards filed a Rule 59(e) “Motion to Reconsider” in the Circuit Court. This motion was filed eleven calendar days after the entry of the order it sought to challenge.

On September 20, 2024, the Circuit Court, acting over Appellant’s written and oral opposition, improperly granted the motion. In its order, the court reversed its prior ruling and entered summary judgment in favor of Jerry Edwards, despite having been divested of jurisdiction for more than five months.

II. ARGUMENT

A. The Circuit Court Was Divested of Jurisdiction on March 29, 2024.

The law governing appellate jurisdiction is absolute. “Upon the service of the notice of appeal, the appellate court shall have exclusive jurisdiction over the appeal.” Rule 205, SCACR.

By virtue of Appellant’s timely Notice of Appeal filed on March 29, 2024, exclusive jurisdiction over the summary judgment order transferred immediately to this Court. Any subsequent substantive action by the Circuit Court on that appealed matter was *ultra vires* (beyond its power) and therefore void. The Circuit Court simply had no authority to entertain the motion, let alone grant it.

B. In the Alternative, the Order Is Void Because the Underlying Motion Was Untimely.

Even if the Circuit Court had retained some form of jurisdiction, its order would still be void because the underlying motion was untimely.

Rule 59(e) of the South Carolina Rules of Civil Procedure requires a motion to alter or amend be served “not later than 10 days after receipt of written notice” of the order. Rule 6(b), SCRCP, is equally strict, stating, “The time for taking any action under rule . . . 59 . . . may not be extended.”

Respondent Edwards filed his motion on April 1, 2024, eleven calendar days after the March 20, 2024 order. While Rule 6(a), SCRCP, can toll a deadline that falls on a weekend, the South Carolina Supreme Court has recognized that the rationale for such tolling is negated by the 24-hour access provided by e-filing. *See State v. Brown*, Op. No. 27971 at 6 n.4 (S.C. Sup. Ct. 2020) (agreeing that e-filing access negates weekend tolling for time-computation purposes). Because

counsel for the Respondent had the ability to e-file on Saturday, March 30, 2024—the 10th day—the deadline was not tolled.

The motion was therefore jurisdictionally defective on its own terms. An untimely Rule 59(e) motion is a nullity and cannot reconstitute a trial court with jurisdiction it has already lost. *See Ex parte Hayes*, 312 S.C. 353, 354, 440 S.E.2d 379, 380 (1994).

C. The September 20 Order Is Void *ab initio* and Must Be Vacated.

An order entered without subject-matter jurisdiction is void, not merely voidable, and may be vacated at any time. *See Good v. Hartford Acc. & Indem. Co.*, 201 S.C. 456, 466-67, 23 S.E.2d 591, 595 (1942). The Circuit Court’s order of September 20, 2024, is a legal nullity. It cannot dismiss Respondent Edwards from this appeal, it cannot serve as record evidence, and it cannot create any new rights or defenses. Vacatur by this Court is required to clarify the record and maintain the integrity of the appellate process.

D. The Void Order Prejudices the Appellant and Creates Confusion in the Appeal.

The consequence of the Circuit Court’s void order is not merely procedural; it creates significant prejudice to the Appellant and injects profound confusion into this appeal. This confusion is so severe that the Respondents themselves have taken contradictory positions: while benefiting from the void order purporting to dismiss Jerry Edwards, they also filed their “Journal Respondents’ Initial Brief” on May 27, 2025, on his behalf, implicitly conceding that he remains an active party.

This procedural chaos directly prejudices the Appellant by forcing her to litigate in an ambiguous and unfair posture. She is required to expend time and resources arguing against a party who is simultaneously "in" the case according to Respondents' own appellate filings, and "out" of the case according to the void order. This uncertainty undermines Appellant's due process right to a clear and orderly appeal and creates a risk that, should she prevail on the merits, her victory could be deemed inapplicable to Respondent Edwards, denying her the complete relief to which she is entitled. Vacatur by this Court is therefore essential to resolve this prejudice and maintain the integrity of the appeal.

III. RELIEF REQUESTED

WHEREFORE, for the reasons stated herein and in the record, Appellant Dorothy Pierce respectfully requests that this Honorable Court enter an Order that:

1. **DECLARES** the Circuit Court's Order of September 20, 2024, void *ab initio* for lack of subject matter jurisdiction;
2. **VACATES** the aforementioned order in its entirety, striking it from the record as a legal nullity;

3. **CONFIRMS** that Respondent Jerry Edwards remains a party to this appeal, subject to this Court's full appellate review; and
4. Grants such other and further relief as this Court deems just and proper.

Respectfully submitted, this 29th day of July, 2025.

s/Dorothy Pierce

DOROTHY PIERCE, *Pro se* Appellant

750 Mourning Dove Lane

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RECEIVED

Mar 29 2024

SC Court of Appeals

**NOTICE OF APPEAL IN A CIVIL CASE
THE STATE OF SOUTH CAROLINA**

In The Court of Appeals

APPEAL FROM OCONEE COUNTY

COURT OF COMMON PLEAS
R. Lawton McIntosh, Circuit Court Judge

Circuit Court Case Number: 2022-CP-3700182

Appellate Case Number: 2023-0015516

Dorothy Pierce, Appellant

V.

Jerry Edwards; Edwards, Group Holdings; Edwards Printing; Richard Hunt McDuff; MJM Law, LLC; Riley Morningstar; The Journal Newspaper; And Hal Welch, Respondents.

NOTICE OF APPEAL

Notice is hereby given that Dorothy Pierce, Appellant, herein appeals to the South Carolina Court of Appeals from the following orders entered in this case on March 20, 2024, by the Honorable R. Lawton McIntosh.

1. Order denying the Appellant's Motion to Suspend All Deadlines, which affects Appellant's ability to manage and litigate her claims.
2. Order denying Appellant's Amended Motion for Summary Judgment against Journal Defendants.
3. Order denying the Appellant's Amended Motion for Summary Judgment against Defendants McDuff and MJM Law, LLC.
4. Order granting Defendant McDuff's motion for Summary Judgment, thereby resolving the Appellant's cause of action against said Defendant.

The Appellant received written notice of entry of the orders on Form 4 on March 25, 2024, via mail.

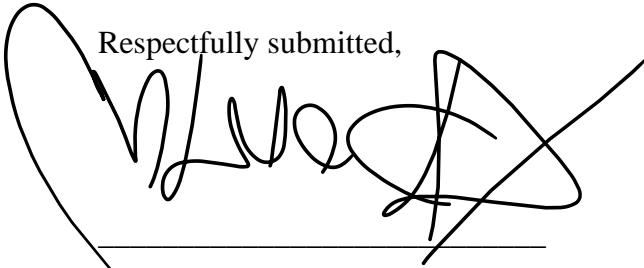
The Appellant wishes to note that these decisions were made while appellant's appeal on immediately appealable interlocutory orders dated September 01, 2023, and March 22, 2023, are pending in the South Carolina Court of Appeals under Appellate Case No.: 2023-0015516.

The Appellant respectfully requests that the Appellate Court review the orders on the basis of errors of law, abuse of discretion, and clearly erroneous findings of fact.

This Notice of Appeal is filed within the time prescribed by South Carolina Appellate Court Rule 203(b)(2).

Dated this March 29, 2024

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dorothy Pierce', written over a horizontal line. The signature is stylized and cursive.

Dorothy Pierce-Appellant

750 Mourning Dove Lane, Seneca, SC. 29678

RECEIVED

Mar 29 2024

SC Court of Appeals

**NOTICE OF APPEAL IN A CIVIL CASE
THE STATE OF SOUTH CAROLINA**

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APPEAL FROM OCONEE COUNTY

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V.

Jerry Edwards; Edwards, Group Holdings; Edwards Printing; Richard Hunt McDuff; MJM Law, LLC;
Riley Morningstar; The Journal Newspaper; And Hal Welch, Respondents.

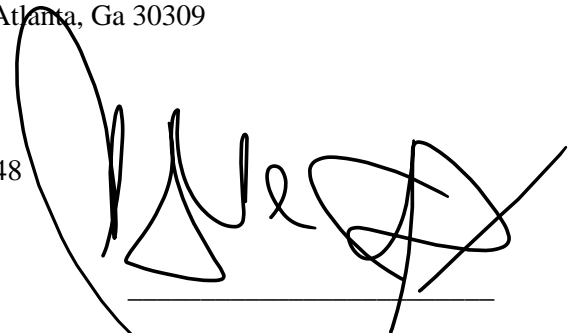
PROOF OF SERVICE

I hereby certify that on March 29, 2024, I filed the foregoing **Notice of Appeal** with the Clerk of Court and served a true and correct copy of same upon the following counsels of record, via first-class , and electronically properly addressed, to the following:

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March 29, 2024



Dorothy Pierce, Appellant
750 Mourning Dove Lane, Seneca, SC. 29678

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	TENTH JUDICIAL CIRCUIT
COUNTY OF OCONEE)	
)	CASE NO.: 2022-CP-3700182
Dorothy Pierce,)	
)	
Plaintiff,)	
)	
v.)	MOTION TO RECONSIDER
)	THE COURT’S DENIAL OF
Jerry Edwards; Edwards Group Holdings,)	SUMMARY JUDGMENT AS TO
Inc.; Edwards Printing; Richard Hunt)	DEFENDANT JERRY EDWARDS
McDuff; MJM Law LLC; Riley Morningstar;)	
The Journal Newspaper; and Hal Welch,)	
)	
Defendants.)	
)	

To: All Counsel of Record and Unrepresented Parties

Pursuant to Rule 59(e) of the South Carolina Rules of Civil Procedure, Defendant Jerry Edwards respectfully moves this Court to narrowly reconsider its summary judgment ruling, solely as to him, on the defamation claim asserted in the Amended Complaint of Plaintiff Dorothy Pierce a/k/a Dorothy Wells a/k/a Queen Dorothy Amolo a/k/a Dorothy Alweny. Mr. Edwards will provide a brief in support of his motion prior to any hearing on this matter.

Plaintiff’s Amended Complaint asserted claims against Jerry Edwards, Edwards Group Holdings, Inc., Edwards Printing, Riley Morningstar, Hal Welch, and The Journal (together, the “Journal Defendants”) for defamation, intentional infliction of emotional distress, negligence, discrimination, invasion of privacy, and unjust enrichment. In June 2022, the Court granted the Journal Defendants’ motion to dismiss as to all of those claims except for defamation. The parties proceeded into discovery on that claim, and Plaintiff was afforded a full and fair opportunity to pose written interrogatories, request documents, and take Mr. Edwards’ deposition (among others). After discovery closed, all of the Journal Defendants moved for summary judgment on that one remaining claim. The Court denied that motion following a hearing on

March 20, 2024. Mr. Edwards now timely files this motion and respectfully moves the Court to reconsider its ruling as to him.

Rule 59 of the South Carolina Rules of Civil Procedure “is substantially the Federal Rule,” *see* S.C. R. Civ. P. 59 note, and Federal Rule 59(e) allows a court to amend an earlier ruling “(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice,” *see Pac. Ins. Co. v. Am. Nat’l Fire Ins. Co.*, 148 F.3d 396, 403 (4th Cir. 1998). Here, the Court’s ruling on summary judgment, as to Mr. Edwards, clearly erred on the law.

Mr. Edwards is the CEO of Edwards Group Holdings. *See* Ex. 1 (Mr. Edwards’ dep. tr.) at 25:20-23.¹ Oconee Publishing, a wholly owned subsidiary of Edwards Group Holdings, *see id.* at 11:5-9, publishes *The Journal* newspaper in Oconee County. Mr. Edwards is therefore the chief executive of the company that owns the company that publishes *The Journal* newspaper.

As the record before the Court at summary judgment demonstrates, there is no evidence that Mr. Edwards had any role in the publication of the news reports that are at issue in this case. There is no evidence that Mr. Edwards directed that the news reports be written. *See, e.g.*, Ex. 2 (Riley Morningstar dep. tr.) at 56:23-57:6, 194:18-20.² There is no evidence that Mr. Edwards himself wrote any portion of any of the news reports. *See id.* at 63:22-24. There is no evidence that Mr. Edwards edited any portion of the news reports. *See id.* at 87:1-25. There is no evidence that Mr. Edwards either approved or disapproved of publishing those news reports. *Id.* And there is certainly no evidence, on any of those points, linking Mr. Edwards to the limited portions of the challenged articles that Plaintiff has actually alleged are false and defamatory.

¹ Plaintiff submitted a copy of Mr. Edwards’ deposition transcript to the Court in connection with her summary judgment filing.

² *See* note 1 *supra*.

Denying summary judgment as to Mr. Edwards, on this record, was a clear error of law. As the South Carolina Supreme Court has stated, “an officer or a director of a corporation is not, merely as a result of his standing as such, personally liable for torts of corporate employees. To incur liability he must ordinarily be shown to have in some way participated in or directed the tortious act.” *Hunt v. Rabon*, 275 S.C. 475, 477 (1980) (emphasis added); *see also Plowman v. Bagnal*, 316 S.C. 283, 286 (1994) (characterizing that proposition as “well settled”).

This rule applies in the defamation context as well. As another state’s high court observed, where plaintiffs “seek to hold the . . . managerial staff of a newspaper personally liable for the publication of defamatory material,” those plaintiffs bear the burden – which is neither “insuperable nor unfair” – to adduce evidence that those manager defendants had some personal knowledge of and personal responsibility for the challenged publications. *Karaduman v. Newsday, Inc.*, 416 N.E.2d 557, 562 (N.Y. 1980). As the court further explained, because “[e]vidence of such concrete facts is readily obtainable through the normal channels of discovery, and, if such facts exist, a motion by the [manager] for summary judgment could easily be defeated through the submission by the plaintiff of objective proof in the form of affidavits and depositions,” there is “no sound reason to accept bare speculations or inferences” without evidence. *Id.* To take the opposite approach “would, in effect, be imposing upon the management of newspapers the intolerable burden of rechecking every reporter’s assertions and retracing every source before proceeding with such a decision. Inasmuch as such a rule would clearly pose an unacceptable barrier to the free flow of ideas, we are constrained to reject it.” *Id.* at 566 (emphasis added); *see also id.* at 564 (“[A]bstract legal concepts such as the imputation of knowledge or personal animus should be applied only with extreme caution in libel cases such as

this, where liability may result only if there is a finding of actual fault on the part of the defendant.”) (citing *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 347 (1974)).

Full and fair discovery in this case has made clear that there is no basis for Plaintiff’s defamation claim against Mr. Edwards personally. Mr. Edwards accordingly requests, under Rule 59(e), that the Court narrowly reconsider its summary judgment ruling and enter judgment in his favor and against Plaintiff on that claim. Mr. Edwards will provide a full brief in support of this motion for reconsideration prior to the hearing on this matter.

Respectfully submitted this 1st day of April, 2024.

FREEMAN MATHIS & GARY

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Attorneys for Defendant Jerry Edwards

CERTIFICATE OF SERVICE

I certify that on this 1st day of April 2024, I served the foregoing **Motion to Reconsider the Court's Denial of Summary Judgment as to Defendant Jerry Edwards** utilizing electronic mail upon all parties of record, as agreed by the parties, as follows:

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Pro se Plaintiff

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*Attorneys for Richard Hunt McDuff,
Merrell Jahn & McDuff, and MJM Law, LLC*

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Dorothy Pierce
PLAINTIFF(S)

Edwards Group Holdings Inc et al
DEFENDANT(S)

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.
- 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
- STAYED DUE TO BANKRUPTCY**
- 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:

Plaintiffs motion to suspend all deadlines is denied due to being insufficient evidence to warrant claims. Plaintiffs amended motions for summary judgment is denied as to all Defendants. Defendant McDuff's motion for summary judgment is granted. Defendant the Journal's motion for summary judgment is denied. Counsel for Mr. McDuff to file a formal order. No formal orders requested for remaining orders.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 03/20/2024 .

Kenan G Loomis for Richard Hunt McDuff,MJM Law LLC
Dorothy Pierce for Dorothy Pierce
Maxwell S Mishkin for Edwards Group Holdings Inc,The Journal Newspaper,Riley Morningstar,Jerry Edwards,Edwards Printing,Hal Welch
Chad R Bowman for Edwards Group Holdings Inc,The Journal Newspaper,Riley Morningstar,Jerry Edwards,Edwards Printing,Hal Welch
MJM Law LLC for Kenan G Loomis
Richard Hunt McDuff for Kenan G Loomis
Hal Welch for Chad R Bowman,Maxwell S Mishkin
Edwards Printing for Chad R Bowman,Maxwell S Mishkin
Jerry Edwards for Chad R Bowman,Maxwell S Mishkin
Riley Morningstar for Chad R Bowman,Maxwell S Mishkin
The Journal Newspaper for Chad R Bowman,Maxwell S Mishkin
Edwards Group Holdings Inc for Chad R Bowman,Maxwell S Mishkin
Dorothy Pierce for Dorothy Pierce

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Oconee Common Pleas

Case Caption: Dorothy Pierce VS Edwards Group Holdings Inc , defendant, et al

Case Number: 2022CP3700182

Type: Order/Electronic Form 4

S/R. LAWTON McINTOSH

S/R.LAWTON McINTOSH

Electronically signed on 2024-03-20 12:18:09 page 3 of 3

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

) IN THE COURT OF COMMON PLEAS
) TENTH JUDICIAL CIRCUIT

DOROTHY PIERCE,

Plaintiff,

) Case No.: 2022-CP-3700182

v.

) **ORDER GRANTING DEFENDANT**
) **JERRY EDWARDS' MOTION TO**
) **RECONSIDER**

JERRY EDWARDS; EDWARDS GROUP
HOLDINGS; EDWARDS PRINTING;
RICHARD HUNT MCDUFF; MJM LAW,
LLC; RILEY MORNINGSTAR; THE
JOURNAL NEWSPAPER; AND HAL
WELCH,

Defendants.

THIS MATTER is before the Court on the motion, pursuant to Rule 59 of the South Carolina Rules of Civil Procedure, of Defendant Jerry Edwards (“Mr. Edwards”), to reconsider this Court’s summary judgment ruling as to him on the defamation claim asserted in Plaintiff’s Amended Complaint. Based on the motion, Mr. Edwards’ memorandum of law in support, Plaintiff’s memorandum of law in opposition, and the arguments of the parties during the September 12, 2024 hearing on the motion, the Court FINDS and CONCLUDES that the motion to reconsider should be granted and that this Court should enter summary judgment in favor of Mr. Edwards.

I. PROCEDURAL BACKGROUND

1. Plaintiff filed the operative Amended Complaint in this case on March 17, 2022, against Mr. Edwards, Edwards Group Holdings, Inc., Edwards Printing, Riley Morningstar, Hal Welch, and *The Journal* newspaper (together, the “Journal Defendants”), asserting claims for defamation, invasion of privacy, intentional infliction of emotional distress, negligence, unjust enrichment, and discrimination. In June 2022, the Court granted the Journal Defendants’ motion to dismiss as to all of those claims except for a single count of defamation. The parties proceeded

into discovery on that claim, and Plaintiff posed written interrogatories, requested documents, and took Mr. Edwards' deposition (among others). After discovery closed, the Journal Defendants moved for summary judgment on Plaintiff's remaining claim. The Court denied that motion for summary judgment following a hearing on March 20, 2024.

2. On April 1, 2024, Mr. Edwards moved the Court to reconsider its summary judgment ruling as to him on the grounds that any finding that evidence existed establishing Mr. Edwards was individually involved in the claimed acts of defamation—as required by controlling law for Plaintiff's claim to survive summary judgment—was in error. On September 6, 2024, Mr. Edwards submitted a memorandum of law in support of that motion. Plaintiff submitted a memorandum of law in opposition on September 10, 2024, and the Court heard argument on the motion at a hearing held on September 12, 2024.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

3. The record reflects that Mr. Edwards is the CEO of Edwards Group Holdings. Oconee Publishing, a wholly owned subsidiary of Edwards Group Holdings, publishes *The Journal* newspaper in Oconee County. Mr. Edwards is therefore the chief executive of the company that owns the company that publishes *The Journal* newspaper.

4. The record contains no evidence that Mr. Edwards had any role in the publication of the news reports that are at issue in this case. Nor does it contain any evidence that Mr. Edwards directed that the news reports be written.

5. The record contains no evidence that Mr. Edwards himself wrote any portion of any of the news reports.

6. The record contains no evidence that Mr. Edwards edited any portion of the news reports.

7. The record contains no evidence that Mr. Edwards either approved or disapproved of publishing those news reports.

8. The record contains no evidence linking Mr. Edwards to the limited portions of the challenged articles that Plaintiff has actually alleged are false and defamatory.

9. Although Plaintiff had a full and fair opportunity to take discovery, and deposed Mr. Edwards among others, Plaintiff put no evidence on the record to establish Mr. Edwards' involvement in the alleged defamation or that he acted with actual malice (much less that amounted to clear and convincing evidence, as required).

10. Under such circumstances, liability could only be premised on vicarious liability for employees who prepared the challenged reports. However, "an officer or a director of a corporation is not, merely as a result of his standing as such, personally liable for torts of corporate employees. To incur liability he must ordinarily be shown to have in some way participated in or directed the tortious act." *Hunt v. Rabon*, 275 S.C. 475, 477 (1980).

11. The record contains no evidence that Mr. Edwards was involved in the preparation of the challenged publications. And the record contains no evidence that the individuals who drafted, edited, and published the challenged news reports were acting at the time as agents of Mr. Edwards personally, rather than as agents of *The Journal* and/or Oconee Publishing.

12. Denying summary judgment as to Mr. Edwards, on this record as described above, was an error of law. Rule 59 of the South Carolina Rules of Civil Procedure allows a court to amend an earlier ruling "to correct a clear error of law." *Pacific Insurance Co. v. American National Fire Insurance Co.*, 148 F.3d 396, 403 (4th Cir. 1998) (discussing Federal Rule 59(e)); S.C. R. Civ. P. 59 note (South Carolina Rule 59 "is substantially the Federal Rule").

III. CONCLUSION

THEREFORE, it is ORDERED, ADJUDGED, and DECREED that the motion of Defendant Jerry Edwards to reconsider is **GRANTED** and summary judgment is **GRANTED** in favor of Mr. Edwards and against Plaintiff on Plaintiff's defamation claim.

THE HONORABLE R. LAWTON McINTOSH
OCONEE COUNTY CIRCUIT COURT,
PRESIDING JUDGE

Dated:



Oconee Common Pleas

Case Caption: Dorothy Pierce VS Edwards Group Holdings Inc , defendant, et al

Case Number: 2022CP3700182

Type: Order/Summary Judgment

S/R. LAWTON McINTOSH

S/R.LAWTON McINTOSH

RECEIVED

Jul 29 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas
Hon. R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2024-000739

Dorothy Pierce Appellant,
V.

Jerry Edwards, Edwards Group Holdings, Inc., Edwards Printing, Respondent McDuff; MJM Law, LLC; Riley Morningstar; The Journal Newspaper; Hal Welch.. . . . Respondents.

PROOF OF SERVICE

I hereby certify that on this 29th day of July, 2025, I have served a true and correct copy of the foregoing **APPELLANT’S MOTION TO VACATE AND DECLARE VOID *AB INITIO*** upon all counsel of record via electronic mail and/or U.S. Mail, properly addressed, to the following:

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A handwritten signature in blue ink, appearing to read 'DOROTHY PIERCE', is written over a horizontal line. The signature is stylized and somewhat abstract.

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