

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT
Civil Action Number 2022-CP-26-06116

Flatiron Constructors, Inc.,)
)
Plaintiff,)
)
vs.)
)
TranSystems Corporation,)
)
Defendant.)
_____)

Order Denying Plaintiff’s Motion
to Reconsider

RECEIVED

Feb 05 2024

SC Court of Appeals

This matter is before the Court upon Plaintiff’s Motion for Reconsideration pursuant to Rule 59(e), SCRCF. The Motion asks this Court to alter, amend, or reconsider its order granting in part Defendant’s Motion for Summary Judgment.

The purpose of Rule 59(e), SCRCF, to alter or amend the judgment is to request the trial judge to “reconsider matters properly encompassed in a decision on the merits.” *Arnold v. State*, 309 S.C. 157, 172, 420 S.E.2d 834, 842 (1992). Consequently, a party usually is allowed to ask the court to reconsider its decision even if it means rehashing all or part of an argument previously presented. *See Elam v. S.C. Dep’t of Transp.*, 361 S.C. 9, 22, 602 S.E.2d 772, 779 (2004). A party may wish to file such a motion when he believes the court misunderstood, failed to fully consider, or failed to rule on an argument or issue, and the party wishes for the court to reconsider or rule on it. *Elam*, 361 S.C. at 24, 602 S.E.2d at 779.

After reviewing the applicable law and considering the arguments raised in the Motion and Defendant’s Memo in Opposition, the Court is unable to discover any material fact or principle of law that has either been overlooked or disregarded and further finds no error of law or fact not appropriately considered.

Accordingly, the Court concludes that altering, amending, or reconsidering its prior Order is unwarranted, and the issues raised in the Motion do not change the Court's reasoning or conclusions. As such, Plaintiff's Rule 59(e) Motion is denied.

IT IS SO ORDERED.

December 27, 2023
Conway, South Carolina.

The Honorable Kristi F. Curtis



Horry Common Pleas

Case Caption: Flatiron Constructors Inc VS TranSystems Corporation

Case Number: 2022CP2606116

Type: Order/Amend

So Ordered

s/ Kristi F. Curtis, Circuit Court Judge, No. 2762