

Tonia Klugh  
PLAINTIFF(S)

Greenville County 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:

See Order on following page.

**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 04/21/2026 .

**RECEIVED**  
**May 29 2026**  
**SC Court of Appeals**

**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.

---

This matter comes before the Court on a Motion to Reconsider filed by Plaintiff. The Court declines to rule on the Motion because the Court does not have jurisdiction to hear the matter. The motion was filed after entry of the initial form-4 order which requested the Defendant to provide a formal order within twenty days. Plaintiff did not refile their motion within ten days once the formal order was signed on March 10th, 2026.

A Motion to Reconsider is proper if it is filed within ten days of a final order being issued. The Rule 59(e) ten day deadline is an absolute deadline and the Court does not have the power to alter or amend an order if the deadline has passed. See *Overland, Inc. v. Nance*, 423 S.C. 253, 256, 815 S.E.2d 431, 433 (2018). A form-4 is not final when the circuit court indicates additional actions to be taken, such as requesting a formal order. See *Cheap-O's Truck Stop, Inc. v. Cloyd*, 350 S.C. 596, 605, 567 S.E. 2d 514, 518 (Ct. App. 2002).

In this case, the Court indicated in the form-4 that the Defendant would provide a more formal order within twenty days of the entry of the form-4. Plaintiff filed its motion to reconsider upon entry of the form-4 and did not take any action to refile or submit another motion to reconsider in this matter. On March 10th, 2026, Defendant's formal order was signed constituting the final order. Plaintiff did not file another motion to reconsider once the formal order was entered and the 59(e) deadline passed. Therefore, the Court does not have jurisdiction to hear Plaintiff's motion to reconsider because it was not filed during the proper ten day deadline.

IT IS SO ORDERED.



Greenville Common Pleas

**Case Caption:** Tonia Klugh vs. Greenville County , defendant, et al

**Case Number:** 2023CP2305709

**Type:** Order/Electronic Form 4

So Ordered

Jessica A. Salvini