

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

RECEIVED

Feb 12 2026

SC Court of Appeals

Ward Benjamin McClain, Jr., as the)
personal representative of the Estate of)
Ward Benjamin McClain, III,)
Appellant,)

FINAL ORDER REGARDING
MOTION TO RECONSIDER

vs.)

Greenville, S.C., City Police)
Department, The City of Greenville,)
S.C.,)

Respondent.)

Case No.: 2024CP2300375

A Rule 59(e), SCRCP motion to reconsider and to alter or amend has been received, filed with the Court on December 2, 2025, and provided to the Court on December 1, 2025. The Motion to Reconsider was properly served on the Court per Rule 59(g), SCRCP. As previously explained to the parties, pursuant to Rule 59(f), SCRCP, the Court, in its discretion, may decide the motion based on briefs without oral argument. The Court indicated to the parties in the Initial Order Regarding Motion for Reconsideration that it would decide the issues on written submissions. Further, the Court informed the parties that written submissions were not required by the non-moving party, and that the moving party could rely upon its filings or supplement. The deadlines for filing written submissions regarding this motion have now passed.

After careful consideration of the able arguments and filings and review of the record, 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 Motion for Reconsideration made pursuant to Rule 59, SCRCP, ¹ is respectfully DENIED.

Presiding Judge's Signature Page to Follow.

¹ The Court, in its discretion, has determined this Motion on the filings, without oral argument, pursuant to Rule 59(f), SCRCP.



Greenville Common Pleas

Case Caption: Ward Benjamin McClain Jr , plaintiff, et al vs. City Police Department
Greenville SC , defendant, et al
Case Number: 2024CP2300375
Type: Order/Other

So Ordered

Jessica A. Salvini