

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2022CP0802548

Andrew Tyler et al
PLAINTIFF(S)

D.R. Horton, 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:

This matter comes before the Court on Defendant D.R. Horton, Inc.'s Motion to Reconsider the Court's 5/8/26 Order.

Rule 59(g), SCRPC, provides that a party filing a motion to alter or amend "shall provide a copy of the motion to the judge within ten (10) days after the filing of the motion." In this case, Defendant filed its Motion to Reconsider on 5/28/26. Accordingly, Defendant was required to provide a copy of the motion to the Court within ten (10) days. Defendant, however, did not provide the motion to the Court until 6/15/26, acknowledging in its correspondence that it failed to comply with Rule 59(g)'s service requirement. Therefore, the Motion to Reconsider is denied.

The Court further finds that, even if the motion had been timely provided, it would nevertheless be denied. Defendant has failed to demonstrate any newly discovered evidence, intervening change in controlling law, or manifest error of law or fact warranting alteration or amendment of the Court's 5/8/26 Order.

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 06/25/2026 .

JSR Clearing And Grading, Llc
Charleston Tractor Works, Llc
Justin Vining, individually and on behalf of all others
John Doe # 1-5
Charleston Tractor Works, LLC
JSR Clearing and Grading, LLC
Lowcountry Septic System Solutions, LLC

RECEIVED**Jul 27 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.



Berkeley Common Pleas

Case Caption: Andrew Tyler , plaintiff, et al VS D.R. Horton, Inc , defendant, et al

Case Number: 2022CP0802548

Type: Order/Electronic Form 4

It is so Ordered!

s/Diane S. Goodstein