

May 21 2024

SC Court of Appeals

|                                  |   |                                         |
|----------------------------------|---|-----------------------------------------|
| STATE OF SOUTH CAROLINA          | ) | IN THE COURT OF COMMON PLEAS            |
|                                  | ) | FIFTH JUDICIAL CIRCUIT                  |
| COUNTY OF KERSHAW                | ) |                                         |
|                                  | ) |                                         |
| Christine Jernigan, et al.,      | ) | CASE NO.: 2022-CP-28-00782              |
|                                  | ) |                                         |
| Plaintiffs,                      | ) |                                         |
|                                  | ) | <b>ORDER DENYING PLAINTIFFS' MOTION</b> |
| vs.                              | ) | <b>FOR RECONSIDERATION PURSUANT TO</b>  |
|                                  | ) | <b>RULE 59(e), SCRCP</b>                |
| Kershaw County Sheriff's Office, | ) |                                         |
|                                  | ) |                                         |
| Defendants.                      | ) |                                         |
|                                  | ) |                                         |

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This matter is before the Court upon Plaintiffs' Motion for Reconsideration Pursuant to Rule 59(e), SCRCP ("the Motion"). The Motion asks this Court to alter, amend, or reconsider its Order entered October 20, 2023, denying Plaintiffs' February 23, 2023 Motion for Sanctions/Contempt and Plaintiffs' July 14, 2023 Motion to Recuse or Reconsider.

After reviewing the applicable law and considering the arguments raised in the Motion, 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, Plaintiffs' Motion for Reconsideration is hereby **DENIED**, and the Court, pursuant to the discretion afforded by Rule 59 and *Pollard v. County of Florence*, concludes that a hearing is not necessary to rule on Plaintiffs' Motion for Reconsideration. See Rule 59(f), SCRCP (stating a Rule 59(e) motion "may in the discretion of the court be determined on the briefs filed by the parties without oral argument"); see also *Pollard*, 314 S.C. 397, 401–02, 444 S.E.2d 534, 536 (Ct. App. 1994) (holding there was "no merit in Pollard's assertion that the circuit court committed reversible error in denying her motion to alter or amend the judgment under Rule 59(e) SCRCP,

without first conducting a hearing or allowing [the parties] ‘to fully brief’ the issues raised in [the motion”).

**AND IT IS SO ORDERED.**

[JUDICIAL E-SIGNATURE PAGE TO FOLLOW]



Kershaw Common Pleas

**Case Caption:** Christine Jernigan , plaintiff, et al VS Sheriffs Office Kershaw County  
**Case Number:** 2022CP2800782  
**Type:** Order/Other

So Ordered

s/ Daniel Coble, 2774