

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2013-CP-04-00387

Donald Loren Smith

Cleveland County Auto Brokers, Inc.,

PLAINTIFF(S)

d/b/a Auto Parts of Shelby,

DEFENDANT(S)

Submitted by:

Attorney for : Plaintiff Defendant
or
 Self-Represented Litigant

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. See Page 2 for additional information.
- 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
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

A TRUE COPY
APR 25 2014
CLERK OF COURT

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:

The Jury found for the Defendant on all causes of action.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

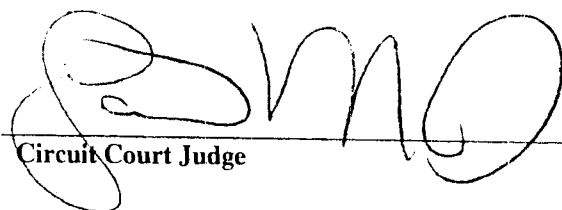
INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.


Circuit Court Judge

2155
Judge Code

4-24-14
Date

STATE OF SOUTH CAROLINA)
)
COUNTY OF ANDERSON)
)
Donald L. Smith)
)
Plaintiff,)
)
-vs-)
)
Cleveland County Auto Broker)
d/b/a Auto Parts of Shelby,)
Defendant.)
_____)

IN THE COURT OF COMMON PLEAS
TENTH JUDICIAL CIRCUIT
CASE NO.:2013-CP-04-00387

**ORDER DENYING PLAINTIFF'S
MOTION FOR A NEW TRIAL**

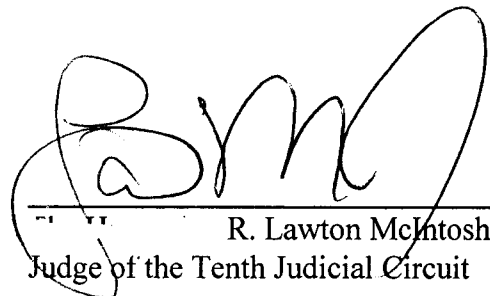
COMMON PLEAS AND
GENERAL SESSIONS
JUN 11 - 8 A.M. - 1:15
CLERK'S OFFICE

The above captioned matter was tried in the April 21, 2014, term of the Court of Common Pleas for Anderson County and resulted in a jury verdict for the Defendant, Cleveland County Auto Brokers, et al. Plaintiff, Donald L. Smith, now moves for a new trial of all issues based upon two grounds. First, Plaintiff alleges that two trial witnesses offered perjured testimony and second, Plaintiff alleges that the jury failed to apply the appropriate law as charged by the Court.

No attempt was made to substantiate the allegation of perjury and it is hereby dismissed without discussion. The record reflects an appropriate and thorough polling of the jury after the verdict was announced. There appearing no new evidence nor circumstance presented, the Court concludes the moving party herein fails to meet the burden of proof necessary to require a retrial.

Plaintiff's motion for a new trial is denied.

IT IS SO ORDERED.



R. Lawton McIntosh
Judge of the Tenth Judicial Circuit

June 30, 2014

A TRUE COPY
JUL - 9 2014