

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

JUDGMENT IN A CIVIL CASE
FILED IN CIRCUIT COURT
GREENVILLE CO. S.C.
CASE NO: 2013CP2302903
PAUL B. WICKENSIMER

2014 DEC 22 PM 4 36

Marques Hudson vs. South Carolina State Of

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: _____
- 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; Statement of Judgment by the Court:

Dated at Greenville, South Carolina, this .

Court Reporter:

PRESIDING JUDGE - JAMES R BARBER, III

This judgment was entered on the , and a copy mailed first class this , to attorneys of record or to parties (when appearing pro se) as follows:

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ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer Greenville County Clerk Of Court
- Clerk of Court

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
Marques Antonio Hudson,)
S.C.D.C. No. 324517,)
)
Applicant,)
)
v.)
)
State of South Carolina,)
)
Respondent.)
_____)

IN THE COURT OF COMMON PLEAS
GREENVILLE CO. S.C.
PAUL B. WICKENSIMER
2013-CP-23-2903
2014 DEC 22 PM 4 35

ORDER

The above-captioned case is a post-conviction relief matter arising from an application filed May 22, 2013. An evidentiary hearing was convened on August 27, 2014 and the order of dismissal was signed by this Court on September 30, 2014 and filed October 21, 2014.

This matter is back before the Court by way of the Applicant's motion to alter or amend pursuant to Rule 59(e), SCRCF, filed on November 3, 2014. The Respondent made its return to this motion on November 10, 2014.

Based upon careful reconsideration of all of the evidence in this case and upon full consideration of Applicant's motion and supporting memorandum, this Court is not persuaded to alter or amend the judgment. As to the issue regarding the DSS transcript, this Court finds it cannot be considered in its entirety, as the portion that was published during the hearing was taken out of context. As to the issue regarding the neighbors' statements, this Court finds it could not have evaluated the credibility of those purported witnesses because – while their statements were admitted into evidence – they did not testify at the PCR hearing and were not subjected to cross-examination.

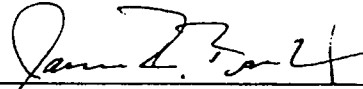
This Court further finds that a hearing would not aid in the reconsideration of the original

judgment. The previous order fully comports with the requirements of Rule 52(a) SCRCP.

IT IS THEREFORE ORDERED:

1. That the Applicant's motion is denied and dismissed.

AND IT IS SO ORDERED this 24 day of November, 2014.



James R. Barber, III
Presiding Judge
Thirteenth Judicial Circuit