

FILED - CLERK OF COURT

STATE OF SOUTH CAROLINA
GREENVILLE CO., S.C.
PAUL B. WICKENBARGER

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

COUNTY OF GREENVILLE

2015 FEB 9 PM 3 25

Case No. 2015-CP-23-02860

Lauren Murphy, as statutory beneficiary,)

Respondent,)

v.)

Mark Collins,)

Appellant.)

ORDER

RECEIVED

MAR 11 2016

SC Court of Appeals

This matter is before the Court upon Respondent's Motion for Reconsideration of the Order filed on December 28, 2015. In considering the Appeal from the Probate Court, the South Carolina Court of Appeals has confirmed the following standard of review:

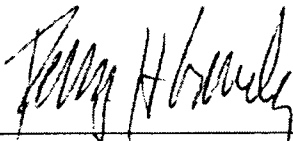
On appeal from an action at law, the circuit court and the appellate court may not disturb the probate court's findings of fact unless a review of the record discloses that no evidence supports them. Questions of law may, however, be decided by this court without deference to the lower court.

Estate of Patterson v. Palmetto Bank, 374 S.C. 116, 119, 646 S.E.2d 885, 887 (Ct. App. 2007) (citations omitted).

The December 28, 2015 Order of this Court found that there was no "evidence...that reasonably supports the factual finds of the probate judge" and that the probate judge did not properly apply the applicable law.

Therefore, the Respondent's Motion for Reconsideration is denied and the previous Order is confirmed as issued.

IT IS SO ORDERED.


Perry H. Gravely
Circuit Court Judge, Greenville County

February 11, 2016
Greenville, South Carolina

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

FILED-CLERK OF COURT
GREENVILLE, S.C.
PAUL B. WICKENSIMER
JUDGMENT IN A CIVIL CASE
CASE NO: 2015CP2302860
2016 FEB 9 PM 3 25

Mark Collins vs. Lauren Murphy

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):**
SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Rule 12(b), SCRPC; Rule 41(a);
 Other: _____
- ACTION STRICKEN (CHECK REASON):**
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other: _____
 Rule 40(j) SCRPC; 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; Statement of Judgment by the Court:

Dated at Greenville, South Carolina, this .

Court Reporter: _____

PRESIDING JUDGE -

This judgment was entered on the 9th day of February 2016, and a copy mailed first class this 9th day of February 2016, 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