STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	
	)	CASE No. 2014-CP-10-07706
Terrell McCoy, #256070	)	
	)	
Plaintiff,	)	**ORDER DENYING MOTION TO RECONSIDER**
vs.	)	
	)	
North Charleston Police Department, et al.,	)	
	)	
Defendant.	)	
	)	

FILED
2016 MAR -2 AM 11:18
JULIE J. ARMSTRONG
CLERK OF COURT

RECEIVED
MAR 28 2016
SC Court of Appeals

This matter came before this Court by way of Plaintiff's Motion to reconsider Judge J.C. Nicholson, Jr.'s order dismissing Plaintiff's complaint with prejudice. Judge Nicholson recused himself from this motion and the parties went forward with this motion to reconsider before this Court. The Plaintiff argued that he was not aware that the 911 tape at issue in this matter was destroyed until June 20, 2014 and therefore under the discovery rule this matter should not be time barred. The Plaintiff was at the very latest put on notice that the tape was destroyed in February 2009 at a motion hearing during the Plaintiff's trial. Consequently, the Plaintiff's motion does not raise any novel issues for the Court's consideration

Therefore, the Plaintiff's Motion to reconsider is **Denied!**

AND IT IS SO ORDERED!

Judge Diane S. Goodstein
Circuit Court Judge

February 23, 2016
South Carolina