

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
STATE OF SOUTH CAROLINA)
)
Plaintiff,)
)
vs.)
)
POLLY MCABEE HINDMAN)
)
Defendant.)

IN THE COURT OF GENERAL SESSION

CASE NO: 2015-GS-23-01563

2014A-23302-10134

ORDER

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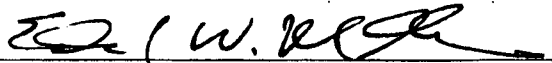
This matter is before me upon the Defendant's Motion for a New Trial and Motion for Rehearing regarding Defendant's sentence and ordered restitution.

The trial court has discretion to grant a new trial. *State v. Mercer*, 381 S.C. 149, 166, 672 S.E.2d 556, 565 (2009). A trial court may not overturn a jury verdict that is supported by competent evidence. *State v. Miller*, 287 S.C. 280, 283, 337 S.E.2d 883, 885 (1985); *see also, State v. Garrett*, 350 S.C. 613, 619, 567 S.E.2d 523, 526 (Ct.App.2002). Here, the jury's verdict is based upon competent evidence. Therefore, the Defendant's motion for a new trial is denied.

Additionally, after careful consideration of the motion for resentencing, I do not find any grounds for resentencing based upon the evidence presented at the restitution hearing. Accordingly, the Defendant's motion for resentencing is denied and the Court's decision on February 17, 2017 is reaffirmed.

THEREFORE, it is ORDERED ADJUDGED AND DECREED that the Defendant's Motions for a New Trial and for Reconsideration of the Sentence Imposed are DENIED.

IT IS SO ORDERED.


Edward W. Miller
Presiding Judge

Greenville, South Carolina

Dated: 3/3/17