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SC Court of Appeals

STATE OF SOUTH CAROLINA)

COUNTY OF CHEROKEE)

IN THE COURT OF COMMON PLEAS

Joey Lemmons d/b/a Rugs
International,)

Plaintiff,)

vs.)

Macedonia Water Works,)

Defendants.)

ORDER DENYING MOTION

CA No. 2014-CP-11-0938

NOW COMES BEFORE THE COURT Plaintiff's Motion for Reconsideration, dated April 4, 2017. The present action arises out of the Court issuing a judgment in favor of the Defendant granting summary judgment dismissing the Plaintiff's case.

On November 24, 2014, this civil action was commenced by Plaintiff, Mr. Joey Lemmons, d/b/a Rugs International. Macedonia answered the Complaint of Plaintiff on January 15, 2015. Macedonia then served its Motion in this matter on June 16, 2016. The hearing of this matter was held on January 6, 2017. Plaintiff was represented at the hearing by N. Douglas Brannon. Macedonia was represented by Lawrence E. Flynn III and Joseph L. Mathis.

The Court found that Plaintiff had misconstrued S.C. Code Ann. Section 58-5-390, and as such, there was no genuine dispute of fact in the matter. The Court granted the Defendant's motion for summary judgment and dismissed the action with prejudice.

The court has carefully considered the facts of the case and conducted a thorough review of the file. The court has reviewed relevant case law and SCRPC 56, 59 and 60. As there are no grounds that would warrant an amendment of the court's initial summary judgment for the Defendant, the Plaintiff's Motion to Reconsider is denied.

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NOW, THEREFORE, IT IS ORDERED in light of the facts presented that the Defendant's Motion to Reconsider dated April 10, 2015 is denied.

AND IT IS SO ORDERED.

The Hon. R. Keith Kelly
Seventh Judicial Circuit

_____, 2017
Gaffney, South Carolina

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Cherokee Common Pleas

Case Caption: Joey Lemmons, D/B/A , plaintiff, et al VS Macedonia Water Works, Inc.
Case Number: 2014CP1100938
Type: Order/Other

It is so Ordered.

s/ R. Keith Kelly - 2165

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