

STATE OF SOUTH CAROLINA  
COUNTY OF FLORENCE

FILED

IN THE COURT OF COMMON PLEAS  
TWELFTH JUDICIAL CIRCUIT  
CASE NO. 2013-CP-21-3192

COUNTY OF FLORENCE AND  
THOMAS J. HEWITT,

2017 NOV -7 PM 3:42  
DORIS POLYAK O'HARA  
CLOCK  
FLORENCE COUNTY, SC  
Plaintiffs,

ORDER DENYING DEFENDANT'S  
MOTION FOR NEW TRIAL

v.

CAROL EAGERTON,

RECEIVED

DEC 08 2017  
Defendant.

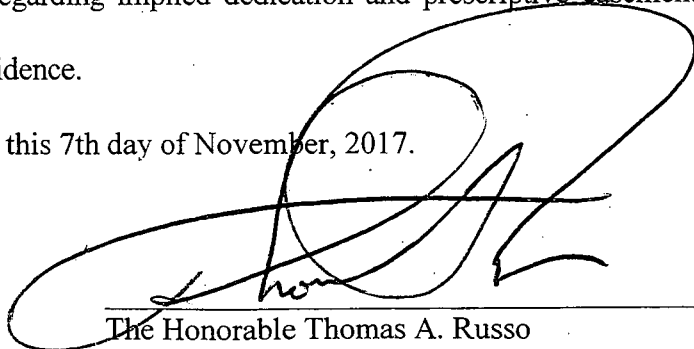
SC Court of Appeals

THIS MATTER came before the Court on Defendant's Motion to Alter or Amend Judgment and Motion for a New Trial, pursuant to Rules 52(b), 59(a), and 59(e), SCRCF.

Having considered its original Order, the relevant law, and the briefs of both parties pursuant to SCRCF 59(f), the Court is not persuaded that it made any errors of law in its original ruling, or that the law has changed over the past several months; therefore, Defendant's Motion for a New Trial is respectfully **DENIED**.

The Court does take this opportunity to issue an Amended Order to correct a scrivener's error and to emphasize that its findings regarding implied dedication and prescriptive easement were supported by clear and convincing evidence.

**AND IT IS SO ORDERED** this 7th day of November, 2017.



The Honorable Thomas A. Russo  
Presiding Judge, Twelfth Judicial Circuit

CERTIFIED: A TRUE COPY  
*Doris Polyak O'Hara*  
CLERK OF COURT C.P. & G.S.  
FLORENCE COUNTY, S.C.