

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 Lance E. Woodley and Victoria Alicia)
 Woodley)
 _____)
 Plaintiff,)
 vs.)
)
 CITY OF COLUMBIA DDRC)
 _____)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 FIFTH JUDICIAL CIRCUIT
 CASE NO.: 2017-CP-40-3084
 MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET

Plaintiff's Attorney: Gerald D. Jowers, Bar No. _____ Address: PO Box 514; Orangeburg, SC 29202 Phone: 803-765-9620 Fax 803-765-0085 E-mail: _____ Other: _____	Defendant's Attorney: Jessica R. Mangum, Esq, Bar No. 10068 Address: PO Box 667; Columbia, SC 29201 Phone: 803-737-4242 Fax 803-737-4250 E-mail: jrmangum@columbiasc.com Other: _____
<input checked="" type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
SECTION I: Hearing Information	
Nature of Motion: Motion to Reconsider Estimated Time Needed: 30 minutes Court Reporter Needed: <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO	
SECTION II: Motion/Order Type	
<input checked="" type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
_____ Signature of Attorney for <input type="checkbox"/> Plaintiff / <input checked="" type="checkbox"/> Defendant	9/12/17 Date submitted
SECTION III: Motion Fee	
<input type="checkbox"/> PAID - AMOUNT: \$ _____ <input checked="" type="checkbox"/> EXEMPT: (check reason)	
<input type="checkbox"/> Rule to Show Cause in Child or Spousal Support <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRCP) <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: _____ <input checked="" type="checkbox"/> Other: Bill to City of Columbia Account	
JUDGE'S SECTION	
<input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____	JUDGE CODE _____ Date: _____
CLERK'S VERIFICATION	
Collected by: _____ Date Filed: _____ <input type="checkbox"/> MOTION FEE COLLECTED: \$ _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____	

FILED
 2017 SEP 12 PM 4:29
 CLERK OF COURT
 J. H. MCBRIDE
 C.C.P. S.C.

RECEIVED
 DEC 27 2017
 SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 Lance E. Woodley and Victoria Alicia)
 Woodley,)
)
 Appellants,)
)
 vs.)
)
 The City of Columbia, South Carolina)
 acting through its Design/Development)
 Review Commission,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 FIFTH JUDICIAL CIRCUIT

C/A: 2017-CP-40-3084

**RESPONDENT'S NOTICE OF MOTION
 AND MOTION PURSUANT TO RULE
 59(e), SCRPC**

RECEIVED

DEC 27 2017

SC Court of Appeals

FILED
 SEP 12 PM 4:29
 JANNETTE W. MCBRIDE
 C.C.P. & G.S.

TO: GERALD JOWERS, ESQUIRE, ATTORNEY FOR APPELLANT AND APPELLANT ABOVE-NAMED:

PLEASE TAKE NOTICE that the City of Columbia ("the City" or "Respondent"), by and through its undersigned attorney, hereby moves the Court for an order which reconsiders, alters, and/or amends its decision issued in the above-referenced matter. This motion is brought pursuant to Rule 59(e), SCRPC, as well as the relevant statutory and case law.

On July 28, 2017, the parties came before the Fifth Judicial Circuit Court of Common Pleas ("the Court") pursuant to a Notice of Appeal filed by the Woodleys ("Appellant") challenging a decision rendered by the City of Columbia Design/Development Review Commission ("DDRC"). In their appeal, Appellants assert the City's procedures for enforcing the rules of the Wales Garden Architectural Conservation District are unconstitutional. Specifically, Appellants assert procedural and substantive due process violations. Additionally, Appellants assert the record produced by the City is inadequate for this Court to review and the finding by the DDRC as to the style of the property in question is erroneous. The Court granted the appeal and thereby reversed the DDRC.

Based upon the facts in the record thoroughly discussed in the Court's Order, the City respectfully moves the Court to reconsider its ruling on the following grounds:

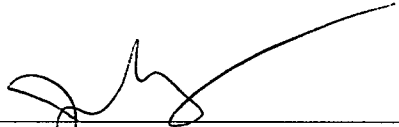
1. On appeal from a decision of an architectural review board, such as the DDRC in the instant case, the circuit court treats "the findings of fact by the [b]oard... in the same manner as findings of fact by a jury, and the court may not take additional evidence." *Austin v. Bd. of Zoning Appeals*, 362 S.C. 29, 33, 606 S.E.2d 209, 211 (Ct. App. 2004); S.C. Code Ann. § 6-29-930 (2013) ("[t]he findings of fact by the board of architectural review are final and conclusive on the hearing of the appeal, and the court may not take additional evidence[.]")
2. The court will only determine whether the board's decision was correct as a matter of law and will not "substitut[e] its judgment for that of the reviewing body." *Id.*
3. A decision of a municipal board will only be overturned if it is arbitrary and capricious. *See Rest. Row Assocs. v. Horry County*, 335 S.C. 209, 216, 516 S.E.2d 442, 446 (1999).
4. In the Order issued August 28, 2017, the Court made numerous findings of fact that are inconsistent with the record. Such findings constitute a clear error of law.
5. Specifically, the Court found "The Wales Garden Architectural Conservation District (the "Ordinance") was vague. This issue was never raised to the DDRC, Therefore, it was not preserved and not properly before the Court.
6. Additionally, the Court found the DDRC "has delegated the initial decision making to its staff." This issue was never raised to the DDRC, was not preserved, and thus was not properly before the Court.
7. The Court also found the City of Columbia failed to provide proper notice to the public of the existence of the Wales Garden Architectural Conservation District. However, City of Columbia Municipal Code clearly designates each architectural conservation district located within the city. *See, eg.*, City Code § 17-681(b) (identifying each architectural conservation district by description and accompanying map); City Code § 17-655 (describing the CDA process); City Code §17-674 (relating the Design/Development Review Commission process).

The ordinances, both separately and read together, give sufficient notice to enable a reasonable person to understand those areas included in the City's various architectural conservation districts and the appropriate processes one must undertake in order to make exterior changes to properties located within these districts. Therefore, a finding that the City has failed to provide proper notice is clear error.

8. Additionally, the Court found the City should be required to file notice of each property within every conservation district in the city limits by filing "in the Office of the Register of Deeds for Richland County." This finding is not supported by the record, is clear error, and far exceeds the scope of this appeal.
9. Lastly, the Court found the DDRC procedures to be "flawed" in that they do not meet the requirements of procedural due process. However, this finding is not supported by the record and is therefore clear error of law,

Therefore, the City of Columbia respectfully urges the Court to reconsider its Order to grant Appellant's appeal.

BY:



Jessica R. Mangum, Esq.
Office of the City Attorney
Post Office Box 667
Columbia, South Carolina 29202
(803)737-4242
Email: jrmangum@columbiasc.net

Attorney for Respondent

September 12, 2017
Columbia, South Carolina

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

Lance E. Woodley and Victoria Alicia Woodley,)

Appellants,)

vs.)

The City of Columbia, South Carolina acting through its Design/Development Review Commission,)

Respondent.)

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

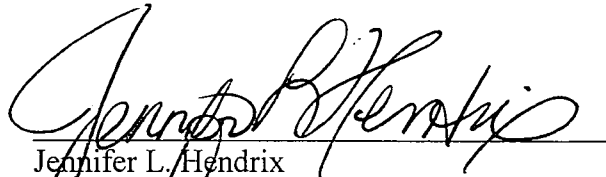
C/A: 2017-CP-40-3084

CERTIFICATE OF SERVICE

FILED
2017 SEP 12 PM 4:29
JENNIFER L. HENDRIX
C.C.P. & G.S.

The undersigned hereby certifies that she served a copy of the *Respondent's Notice of Motion and Motion Pursuant to Rule 59(e), SCRCP* along with the *Certificate of Service* and *Motion Coversheet* by placing a copy in the United States mail, sufficient postage pre-paid and return address clearly indicated to him at his address shown below on this 12th day of September, 2017.

Gerald D. Jowers, Esquire
Post Office Box 514
Columbia, SC 29202


Jennifer L. Hendrix
Lead Paralegal for the City of Columbia

September 12, 2017
Columbia, South Carolina

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 Lance E. Woodley and Victoria Alicia)
 Woodley,)
)
 Appellants,)
)
 vs.)
)
 The City of Columbia, South Carolina)
 acting through its Design/Development)
 Review Commission,)
)
 Respondent.)

IN THE COURT OF COMMON PLEAS
 FIFTH JUDICIAL CIRCUIT

C/A: 2017-CP-40-3084

**RESPONDENT'S SECOND NOTICE OF
 MOTION AND MOTION PURSUANT
 TO RULE 59(e) and 59(g), SCRC**

FILED
 DEC 13 PM 3:33
 CHRISTOPHER W. MCBRIDE
 C.P. & G.S.

**TO: GERALD JOWERS, ESQUIRE, ATTORNEY FOR APPELLANT AND
 APPELLANT ABOVE-NAMED:**

PLEASE TAKE NOTICE that the City of Columbia ("the City" or "Respondent"), by and through its undersigned attorney, hereby moves the Court for an order which reconsiders, alters, and/or amends its decision issued in the above-referenced matter. This motion is brought pursuant to Rule 59(e), Rule 59(g), SCRC, as well as the relevant statutory and case law.

On July 28, 2017, the parties came before the Fifth Judicial Circuit Court of Common Pleas ("the Court") pursuant to a Notice of Appeal filed by the Woodleys, ("Appellant") challenging a decision rendered by the City of Columbia Design/Development Review Commission ("DDRC"). On September 6, 2017, the Court issued a formal order granting the appeal and thereby reversing the DDRC. On September 12, 2017, the City filed a *Notice of Motion and Motion Pursuant to Rule 59(e), SCRC*. The City properly served Appellants and provided the Court with a copy of the motion as required under Rule 59(g). On December 4, 2017, the City received a Form 4 Order denying its Motion because it "was not properly served on the Court pursuant to 59(g) Judge to be Provided with Copy." (See Exhibit A).

Based upon the following facts, the City respectfully moves the Court to reconsider its ruling on the following grounds:


1. Rule 59(e) requires a party filing a motion to **serve** the motion on the opposing party within 10 days after receipt of written notice of the entry of the order (emphasis added).
2. Rule 59(g) requires a party filing a written motion to **provide** a copy of the motion to the judge within ten days after the filing of the motion (emphasis added). Unlike Rule 59(e), service is not required. The use of the term “provide” suggests that a copy of the motion must be made available to the Court.
3. On September 12, 2017, following all requirements under Rule 59, the City filed the Motion, served the Appellant, and provided a copy to the Court.
4. Specifically, the City filed the original and received three clocked copies of the Motion from the Richland County Clerk of Court’s office (see Exhibit B). On the same day, the City served one clocked copy on the Appellants and retained one clocked copy for the City’s file.
5. While in the Clerk’s office on September 12, the City provided the third clocked copy of the Motion to the Court by placing it in the Court’s mailbox. This is the usual and customary way the City provides the Court with Rule 59(e) motions.
6. This mailbox/mail slot is located in the Richland County Clerk of Court’s office in an unsecured location accessible to everyone who enters the Richland County Courthouse (see Exhibit C).
7. The City did not learn the Court had not taken delivery of the Motion until it received the Court’s Form 4 Order on December 4, 2017¹, denying the City’s Rule 59(e) Motion because it “was not properly served on the Court pursuant to 59(g).”

¹ The Court clearly was in possession of the City’s Motion by November 27, 2017, when it signed the Form 4 Order. However, the Order fails to discuss when or how the Court became aware of the Motion. The City received a letter from Appellant’s attorney, (dated December 1, 2017 and received on December 4, 2017 – the same day the City received the signed Form 4 from the clerk’s office) indicating he “found” the order while checking on the status of the City’s Motion (See Exhibit D).

8. Denial of a motion under Rule 59(g) is *only* proper when the party filing the motion fails to provide a copy to the Court. See e.g., Jones v. State, 382 S.C. 589, 594, 677 S.E.2d 20, 22 (2009) (Denial of a motion under Rule 59(g) is proper when the State knowingly failed to provide the judge with its motion until six months after filing); Coon v. Coon, 356 S.C. 342, 345, 588 S.E.2d 624, 626 (Ct. App. 2003), aff'd as modified, 364 S.C. 563, 614 S.E.2d 616 (2005) (Wife who intentionally waited four months before providing presiding judge with copy of her motion was in violation of Rule 59(g)).
9. The City has neither the ability nor the duty to insure the Motion is properly delivered from the Court's mailbox to the Court's chambers². Because the City timely provided the Court with a copy of the Motion as required under Rule 59(g), the denial of the Motion was in error.

Therefore, the City of Columbia respectfully urges the Court to reconsider its Order Denying Respondent's Rule 59(e) Motion under Rule 59(g).

BY:



Jessica R. Mangum, Esq.
Office of the City Attorney
Post Office Box 667
Columbia, South Carolina 29202
(803)737-4242
Email: jrmangum@columbiasc.net

Attorney for Respondent

December 13, 2017
Columbia, South Carolina

² Note to 1998 Amendment adding Rule 59(g) indicates the amendment was "intended to help insure that the judge is promptly notified that the motion has been filed." *Rule 59(g)*, SCRCP. The rule was never intended to punish a party filing a motion in situations where the motion was lost or misplaced by another party after being provided to the judge by placing a copy in a judicial mail slot in the clerk's office at the courthouse.



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DEC 14 2017

We Are Columbia

Office of the City Attorney
Post Office Box 667 • Columbia, SC 29202 • (803) 737-4242 • Fax (803) 737-4250

December 13, 2017

RECEIVED
DEC 27 2017
SC Court of Appeals

Via Hand-delivery

Jeanette W. McBride, Clerk of Court
Richland County Judicial Center
1701 Main Street, Room 205
PO Box 2766
Columbia, SC 29202

RE: Lance E. Woodley and Victoria Alicia Woodley v. the City of Columbia,
South Carolina acting through its Design/Development Review
Commission
C/A No. 2017-CP-40-03084

Dear Ms. McBride:

Please find enclosed the original and three copies of the Motion and Order Information Form and Coversheet and Respondent's Notice of Motion and Motion Pursuant to Rule 59(e), SCRCF along with the Certificate of Service for the above referenced matter.

I am, by copy of this letter, serving a copy of the same upon the attorney for the Appellants.

Additionally, I am placing a copy in Judge Hood's mailbox.

Sincerely,

Jess R. Mangum
Assistant City Attorney

JRM/jlh
Enclosure(s) as Stated

cc: The Honorable Robert E. Hood
Gerald D. Jowers, Esquire

EXHIBIT A

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

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2017-CP-40-3084

Lance E. Woodley and Victoria Alicia Woodley

City of Columbia DDRC

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Jessica R. Mangum

Attorney for : Plaintiff Defendant
 or
 Self-Represented Litigant

DISPOSITION TYPE (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. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON): Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON): Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
 Affirmed; Reversed; Remanded; Other

2017 NOV 2 PM 3:29
 RICHLAND COUNTY
 FILED
 JESSICA R. MANGUM

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 (formal order to follow) Statement of Judgment by the Court:

This order ends does not end the case.

ORDER INFORMATION

Additional information for the Clerk :

The Motion pursuant to Rule 59(e) is denied. The Motion was not properly served on the Court pursuant to 59(g) Judge to be Provided with Copy. A party filing a written motion under this rule shall provide a copy of the motion to the judge within ten (10) days after the filing of the motion.

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$ RECEIVED
		\$ DEC 27 2017
		\$ SC Court of Appeals
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.
 E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Re Hood

Circuit Court Judge

2154

Judge Code

Nov 27, 17
Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 27 day of Nov, 2017 to attorneys of record or to parties (when appearing pro se) as follows:

Gerald D. Jowers

Jessica R. Mangum

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

EXHIBIT B



We Are Columbia

Office of the City Attorney
Post Office Box 667 • Columbia, SC 29202 • (803) 737-4242 • Fax (803) 737-4250

September 12, 2017

Via Hand-delivery

The Honorable Jeanette McBride, Clerk of Court
Richland County Judicial Center
1701 Main Street
Columbia, South Carolina 29201

RE: Lance E. Woodley and Victoria Alicia Woodley v. the City of
Columbia, South Carolina acting through its Design/Development
Review Commission
C/A No. 2017-CP-40-03084

Dear Ms. McBride:

Please find enclosed the original and three copies of the *Respondent's Notice of Motion and Motion Pursuant to Rule 59(e), SCRPC, Motion and Order Information Form and Coversheet* along with the *Certificate of Service* for the above referenced matter.

Please file the original and return the copies to the courier of this letter.

Sincerely,

Jess R. Mangum
Assistant City Attorney

JRM/jlh
Enclosure(s) as Stated

cc: Gerald D. Jowers, Esquire

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS
IN THE FIFTH JUDICIAL CIRCUIT

COUNTY OF RICHLAND)

Lance E. Woodley and Victoria Alicia
Woodley,)

C/A File No.: 2017-CP-40-3084

Appellants;)

vs.)

AFFIDAVIT OF JENNIFER L. HENDRIX

The City of Columbia, South Carolina)
acting through its Design/Development)
Review Commission,)

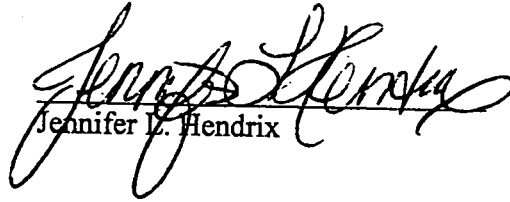
Respondent.)

Personally appeared before me, JENNIFER L. HENDRIX who being duly sworn, deposes and says that she is over the age of twenty-one (21) years old and makes this Affidavit based her personal knowledge, and states as follows:

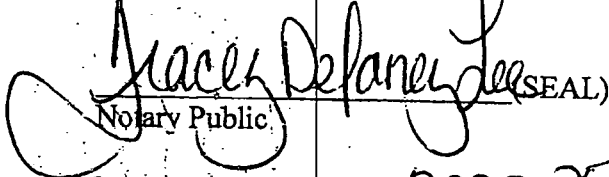
1. I am currently employed by the City of Columbia Legal Department as Lead Paralegal.
2. On September 12, 2017, I hand delivered the original and three copies of Respondent's Notice of Motion and Motion to Reconsider Pursuant to Rule 59(e) along with the Certificate of Service and Motion Coversheet for the above referenced matter to the Richland County Clerk of Court.
3. The Clerk clocked the original documents and returned the three copies to me. As is my usual practice, one copy was mailed to the attorney for the Appellants, a copy was retained for the City's file and the third copy was placed in Judge Hood's box ,which is located in the Richland County Clerk's Office.

4. Upon receiving Judge Hood's Form 4 denying the City's Motion to Reconsider, I thoroughly reexamined the City's file. It contains only one clocked copy of the City's motion.

FURTHER THE AFFIANT SAYETH NOT.


Jennifer L. Hendrix

SWORN TO BEFORE ME THIS
13 day of December, 2017


Gracy Delaney Lee (SEAL)
Notary Public

My commission expires: 2232025

EXHIBIT C

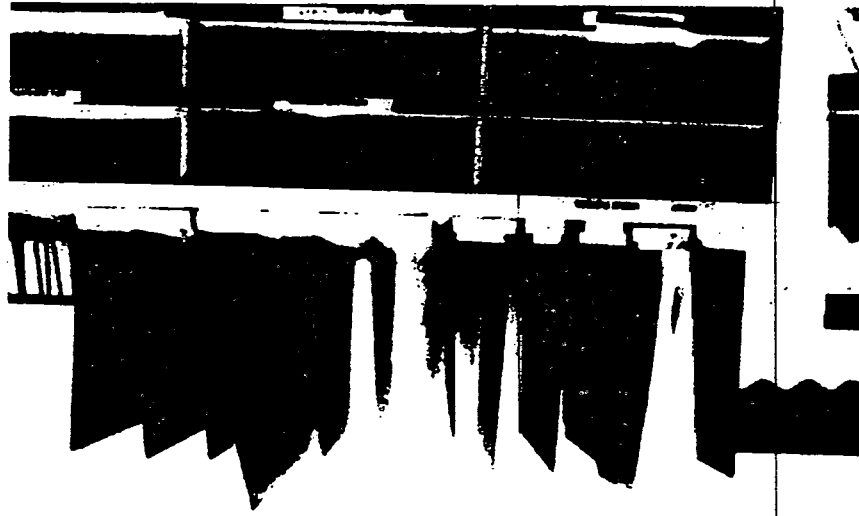


EXHIBIT D

GERALD D. JOWERS
Attorney at Law
Post Office Box 514
Columbia, South Carolina 29202
Telephone (803) 765-9620
Facsimile (803) 765-0085

December 1, 2017

Jessica R. Mangum
Assistant City Attorney
PO Box 667
Columbia, SC 29202

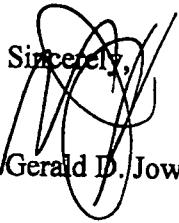
Re: Woodley v City of Columbia

Dear Ms. Mangum:

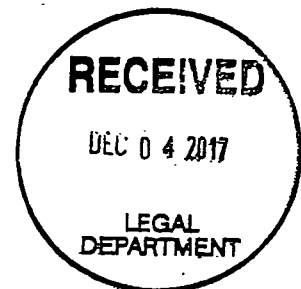
While checking on the status of your motion for reconsideration, I found the enclosed.

Accordingly, I am serving the enclosed Order on you by mail.

Sincerely,


Gerald D. Jowers

GDJ/lmr
Enclosure



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

FORM 4

JUDGMENT IN A CIVIL CASE

Saluda Dam LLC

CASE NUMBER: 2016CP4007221

PLAINTIFF(S)

Richland County Treasurer

David A Adams

DEFENDANT(S)

Submitted by: _____

Attorney for : Plaintiff Defendant or Self-Represented Litigant

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

ORDER INFORMATION

This order ends does not end the case. Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order: _____

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

Circuit Court Judge _____

Judge Code 2061 Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this 15 day of November, 2017 to attorneys of record or to parties (when appearing pro se) as follows:

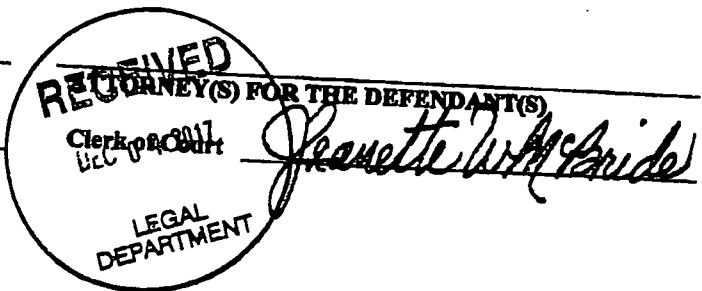
Andrew Sims Radeker

Lauren Sutton Hogan

ATTORNEY(S) FOR THE PLAINTIFF(S)

Court Reporter _____

SCRPC Form 4C (10/2011)



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

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2017-CP-40-3084

Lance E. Woodley and Victoria Alicia Woodley

City of Columbia DDRC

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Jessica R. Mangum

Attorney for : Plaintiff Defendant
 or
 Self-Represented Litigant

- DISPOSITION TYPE (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. See Page 2 for additional information.
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 - ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
 - STAYED DUE TO BANKRUPTCY**
 - DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

2017 NOV 2 PM 3:29
 RICHLAND COUNTY
 FILED
 JESSICA R. MANGUM

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 (formal order to follow) Statement of Judgment by the Court:

This order ends does not end the case.
 Additional information for the Clerk :

ORDER INFORMATION

The Motion pursuant to Rule 59(e) is denied. The Motion was not properly served on the Court pursuant to 59(g) Judge to be Provided with Copy. A party filing a written motion under this rule shall provide a copy of the motion to the judge within ten (10) days after the filing of the motion.

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.
 E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Re Hood

Circuit Court Judge

2164
Judge Code

Nov 27, 17
Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20 and a copy mailed first class or placed in the appropriate attorney's box on this 27 day of Nov 20 to attorneys of record or to parties (when appearing pro se) as follows:

Gerald D. Jowers

Jessica R. Mangum

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Fileers or who are appearing pro se. See Rule 77(d), SCRPC.

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Lance E. Woodley and Victoria Alicia Woodley,

Appellants,

vs.

The City of Columbia, South Carolina acting through its Design/Development Review Commission,

Respondent.

IN THE COURT OF COMMON PLEAS
FIFTH JUDICIAL CIRCUIT

C/A: 2017-CP-40-3084

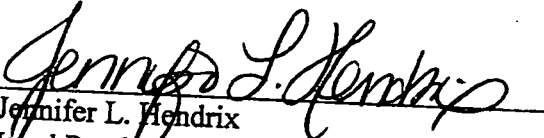
CERTIFICATE OF SERVICE

2017 DEC 13 PM 3:33
JANNETTE W. MCBRIDE
C.C.P. & G.S.

RICHLAND COUNTY
FILED

The undersigned hereby certifies that she served a copy of the Respondent's *Second Notice of Motion and Motion Pursuant to Rule 59(e) and 59(g), SCRPC* along with the *Certificate of Service and Motion Coversheet* by placing a copy in the United States mail, sufficient postage pre-paid and return address clearly indicated to him at his address shown below on this 13th day of December, 2017.

Gerald D. Jowers, Esquire
Post Office Box 514
Columbia, SC 29202


Jennifer L. Hendrix
Lead Paralegal for the City of Columbia

December 13, 2017
Columbia, South Carolina