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STATE OF SOUTH CAROLINA	)	**IN THE COURT OF COMMON PLEAS**
	)	**FOURTEENTH JUDICIAL CIRCUIT**
COUNTY OF BEAUFORT	)	**CIVIL ACTION NO.: 2017-CP-07-02110**
	)	
CHARLES WILLIS GARDNER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**ORDER DENYING MOTION FOR RECONSIDERATION**
	)	
TAYLOR REUBEN ADAMS,	)	
	)	
Defendant.	)	

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SC Court of Appeals

THIS MATTER came before this Court pursuant to the Plaintiff's Motion for Reconsideration or a New Trial and Motion to Stay Proceedings filed on July 20, 2018. A hearing was held on Defendant's Motion for Partial Summary Judgment in Beaufort County on June 26, 2018. Present at the hearing was William L. Pyatt, Esq. attorney for the Plaintiff[1] and Terry A. Finger, Esq., attorney for the Defendant. An Order Granting Partial Summary Judgment was filed on July 10, 2018 with the Beaufort County Clerk's Office. The Plaintiff subsequently and timely filed their Motion for Reconsideration or New Trial ("hereinafter Motion to Reconsider") on July 20, 2018.

After considering the record in this matter, the arguments of counsel, and the applicable legal authorities, this Court respectfully **DENIES** the Motion to Reconsider.

Additionally, the Motion to Reconsider, for the first time, alleges that the Plaintiff has some type of implied easement to use the road. That issue is not raised by the pleadings and was not raised in the argument on the summary judgment motion. That argument is not proper in a Motion to Reconsider.

[1] Plaintiff has substituted counsel since the original hearing on the Summary Judgment Motion on June 26, 2018.

Having fully reviewed the Motion to Reconsider, the pleadings, and the documentation submitted at the Summary Judgment hearing, this Court finds that the Motion to Reconsider is respectfully **DENIED**.

AND IT IS SO ORDERED this _____ day of August, 2018.

_____
The Honorable Perry M. Buckner, III

Walterboro, S.C.

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Beaufort Common Pleas

Case Caption: Charles Willis Gardner VS Taylor Reuben Adams

Case Number: 2017CP0702110

Type: Order/Other

It is so Ordered

s/ Perry M Buckner III 2122