

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)
)

IN THE COURT OF COMMON PLEAS

RECEIVED

Betty Jean Perkins,)
)
Plaintiff(s),)

OCT 04 2018

SC Court of Appeals

-vs-)

ORDER REGARDING DEFENDANT'S
SECOND MOTION
FOR RECONSIDERATION

SC Department of Transportation,)
)
Defendant(s).)

Case No.: 2016-CP-42 -02478

PRESIDING JUDGE: Grace Gilchrist Knie
PLAINTIFF'S ATTORNEY: Neil E. Alger
DEFENDANT'S ATTORNEY/S: William M. Smith and Andrew F. Lindemann

A 2nd Rule 59(e) SCRCF motion to reconsider and to alter or amend has been received from the Defendant, SC Department of Transportation filed with the Court on August 21, 2018, and properly served on The Court per Rule 59(g) SCRCF. Pursuant to Rule 59(f), SCRCF, the court, in its discretion, may decide the motion based on briefs without oral argument. The Court issued an Initial Order on August 27th, 2018, regarding the Motion as to the deadlines to file written submissions. The deadlines have passed. The Court decided the issue/s on written submissions.

After careful consideration of the able argument and filings of Counsel and review of the record, the Court is unable to discover any material fact or principle of law that either has been overlooked or disregarded and further finds no error of law or fact not appropriately considered. Accordingly, the Defendant's Motion, pursuant to Rule 59, SCRCF,¹ is DENIED.

¹ The Court, in its discretion, has determined this Motion on the filings, without oral argument, pursuant to Rule 59(f), SCRCF.

AND IT IS SO ORDERED.

September 28, 2018

/s/Grace Gilchrist Knie
Grace Gilchrist Knie, Judge
Seventh Judicial Circuit



Spartanburg Common Pleas

Case Caption: Betty Jean Perkins VS South Carolina Department Of Transportation
Case Number: 2016CP4202478
Type: Order/Other

IT IS SO ORDERED.

S/GRACE GILCHRIST KNIE - 2760