

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2017-CP-42-02072

Donald and Carlee SIMMONS,

Benson HYUNDAI, LLC,

Plaintiff(s)

Defendant(s)

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 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other SCRPC 56.
- ACTION STRICKEN** (*CHECK REASON*): Rule 40(j) SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other

IT IS ORDERED AND ADJUDGED: formal order to follow; **Statement of Judgment by the Court:**

This matter came before this court on **MOTION** of the defendant **TO ALTER OR AMEND** the Court's judgment pursuant to *Rule 59(e), SCRPC*.

After consideration of the applicable statutory and case law this court finds that the defendant's **MOTION** should be and **IS** therefore **DENIED**.

J. Derham Cole, Presiding Judge

This judgment was entered on the _____ day of _____ and a copy mailed first class this _____ day of _____ to attorneys of record or to parties (when appearing pro se) as follows:

E. Warren Moise, Esq.

Bradford Neal Martin, Esq.

ATTORNEY(S) FOR PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

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Spartanburg Common Pleas

Case Caption: Donald Simmons , plaintiff, et al VS Benson Hyundai Llc
Case Number: 2017CP4202072
Type: Order/Form 4

IT IS SO ORDERED!

s/J. Derham Cole 2053