

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
 )  
J&H Grading & Paving, Inc., )  
 )  
 )  
Plaintiff, )  
 )  
 )  
vs. )  
 )  
 )  
Clayton Construction Company, Inc., )  
 )  
 )  
Defendant. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
ELEVENTH JUDICIAL CIRCUIT  
CASE NO. 2018-CP-32-01746

ORDER  
**RECEIVED**  
NOV 25 2019  
SC Court of Appeals

This matter came before this Court on Plaintiff’s Motion to Reconsider pursuant to Rule 59(e), SCRPC. Specifically, Plaintiff seeks this Court to alter or amend its judgment entered on October 4, 2019. This motion was timely filed on October 9, 2019 and arises out of a bench trial conducted on August 14, 2019 in which Defendant prevailed.

After careful consideration of the record in this case and the submissions of counsel, this 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 facts not appropriately considered.

Accordingly, this Court hereby DENIES Plaintiff’s Motion to Reconsider pursuant to Rule 59(e) SCRPC to Alter or Amend Judgment of this Court’s Order entered on or about October 4, 2019. Pursuant to Rule 59(f), the Court is of the opinion that oral argument is not necessary.

**AND IT IS SO ORDERED.**

s/Walton J. McLeod, IV  
Walton J. McLeod, IV  
Presiding Judge  
Eleventh Judicial Circuit

October 29, 2019  
Columbia, South Carolina



Lexington Common Pleas

**Case Caption:** J & H Grading & Paving Llc VS Clayton Construction Company Inc  
, defendant, et al  
**Case Number:** 2018CP3201746  
**Type:** Order/Amend

So Ordered

s/Walton J. McLeod, 2765