

it is no longer equitable that the judgment should have prospective application. Rule 60(b), *SCRCP*.

Based upon a thorough review of all of the pleadings filed in this matter, as well as the arguments of counsel made at the hearing on August 18, 2020, the Court denies Plaintiff's Motion to Reconsider pursuant to Rules 59(e) and Rule 60(b), *SCRCP*.

A judgment on the pleadings shall be granted "where there is no issue of fact raised by the complaint that would entitle the plaintiff to judgment if resolved in plaintiff's favor." *Sapp v. Ford Motor Co.*, 386 S.C. 143, 687 S.E.2d 47 (2009) citing *Russell v. City of Columbia*, 305 S.C. 86, 406 S.E.2d 338 (1991). *Home Builders Ass'n of S.C. v. Sch. Dist. No. 2 of Dorchester Cty.*, 405 S.C. 458, 460, 748 S.E.2d 230, 231 (2013). When considering such motion, the Court must regard all properly pleaded factual allegations as admitted, and any inference of law or conclusions of fact that may properly arise therefrom are to be regarded as embraced in the averment. *Falk v. Sadler*, 341 S.C. 281, 533 S.E.2d 350 (Ct. App. 2000).

Plaintiff's Motion to Reconsider pursuant to Rule 59(e), *SCRCP* fails to raise any issues overlooked by the Court that would cause the Court to reconsider its prior ruling to dismiss all of Plaintiff's claims against the Defendants, Hannah E. Collier and Linda Smith, pursuant to Rule 12(c), *SCRCP*. Likewise, Plaintiff's Motion to Reconsider pursuant to Rule 60(b), *SCRCP* fails to present any sufficient reason to relieve him from judgment based upon the criteria of Rule 60(b), *SCRCP*.

Therefore, it is ordered that Plaintiff's Rule 59(e) and Rule 60(b) Motions are hereby DENIED.

IT IS SO ORDERED.

[JUDGE'S SIGNATURE TO FOLLOW]



Greenville Common Pleas

Case Caption: James Earl Tegeler vs. Northgate Baptist Church , defendant, et al

Case Number: 2020CP2301213

Type: Order/Other

So Ordered

s/Alex Kinlaw, Jr., #2763