



Quality Fresca I Llc  
PLAINTIFF(S)

Kenneth R Davenport, II et al  
DEFENDANT(S)

DISPOSITION TYPE (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
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

RECEIVED  
Apr 29 2021  
SC Court of Appeals

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

This matter comes before the Court by way of Appellant Quality Fresca's Motion to Reconsider this Court's Order filed March 26, 2021, which affirmed the Magistrate Court's issuance of an Order of Ejectment against Appellant. Appellant now moves this Court to reconsider its prior Order based upon Rule 59(e), SCRPC.

Upon careful consideration of the arguments and memoranda of counsel, and the record before the Court, this Court finds no controlling errors of law or fact, nor does the Court find any other grounds to alter, amend, or vacate the Order dismissing this appeal.

THEREFORE, the Appellant's Motion to Reconsider is hereby DENIED.

ORDER INFORMATION

This order  ends  does not end the case.  See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 04/27/2021 .

Jason S. Smith for Kenneth R Davenport, II, Kenneth R Davenport Estate, Kenneth R Davenport, Kenneth R Davenport li Personal Representative  
Brian A Hellman for Kenneth R Davenport, II, Kenneth R Davenport Estate, Kenneth R Davenport, Kenneth R Davenport li Personal Representative  
Case Party Info Protected  
Theodore Harry Huge for Quality Fresca I Llc  
Desa Ballard for Quality Fresca I Llc

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

## **Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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Charleston Common Pleas

**Case Caption:** Quality Fresca I Llc VS Kenneth R Davenport II , defendant, et al

**Case Number:** 2020CP1004936

**Type:** Order/Electronic Form 4

So Ordered

Debra R. McCaslin