

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 Alter or Amend pursuant to Rule 59(e), *SCRPC* fails to raise any issues overlooked by the Court that would cause the Court to reconsider its prior ruling to dismiss Petitioner's case pursuant to Rule 12(c), *SCRPC*.

Therefore, it is ordered that Plaintiff's Rule 59(e) Motion is hereby DENIED.

IT IS SO ORDERED.

[JUDGE'S SIGNATURE TO FOLLOW]



Spartanburg Common Pleas

Case Caption: Larry Bright VS Heather D Davis

Case Number: 2020CP4202447

Type: Order/Other

It is So Ordered

s/Judge Gordon G Cooper-3065