

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

JUDGMENT IN A CASE on APPEAL

CASE NO. 2019-CP-42-04222

Tonji MEREDITH,

Tammy GLENN,

Appellant(s)

Respondent(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
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Dismissed for lack of jurisdiction due to a failure to perfect the appeal.

RECEIVED
SEP 23 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: formal order to follow; Statement of Judgment by the Court:

This matter came before the Court on appeal of a decision of the probate court. Appellant's failure to comply with the procedural requirements of S.C. Code Ann. § 62-1-308 in the filing and perfecting of her appeal denied this Court jurisdiction to hear the appeal and the appeal was dismissed by order filed May13, 2020.

The appellant Tonji Meredith, pro se, filed a motion to reconsider the Court's ruling pursuant to SCRPC Rule 59.

Rule 59(e) provides that: "a motion to alter or amend judgment shall be served not later than 10 days after receipt of written notice of the entry of the order". Appellant's Rule 59 motion was filed on May 26, 2020 and is therefore not timely filed. This Court has no jurisdiction to hear the motion when not filed timely in accordance with the applicable rule.

Notwithstanding the untimeliness of the Rule 59 motion to reconsider, this Court has reviewed the record of this case and its previous ruling dismissing the appeal for lack of jurisdiction for failure of the appellant to perfect the appeal. This Court is presently unaware of any fact, circumstance, or legal principle that forms a basis for the Court to alter its decision preciously made

Based upon the foregoing this Court finds that the appellant's **MOTION TO RECONSIDER** pursuant to rule 59 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:

TONJI MEREDITH, pro se
MICHAEL D. BROWN, Esq.

GARY L. COMPTON, Esq.
ALBERT V. SMITH, Esq.

ATTORNEY(S) FOR APPELLANT(S)

ATTORNEY(S) FOR THE RESPONDENT(S)

AMY W. COX, CLERK OF COURT



Spartanburg Common Pleas

Case Caption: Tonji Lavonne Meredith VS Tammy Lee Glenn , defendant, et al
Case Number: 2019CP4204222
Type: Order/Form 4

IT IS SO ORDERED!

s/J. Derham Cole 2053