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**Aug 22 2022**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Administrative Law Judge Ralph K. Anderson, III

ALC Case No. 19-ALJ-04-0492-AP  
Appellate Case No. 2020-000521

JAMES MILLHOLLAND, # 367569,

APPELLANT,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

RESPONDENT.

**RETURN TO MOTION REQUESTING COST ON APPEAL**

Appellant filed a Motion Requesting Costs on Appeal on August 12, 2022. Respondent respectfully requests the Court deny this motion. Appellant's listed costs for supplies, briefs, and reply briefs are unclear as there is no explanation as to how he incurred these costs or documentation showing proof of the costs incurred. Rule 222 requires that the party must "actually incur[] these costs" to recover them. *See* SCAR 222(b). Further, this rule does allow a party to recover attorney's fees but makes no mention of a pro se litigant's fees. *Id.* Therefore, Appellant is not entitled to the costs he lists for time and labor.

**WHEREFORE**, Respondent respectfully requests that this Court deny Appellant's motion.

Respectfully submitted,

**SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS**



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**KENSEY EVANS**  
Deputy General Counsel  
Office of General Counsel  
S.C. Department of Corrections  
Post Office Box 21787  
Columbia, South Carolina 29221  
(803) 896-8508

**ATTORNEY FOR RESPONDENT**

August 22, 2022

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RESPONDENT.

***CERTIFICATE OF SERVICE***

Undersigned counsel hereby certifies that on today's date she mailed a copy of the **Return to Motion Requesting Cost on Appeal** to Appellant, addressed as follows: **James Millholland (#367569)**, Allendale Correctional Institution, HAA-0043-B, 1057 Revolutionary Trail, Fairfax, SC 29827.



Kensey Evans  
Deputy General Counsel  
Office of General Counsel  
South Carolina Department of Corrections  
Post Office Box 21787  
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August 22, 2022



**SOUTH CAROLINA**  
DEPARTMENT OF CORRECTIONS  
*Safety, Service, and Stewardship*

HENRY McMASTER, Governor  
BRYAN P. STIRLING, Director

OFFICE OF GENERAL COUNSEL

August 22, 2021

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**Aug 22 2022**

**SC Court of Appeals**

The Honorable Jenny A. Kitchings  
Clerk of Court, S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RE: James Millholland, #367569, v. South Carolina Department of Corrections**  
**Appellate Case No. 2020-000521**

Dear Ms. Kitchings:

Enclosed please find Respondent's **Return to Motion Requesting Cost on Appeal** in the above captioned appeal, along with **Proof of Service**.

Thank you for your attention to this matter, and please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Kensey Evans  
Deputy General Counsel  
South Carolina Department of Corrections

cc: James Millholland, 367569  
Allendale Correctional Institution  
HAA-0043-B  
1057 Revolutionary Trail  
Fairfax, SC 29827