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Sep 22 2022
SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM DORCHESTER COUNTY
COURT OF COMMON PLEAS
THE HONORABLE KRISTI LEA HARRINGTON
CIRCUIT COURT JUDGE

APPELLATE CASE NO. 2018-001262
CIVIL ACTION NO. 2016-CP-18-00838

Dorchester County Taxpayers Association, individually and on behalf of all others similarly situated; Weatherstone Property Owners Association, individually and on behalf of all others similarly situated; George Resnick; William A. Harbeson; James Stephen Greene, Jr.; Homer P. Gonzalez; Gerald E. Ziegler; David Messinger; and South Carolina Public Interest Foundation,

APPELLANTS,

versus

Dorchester County; Dorchester County Council; David Chinnis, George Bailey, Jay Byars, Willie Davis, Carroll S. Duncan, Larry Hargett, and William R. Hearn, Jr., in their official capacities as Members of Dorchester County Council; Town of Summerville; Summerville Town Council; William E. McIntosh, III, in his official capacity; Dorchester County Sheriff, Luther C. Knight, in his official capacity; Dorchester School District Two; Dorchester School District Two Board of Trustees; Joseph R. Pye, Justin Farnsworth, Gail Hughes, Brian Mitchum, Tanya Robinson, Sam Clark, Barbara Crosby, and Lisa Tupper, in their official capacities; Dorchester School District Four; Dorchester School District Four Board of Trustees; Dorchester County Career and Technology Center; and Dorchester County Career and Technology Center Board of Trustees,

RESPONDENTS,

**MOTION FOR COSTS OF RESPONDENTS DORCHESTER COUNTY;
DORCHESTER COUNTY COUNCIL; DAVID CHINNIS,
GEORGE BAILEY, JAY BYARS, WILLIE DAVIS, CARROLL S. DUNCAN,
LARRY HARGETT, AND WILLIAM R. HEARN, JR., IN THEIR OFFICIAL
CAPACITIES AS MEMBERS OF DORCHESTER COUNTY COUNCIL;
DORCHESTER COUNTY SHERIFF LUTHER C. KNIGHT, IN HIS OFFICIAL
CAPACITY; and CAPTAIN TONY PHINNEY, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY AS AN EMPLOYEE OF THE
DORCHESTER COUNTY SHERIFF**

The County Respondents which include Dorchester County; Dorchester County Council; David Chinnis, George Bailey, Jay Byars, Willie Davis, Carroll S. Duncan, Larry Hargett, and William R. Hearn, Jr., in their official capacities as members of Dorchester County Council; Dorchester County Sheriff Luther C. Knight, in his official capacity; and Captain Tony Phinney, individually and in his official capacity as an employee of the Dorchester County Sheriff, move to be awarded costs against the Appellants in the above-referenced appeal under Rule 222, SCACR. The County Respondents' Motion is based on this Court's affirmance of the judgment on appeal by Opinion No. 2021-UP-312 filed September 1, 2021. The Remittitur was issued on September 8, 2022.

The County Respondents incurred \$2,677.54 in taxable attorney's fees and costs in this matter. A sworn, itemized statement of these costs is attached. Accordingly, the County Respondents respectfully request that the Court award them \$2,677.54 in fees and costs pursuant to Rule 222, SCACR.

Respectfully submitted,

s/ Carmen V. Ganjehsani

Anthony E. Rebollo (S.C. Bar No. 70488)
Carmen V. Ganjehsani (S.C. Bar No. 73515)
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**Attorneys for Respondents Dorchester County;
Dorchester County Council; David Chinnis,
George Bailey, Jay Byars, Willie Davis, Carroll
S. Duncan, Larry Hargett, and William R.
Hearn, Jr., in their official capacities as members
of Dorchester County Council; Dorchester
County Sheriff Luther C. Knight, in his official
capacity; and Captain Tony Phinney,
individually and in his official capacity as an
employee of the Dorchester County Sheriff**

September 22, 2022.

CERTIFICATE OF SERVICE

I, the undersigned, attorney for the County Respondents, do hereby certify that I have this date served the foregoing Motion for Costs, dated September 22, 2022, by personally serving the same pursuant to Section (d)(1) of the Supreme Court's Order dated May 6, 2022, on the following counsel of record using the primary email addresses listed in the Attorney Information System (if applicable):

W. Andrew Gowder, Jr., Esq.
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and

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Attorneys for Appellants

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and

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Co-Attorneys for Town of Summerville, Summerville Town Council, and William E. McIntosh, III in official capacity

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Attorney for Dorchester County Career and Technology Center and its Board of Trustees

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Attorneys for Dorchester County School District Four and Dorchester County School District Four Board, and its Board of Trustees

A copy of the sent email is enclosed with this Certificate of Service.

s/ Carmen V. Ganjehsani
Carmen V. Ganjehsani (S.C. Bar No. 73515)
RICHARDSON, PLOWDEN & ROBINSON, PA
Post Office Drawer 7788
Columbia, South Carolina 29202
Attorneys for the County Respondents


Dated: September 22, 2022.

Carmen Ganjehsani

From: Carmen Ganjehsani
Sent: Thursday, September 22, 2022 12:43 PM
To: andy@austengowder.com; mike@mikeroselawfirm.com
Cc: wdavidson@dml-law.com; Doerring, Erik; Widener, Robert; Kenneth Woodington; david@dmorrison-law.com; tbarlow@hmwlegal.com; Kenneth Davis; cjboykin@boykinlawsc.com; tgoodwyn@boykinlawsc.com; Drew Butler; Tony Rebollo
Subject: Dorchester Cty. Taxpayers Ass'n v. Dorchester Cty. (2018-00111262)
Attachments: 2018-001262 Dorchester Cty. Taxpayers v. Dorchester Cty. Mtn. for Costs.pdf

Pursuant to the Supreme Court's Order dated May 6, 2022, please find served upon you the Motion for Costs on behalf of the County Respondents.

Thank you,
Carmen Ganjehsani

HOME	VCARD	LOCATION
	Carmen V. Ganjehsani Shareholder Cganjehsani@RichardsonPlowden.com	Richardson Plowden & Robinson, P.A. 1900 Barnwell Street Columbia, SC 29201 Tel: 803.253.8692 Fax: 803.779.0016 www.RichardsonPlowden.com

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September 22, 2022

RECEIVED
Sep 22 2022
SC Court of Appeals

Via hand delivery and e-mail (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Dorchester County Taxpayers Association v. Dorchester County et al.*
Appellate Case No. 2018-001262
RPR File No.: 181-861

Dear Ms. Kitchings:

Enclosed for filing is the Motion for Costs on behalf of the County Respondents in the above-referenced case, along with our Certificate of Service. We are also filing this Motion electronically with the Court of Appeals via e-mail at ctappfilings@sccourts.org pursuant to Section (b)(2) of the Supreme Court's May 6, 2022 Order.

Also enclosed is our firm's check in the amount of \$50.00 for the filing fee in this matter.

We have served this Motion for Costs on counsel for Appellants upon their primary email addresses listed in the Attorney Information System.

Should you have any questions regarding this matter, please do not hesitate to call.

Sincerely,

/s Carmen V. Ganjehsani

Carmen V. Ganjehsani

The Honorable Jenny Abbott Kitchings

September 22, 2022

Page 2

Encs.

cc: W. Andrew Gowder, Jr., Esq. (via email)
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