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Sep 21 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Commons Pleas

Daniel D. Hall, Circuit Court Judge

Civil Case No.: 2017-CP-46-01964
Appellate Case No. 2020-000027

Winston Shell.....Respondent,

v.

Nathaniel Shell..... Appellant.

**RESPONDENT'S MOTION FOR COSTS
PURSUANT TO RULE 222, SCACR**

Beverly A. Carroll, SC Bar No. 1144
Joe'Terrious K. Neal, SC Bar No. 104319
Morton & Gettys, LLC
P.O. Box 707
Rock Hill, SC 29731
803.366.3388

Attorneys for Respondent

Other Counsel of Record:
T. Jeff Goodwyn, Jr.
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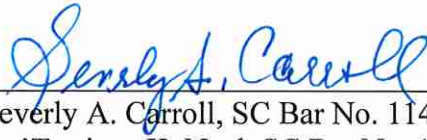
The Respondent Winston Shell hereby moves the Court for an Order taxing the Appellant with the Respondent's costs and the maximum attorney's fees allowable under Rule 222(b), SCACR associated with this appeal.

The Respondent would show that he sought to collect monies he loaned to Appellant in a breach of contract matter in the York County Circuit Court. Appellant failed to appear for the trial held on December, 10, 2019, in front of Judge Hall. The Trial Court ruled in Respondent's favor. Appellant filed a motion for new trial which the Circuit Court denied. This appeal followed.

On May 13, 2020, Appellant appealed Judge Hall's Order to the Court of Appeals. The parties filed Briefs and other documents as required by the South Carolina Appellate Court Rules. The Court of Appeals issued its opinion on December 8, 2021, affirming Judge Hall's Order in all respects. A Petition for Rehearing dated December 20, 2021, filed thereafter, which resulted in an Order being issued on March 24, 2022, denying rehearing. On April 25, 2022, Appellant submitted a Petition for Writ of Certiorari, which was denied on September 8, 2022. The Remittitur was sent to the York County Clerk of Court on September 12, 2022 and filed on September 15, 2022.

As a matter of law, and in order to properly appeal this matter, the Respondent was required to obtain copies of transcripts, file duplicate copies of briefs, and file duplicate copies of a Record on Appeal, in order to properly present their appeal to the Court of Appeals and to the Supreme Court. Therefore, the Appellant would respectfully request that this court tax the Respondents with the costs as set forth in the Statement of Costs attached hereto.

September 21, 2022



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PROOF OF SERVICE

The undersigned certifies that she has served this Respondent’s Motion for Costs Pursuant to Rule 222, SCACR by depositing a copy of it in the United States Mail, postage prepaid, on September 21, 2022, addressed to its attorneys of record to the below addresses:

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