

The South Carolina Court of Appeals

Renee S. Beach, as Personal Representative of the Estate
of Mallory Beach, Respondent,

v.

Gregory M. Parker, Inc. d/b/a Parker's Corporation,
Richard Alexander Murdaugh, Richard Alexander
Murdaugh, Jr., John Marvin Murdaugh, as P.R. of the
Estate of Margaret Kennedy Branstetter Murdaugh, and
Randolph Murdaugh, IV, as P.R. of the Estate of Paul
Terry Murdaugh, Defendants,

Of whom Gregory Parker, Inc. d/b/a Parker's
Corporation, is the Appellant.

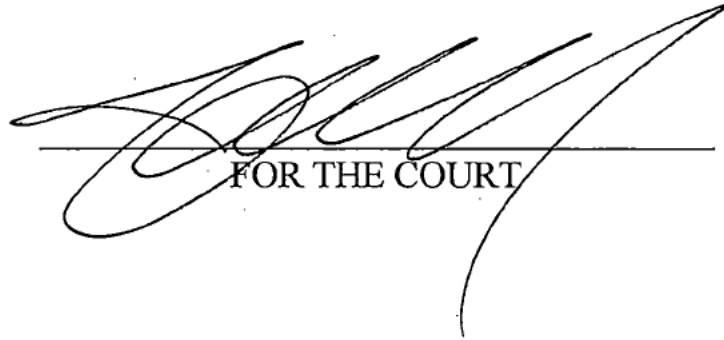
Appellate Case No. 2022-001533

ORDER

On December 22, 2022, this appeal was dismissed because the order on appeal was interlocutory and not directly appealable. The case was remitted on January 11, 2023. Respondent has now filed a motion for costs pursuant to Rule 222, SCACR, seeking to recover \$50 in filing fees, and \$2,500 in attorney's fees, for a total of \$2,550.00. Appellant opposes the motion.

We grant the motion in part. *See* Rule 222(a), SCACR ("Unless otherwise ordered by the appellate court or agreed by the parties, costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed."). Rule 222(b), SCACR, provides only for the recovery of the filing fee associated with filing the notice of appeal. *See* Rule 222(b), SCACR (providing a party may recover "the filing fee paid under Rule 203(d)"). Accordingly, Respondent is not entitled to recover \$50 in filing fees. Additionally, because this appeal was dismissed so early in the appellate process, Respondent is not entitled to the

recovery of \$2,500.00 in attorney's fees. *See* Rule 222, SCACR (providing costs shall be taxed against the appellant when the appeal is dismissed and costs may include attorney's fees *up to* \$2,500). Instead, we award Respondent \$1,000 in attorney's fees. The Hampton County Clerk of Court is directed to add this award to the remittitur.



FOR THE COURT

Columbia, South Carolina

cc:

David Lee Williford, II, Esquire
Mitchell D. Appleby, Esquire
G. Murrell Smith, Jr., Esquire
Austin Tyler Reed, Esquire
Mark Brandon Tinsley, Esquire
Roberts "Tabor" Vaux, Jr., Esquire
Pankja "PK" Shere, Esquire
Joshua M. Hiller, Esquire
Sharonda B. Barnes, Esquire
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FILED
Mar 14 2023