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**Apr 04 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
COURT OF COMMON PLEAS

The Honorable R. Markley Dennis, Jr., Circuit Court Judge

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Appeal No.: 2021-001421

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TRECA DESHIELDS,.....Appellant,

v.

JHM ENTERPRISES, INC., D/B/A  
MARRIOTT IN CHARLESTON  
COUNTY, S.C.,.....Respondent.

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**RETURN IN OPPOSITION TO  
MOTION FOR COSTS**

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Respondent JHM Enterprises, Inc., d/b/a Marriott in Charleston County, S.C. hereby opposes Appellant Treca DeShields’ Motion for Costs. Appellant’s motion is premature and seeks costs not allowed under Rule 222, SCACR.

Rule 222 provides, in pertinent part, that “[a] party desiring costs to be taxed shall, within fifteen (15) days of the issuance of the remittitur, serve and file a motion requesting that costs be assessed under this rule.” Rule 222(d), SCACR. Pursuant to Rule 221(b), the remittitur is not sent until fifteen days after the filing of the opinion, and not even then if a petition for rehearing is filed. Thus, Appellant’s Motion should be filed within 15 days after the remittitur is filed, not before.

In addition, Appellant seeks reimbursement for costs related to motions she filed. Those costs are not listed under Rule 222(b) as costs allowed on appeal and should be stricken.

Finally, Respondent attempted to work these issues out with Appellant's counsel but was unsuccessful.

**CONCLUSION**

For the reasons stated herein, this Court should deny Appellant's Motion as premature and, in any event, strike the costs for her motions, which are not allowed under Rule 222, SCACR.

Respectfully submitted,

McANGUS GOUDELOCK & COURIE, LLC

April 4, 2023

*s/Helen F. Hiser*  
Helen F. Hiser, S.C. Bar No.: 76124  
735 Johnnie Dodds Blvd., Suite 200 (29464)  
P.O. Box 650007  
Mount Pleasant, South Carolina 29465  
(843) 576-2900

*Attorneys for Respondent JHM Enterprises, Inc.,  
d/b/a Marriott in Charleston County, S.C.*

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JHM ENTERPRISES, INC., D/B/A  
MARRIOTT IN CHARLESTON  
COUNTY, S.C.,.....Respondent.

**PROOF OF SERVICE**

I certify that on the 4th day of April 2023, I served Respondent JHM Enterprises, Inc. d/b/a Marriott in Charleston County, S.C.'s **Return in Opposition to Motion for Costs**, on Treca DeShields by emailing a copy to her counsel of record as follows:

Jon E. Newlon, Esq.  
MCCRAVY, NEWLON & STURKIE LAW FIRM, P.A.  
1629 ByPass 72 NE  
Greenwood, South Carolina 29649  
jnewlon@mccravylaw.com  
*Counsel for Appellant  
Treca DeShields*

*s/Helen F. Hiser*  
\_\_\_\_\_  
Helen F. Hiser  
McAngus, Goudelock & Courie LLC  
P.O. Box 650007  
Mount Pleasant, South Carolina 29465  
helen.hiser@mgclaw.com  
(843) 576-2900  
*Attorneys for Respondent JHM Enterprises, Inc.  
d/b/a Marriott in Charleston County, S.C.*

**mgc**

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**SC Court of Appeals**

**Reply To**

HELEN F. HISER  
Direct Dial: (843) 576-2930  
helen.hiser@mgclaw.com

April 4, 2023

**Via S.C. Courts E-Filing**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, South Carolina 29211

RE: Treca DeShields v. JHM Enterprises, Inc., d/b/a Marriott in Charleston  
County, S.C.  
Civil Action No.: 2019CP1004310 (Charleston)  
Date of Incident: December 1, 2017  
Carrier Claim No.: 0001863978  
MGC File No.: 20465.19142  
Appeal No.: 2021-001421

Dear Ms. Kitchings:

Enclosed please find the original of Respondent's Return in Opposition to Appellant's Motion for Costs, and the Proof of Service in the above-referenced matter. We are serving counsel of record via email only.

Please do not hesitate to contact the undersigned if the Court requires additional copies and/or if you have any questions.

Yours truly,

McAngus Goudelock & Courie, LLC



Helen F. Hiser

Enclosures

cc: Jon E. Newlon, Esquire (via email only)