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Jun 09 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas
R. Lawton McIntosh, Circuit Court Judge

Court of Appeals Appellate Case No. 2021-000847
Common Pleas Case No. 2017CP3600598

Tony T. Good.....Appellant,

v.

Tomekia Means and United States Department of Agriculture..... Respondents.

RESPONDENT’S MOTION FOR COSTS PURSUANT TO RULE 222, SCACR

Dean A. Hayes, SC Bar No. 66066
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Attorney for Respondent Tomekia Means

Pursuant to Rule 222, SCACR, Respondents hereby move for the taxation of costs against Appellant. In support of this Motion, Respondents would show as follows.

On May 17, 2023, the Court of Appeals filed its opinion (Unpublished Opinion No. 2023-UP-187) *affirming* the order/judgment of the trial court. Remittitur was issued by the Court of Appeals on June 7, 2023.

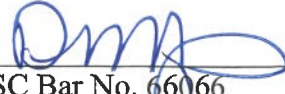
Pursuant to Rule 222(a), SCACR, “Unless otherwise ordered by the appellate court or agreed by the parties, costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed.” The recoverable amounts include an attorney’s fee in an amount set by Order of the Supreme Court.”¹ Rule 222(b), SCACR. Because the judgment of the trial court was affirmed, costs are taxable against Appellant pursuant to Rule 222, SCACR, and Respondents are entitled to an award of costs. A sworn itemized statement of costs is attached as Exhibit A and incorporated herein by reference.

WHEREFORE, Respondents pray that costs and attorney’s fees be taxed against Appellant in the amount of \$2,653.00, as set forth in itemized statement of costs accompanying this motion.

(Signature page follows.)

¹ Currently \$2,500.00.

Respectfully submitted,



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PROOF OF SERVICE

I hereby certify that on June 9, 2023, I served Respondent’s Motion for Costs Pursuant to Rule 222, SCACR upon counsel for Appellant by delivery a copy of the same by electronic service to the primary email address listed in the Attorney Information System (AIS) as follows:

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