

**RECEIVED**

**Oct 19 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

R. Kirk Griffin, Circuit Court Judge  
Case No. 2011-CP-10-07166

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Appellate Case No. 2021-001443

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Otha Delaney, Individually and on behalf of all others similarly situated..... Respondent,

v.

First Financial of Charleston, Inc. .... Appellant.

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**RESPONDENT’S MOTION FOR COSTS**

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**TWENGE + TWOMBLEY LAW FIRM**

J. Ashley Twombley, Esquire

SC Bar #72916

311 Carteret Street

Beaufort, SC 29902

(843) 982-0100

[twombley@twlawfirm.com](mailto:twombley@twlawfirm.com)

*Attorneys for Respondent*

Pursuant to Rule 222 of the Appellate Court Rules of Civil Procedure, Respondent hereby motions the Court for costs and fees to be taxed against Appellant, which shall be taxed when an appeal is dismissed or judgment on the appeal is affirmed. The South Carolina Court of Appeals affirmed the judgment on appeal on March 10, 2022. The South Carolina Court of Appeals denied Appellant's Petition for Rehearing on May 17, 2022. The Supreme Court of South Carolina denied Petitioner's Petition for a writ of certiorari on August 10, 2023. The remittitur was issued by the South Carolina Court of Appeals on October 11, 2023.

Pursuant to Rule 222, SCACR, Respondent is entitled to \$2,500.00 in attorney's fees.

Respectfully submitted,

TWENGE + TWOMBLEY LAW FIRM

BY: s/J. Ashley Twombley  
J. Ashley Twombley, Esquire  
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*Attorneys for Respondent*

Beaufort, South Carolina

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**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Court of Common Pleas

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Case No. 2011-CP-10-07166

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---

Otha Delaney, Individually and on behalf of all others similarly situated .....Respondent,

v.

First Financial of Charleston, Inc.....Petitioner.

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**CERTIFICATE OF SERVICE**

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**TWENGE + TWOMBLEY LAW FIRM**  
J. Ashley Twombley, Esquire (SC Bar #72916)  
311 Carteret Street  
Beaufort, SC 29902  
(843) 982-0100  
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*Attorneys for Respondent*

The undersigned, J. Ashley Twombly, of TWENGE + TWOMBLY LAW FIRM, Attorneys for Respondent, hereby avers that on the 19th day of October 2023, a true and accurate copy of the attached **RESPONDENT’S MOTION FOR COSTS** was served via electronic mail to the following:

Stephen L. Brown, Esquire  
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Russell G. Hines, Esquire  
S.C. Bar #72100  
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J. Ashley Twombley\*  
Karl D. Twenge+

\*Licensed in SC + GA  
+SC Circuit Court Mediator

October 19, 2023

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**Oct 19 2023**

**SC Court of Appeals**

**Via Electronic Mail**

The Honorable Jenny Abbott Kitchings  
Court of Appeals Clerk of Court  
P.O. Box 11629  
Columbia, SC 29211  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

**Re: Otha Delaney v. First Financial of Charleston, Inc.  
Appellate Case No. 2021-001443**

Dear Ms. Kitchings:

Please find attached Respondent's Motion for Costs and Certificate of Service in the referenced matter. I would appreciate it if you would file the original and return a clocked copy to me via electronic mail. Additionally, my firm's check in the amount of \$50.00, which represents the required filing fee, is being placed in the mail to you today.

By copy of this letter, I am serving a copy of the same upon all counsel of record.

Please let us know if you need anything further or if you have any questions related to the enclosed Motion.

With kindest regards, I remain

Cordially,



J. Ashley Twombley

cc: Russell L. Hines, Esquire  
Stephen L. Brown, Esquire  
Tiffany Ann Palmer Elling, Esquire