

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM CHARLESTON COUNTY  
Roger M. Young, Circuit Court Judge

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Opinion No. 27252  
(S.C. S.Ct. filed May 15, 2013)

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**RECEIVED**  
JUL 29 2013  
S.C. Supreme Court

The Town of Hollywood, ..... Appellant-Respondent,

v.

William Floyd a/k/a Jeff Floyd, Troy Readen and  
Edward McCracken a/k/a Eddie McCracken, ..... Respondents-Appellants.

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**MOTION FOR COSTS ON APPEAL**

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The Appellant-Respondent Town of Hollywood moves this Court, pursuant to Rule 222(d), SCACR, to tax costs on appeal in the amount of \$7,566.14 against the Respondents-Appellants.

The requested costs on appeal are set forth in the Statement of Costs on Appeal which is filed herewith.

DAVIDSON & LINDEMANN, P.A.

BY:  \_\_\_\_\_

ANDREW F. LINDEMANN  
1611 Devonshire Drive  
Post Office Box 8568  
Columbia, South Carolina 29202  
(803) 806-8222

*Counsel for Appellant-Respondent  
Town of Hollywood*

Columbia, South Carolina

July 29, 2013

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**MEMORANDUM IN SUPPORT OF  
MOTION FOR COSTS ON APPEAL**

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On May 15, 2013, the South Carolina Supreme Court issued a published decision by which the Court (1) affirmed the Circuit Court's grant of summary judgment in favor of the Appellant-Respondent Town of Hollywood on its claims for declaratory and injunctive relief, (2) reversed the Circuit Court's denial of the


Town's motions for a directed verdict and JNOV on the Respondents-Appellants' equal protection claim, thereby reversing the jury's verdict on that claim, and (3) reversed the Circuit Court's award of attorney's fees and costs to the Respondents-Appellants. A petition for rehearing was denied by the Court on July 12, 2013, and the remittitur was issued on that same date.

In sum, the Town of Hollywood prevailed on all claims including each of the counterclaims asserted by the Respondents-Appellants. As the prevailing party, the Town of Hollywood is entitled to an award of costs on appeal in accordance with Rule 222(b), SCACR, which includes the costs of printing the final briefs and the Record on Appeal as well as the costs for the trial and motion transcripts in the lower court. In addition, the Town is entitled to recover \$100.00 for the filing fee for the appeal. The Town is also entitled to attorneys' fees of \$1,000.00, which is an amount set by order of the Supreme Court. *See*, Rule 222(b), SCACR.

In sum, the Appellant-Respondent Town of Hollywood requests that the Court grant costs on appeal in the amount of \$7,566.14. The requested costs on appeal are set forth in the Statement of Costs on Appeal, which is also filed herewith.

Respectfully submitted,

DAVIDSON & LINDEMANN, P.A.

BY: \_\_\_\_\_

ANDREW F. LINDEMANN

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*Counsel for Appellant-Respondent  
Town of Hollywood*

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 Readen and Edward McCracken a/k/a )  
 Eddie McCracken )  
 )  
 Respondents-Appellants. )  
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**STATEMENT OF COSTS ON APPEAL**

The Clerk of the South Carolina Supreme Court is requested to tax the following costs against the Respondents-Appellants William Floyd a/k/a Jeff Floyd, Troy Readen and Edward McCracken a/k/a Eddie McCracken:

<b>COSTS AND FEES TAXABLE UNDER RULE 222(d), SCACR</b>	<b>NO. OF PAGES</b>	<b>RATE</b>	<b>REQUESTED</b>	<b>ALLOWED</b> (For Court use only)
Cost of Printing Record on Appeal:			\$ 3,351.59	
Cost of Printing Supplemental Record on Appeal:			\$ 68.66	
Cost of Printing Final Appellant's Brief of Appellant-Respondent:			\$ 95.14	
Cost of Printing Final Respondent's Brief of Appellant-Respondent:			\$ 79.18	
Cost of Printing Final Reply Brief of Appellant-Respondent:			\$ 75.97	
Filing Fee Paid Under Rule 203(d), SCACR:			\$ 100.00	

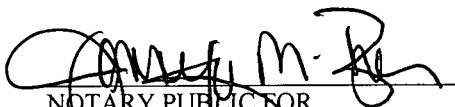
Cost of Court Reporter's Transcript for Trial:	\$ 2,718.65
Cost of Court Reporter's Transcript for September 1, 2010 Hearing:	\$ 76.95
Attorney's Fee Provided By Rule 222(b), SCACR	\$ 1,000.00
Other (specify and explain):	
<b>TOTAL ....</b>	<b>\$ 7,566.14</b>

I, Andrew F. Lindemann, do swear that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon the Respondents-Appellants' counsel by first class mail.



\_\_\_\_\_  
 Andrew F. Lindemann  
*Counsel for Appellant-Respondent  
 Town of Hollywood*

SWORN TO BEFORE ME THIS 20<sup>th</sup>  
 DAY OF JULY 2013.

  
 NOTARY PUBLIC FOR  
 SOUTH CAROLINA  
 COMMISSION EXPIRES: 1/13/2020

Approved: \_\_\_\_\_  
 CLERK

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**CERTIFICATE OF SERVICE**

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The undersigned employee of Davidson & Lindemann, P.A., attorneys for the Appellant-Respondent, Town of Hollywood, does hereby certify that service of the below listed appellate documents in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 29th day of July 2013:

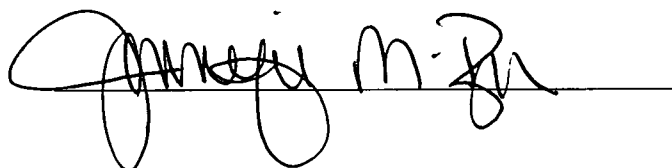
1. **Motion for Costs on Appeal**
2. **Memorandum in Support of Motion for Costs on Appeal**

**3. Statement of Costs on Appeal**

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Post Office Drawer 22247  
Charleston, South Carolina 29413

A handwritten signature in black ink, appearing to read "Katie F. Monoc", is written over a horizontal line.