

The South Carolina Court of Appeals

R&R Landscape and Design, LLC, f/k/a R&R Landscape Inc., and Mark Gonzalez, Respondents,

v.

The Broadband Companies, LLC, and Fred Anthony, Appellants.

Appellate Case No. 2023-001562

ORDER

On December 14, 2023, this appeal was dismissed because Appellants failed to order the transcript as required by Rule 207 of the South Carolina Appellate Court Rules. The case was remitted on January 2, 2024. Respondents have now filed a motion for costs seeking to recover \$2,500.00 in attorney's fees from each Appellant and to recover \$180.00 for the cost of a transcript from Appellant Fred Anthony. Appellants filed a return opposing the request, and Respondents filed a reply. After careful consideration, we grant the motion and award to Respondents \$2,680 from Appellant Fred Anthony and \$2,500 from Appellant The Broadband Companies, LLC. *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 ("The party entitled to recover costs under this rule may, to the extent the party actually incurred these costs, recover . . . (2) the cost of the court reporter's transcript" and "the party shall be entitled to recover an attorney's fee in an amount which shall be set by order of the Supreme Court."). The Charleston County Clerk of Court is directed to add this award of costs to the remittitur.


FOR THE COURT

Columbia, South Carolina

FILED
Feb 14 2024

cc:

Dwayne Marvin Green, Esquire

Ivon Keith McCarty, Esquire

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