

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

69298

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Honorable Luke N. Brown, Jr. Special Referee

RECEIVED

AUG 01 2013

Case No. 2008-CP-27-481

SC Court of Appeals

Cole L. Lawson, III and Cole L. Lawson, IV Appellants

v.

Weldon T. Strahan a/k/a Weldon Travis Strahan, a/k/a W. Travis Strahan, Individually and in his capacity as Personal Representative of the Estate of Ronald J. Strahan; Wilson Lee Mixson; Vivian M. Mcalhaney; David A. Shipes; Tony Walter Shipes; Helen S. Kinard a/k/a Helen Shipes Kinard; Wanda Casey a/k/a Wanda S. Casey a/k/a Wanda C. Casey; and Jacob F. Malphrus Defendants,

Of Whom

David A. Shipes; Tony Walter Shipes; Helen S. Kinard a/k/a Helen Shipes Kinard; Wanda Shipes Casey a/k/a Wanda S. Casey a/k/a Wanda D. Casey and Jacob F. Malphrus are Respondents.

MOTION TO TAX COSTS

Pursuant to Rule 222(a), SCACR, Respondents, by and through their undersigned counsel, respectfully move this Court to tax costs against the Appellants.

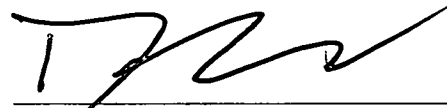
This motion is based on the following:

The Appellants, Cole L. Lawson, III and Cole L. Lawson, IV, appealed two circuit court orders. On April 24, 2013, this Court affirmed in a per curiam opinion. Appellants' Petition for

Rehearing was denied on June 19, 2013. The Remittitur was served on July 25, 2013. Respondents are the prevailing parties and they are entitled to tax costs against Appellants in accordance with the rules of this Court. Pursuant to Rule 222(d), SCACR, accompanying this motion is a sworn itemized statement of costs incurred in the form prescribed by the appendix to the South Carolina Appellate Court Rules.

Based upon the foregoing, the Respondents would respectfully submit that they are entitled to tax costs in accordance with the rules of this Court.

CALLISON TIGHE & ROBINSON, LLC



Demetri K. Koutrakos
Mary Dameron Milliken
1812 Lincoln Street, Suite #200
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Columbia, SC 29202-1390
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Facsimile: 803-404-6902

Kevin Angus Brown
ANDERSON & BROWN, LLC
P. O. Box 576
Hampton, SC 29924
Telephone: 803-943-2483
Facsimile: 803-943-3818

ATTORNEYS FOR APPELLANTS

August 1, 2013
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Cole L. Lawson, III and Cole L. Lawson, IV)
)
 vs.)
)
 Weldon T. Strahan a/k/a Weldon Travis Strahan,)
 a/k/a W. Travis Strahan, Individually and in his)
 capacity as Personal Representative of the Estate)
 of Ronald J. Strahan; Wilson Lee Mixson; Vivian)
 M. Mcalhaney; David A. Shipes; Tony Walter)
 Shipes; Helen S. Kinard a/k/a Helen Shipes Kinard;)
 Wanda Casey a/k/a Wanda S. Casey a/k/a Wanda)
 C. Casey; and Jacob F. Malphrus .)
 _____)

Case No. 2008-CP-27-481

The Appellate Court is requested to tax the following costs against:

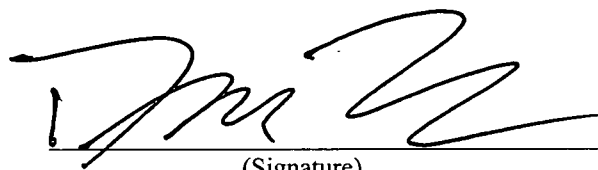
Cole L. Lawson, III and Cole L. Lawson, IV

(Name of Party)

| COSTS TAXABLE UNDER RULE 222, SCACR | NO. OF PAGES | RATE | REQUESTED | ALLOWED (For Court Use Only) |
|--|-----------------|------|-------------|------------------------------------|
| Cost of Printing or Copying Final Brief | 46 | | 167.99 | |
| Cost of Printing or Copying Final Reply Brief | | | | |
| Cost of Printing or Copying Record on Appeal | | | | |
| Filing Fee Paid Under Rule 203(d), SCACR | | | | |
| Cost of Court Reporter's Transcript | | | | |
| Attorney's Fee Provided By Rule 222(b), SCACR | | | \$ 1,000.00 | |
| Other (specify and explain): | | | | |

| | | | | |
|---|--|-------|-------------|--|
| COSTS TAXABLE UNDER RULE 226(j), SCACR | | | | |
| Cost of Printing or Copying Brief | | | | |
| Cost of Printing or Copying Reply Brief | | | | |
| Cost of Printing or Copying Appendix | | | | |
| Filing Fee Paid Under Rule 226(c), SCACR | | | | |
| Attorney's Fee Provided By Rule 216(j)(2), SCACR | | | | |
| Other (specify and explain): | | | | |
| | | TOTAL | \$ 1,167.99 | |

I, Demetri K. Koutrakos, Esq., do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was mailed to/served upon counsel for the Appellants.



(Signature)

Demetri K. Koutrakos, Esquire
Attorney for Respondents

Subscribed and sworn to before me this 15th day of August, 2013.

Kathleen A. Romero
Notary Public for South Carolina
My Commission Expires: 3/13/22

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Of Whom

David A. Shipes; Tony Walter Shipes; Helen S. Kinard a/k/a Helen Shipes Kinard; Wanda Shipes Casey a/k/a Wanda S. Casey a/k/a Wanda D. Casey and Jacob F. Malphrus are Respondents.

CERTIFICATE OF SERVICE

I, Kathleen S. Romero, an employee of Callison Tighe & Robinson LLC, Attorneys for the Respondents, do hereby certify that, on this date, I caused to be served a copy of the foregoing **Motion to Tax Costs** upon Appellants' counsel, by depositing a copy of the same in the United States mail, with proper first-class postage affixed thereon, addressed as follows:

Desa Ballard, Esquire
Harvey M. Watson, III, Esquire
Ballard Watson Weissenstein
226 State Street
P. O. Box 6338
West Columbia, SC 29171


KATHLEEN S. ROMERO

August 1, 2013

5741.001\COS-MotionCosts

Demetri "Jim" K. Koutrakos

803.404.6900

JimKoutrakos@callisontighe.com

August 1, 2013

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter Street
P. O. Box 11629
Columbia, SC 29211

RE: Cole L. Lawson, III, et al. vs. Weldon T. Strahan, et al.
Case No. 2008-CP-27-481

Dear Ms. Kitchings:

Enclosed herewith please find an original and seven (7) copies of a Motion to Tax Costs on behalf of the Respondents in the above-referenced matter. Kindly file the same and return a clocked-in copy to the courier. This firm's check in the amount of \$25 is enclosed in payment of the required filing fee.


By copy of this letter, the enclosed Motion is being served upon Appellants' counsel.

Please feel free to contact me with any questions.

With kind regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC



Demetri "Jim" K. Koutrakos

DKK:ksr

Enclosures

cc (w/enc.): Desa Ballard, Esquire
Harvey M. Watson, III, Esquire
Kevin A. Brown, Esquire

5741 001\Clerk 008

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