

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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Apr 26 2024

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Jocelyn Newman, Circuit Court Judge

Appellate Case No. 2020-000589
Case No. 2017-CP-40-3166

Bridgett Taylor,..... Respondent,

v.

Richland County Sheriff's Department, Appellant.

MOTION FOR COSTS ON APPEAL

The Appellant Richland County Sheriff's Department moves this Court, pursuant to Rule 222(d), SCACR, to tax costs on appeal in the amount of \$3,932.46 against the Respondent Bridgett Taylor.

This motion is based on the grounds as set forth in the supporting memorandum filed herewith.

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

LINDEMANN LAW FIRM, P.A.

BY: s/ Andrew F. Lindemann

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*Counsel for Appellant
Richland County Sheriff's Department*

April 26, 2024

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

By its unpublished opinion filed January 24, 2024, the South Carolina Court of Appeals reversed the trial court's ruling reversing its grant of the Appellant's motion for a directed verdict and granting Respondent's motion for a new trial. With its decision, this Court reinstated the directed verdict granted to the Appellant.

Rule 222(a), SCACR, provides that when a "judgment is reversed, costs shall be taxed against the respondent." *See*, Rule 222(a), SCACR. Because the trial court was reversed, the Appellant Richland County Sheriff's Department

qualifies as the prevailing party in this appeal. Therefore, as the prevailing party on appeal, the Appellant is entitled to an award of costs on appeal in accordance with Rule 222(b), SCACR, which includes the Notice of Appeal filing fee, trial transcript costs, as well as the costs associated with printing its Final Brief, Final Reply Brief, and the two-volume Record on Appeal. The Appellant is also entitled to attorneys' fees in the amount of \$2,500.00, which is an amount set by order of the Supreme Court.

The filing of this motion is timely. The Remittitur was filed on April 25, 2024. This motion is filed within fifteen days of the issuance of the Remittitur, as required by Rule 222(d), SCACR.

As a result, the Appellant Richland County Sheriff's Department moves this Court, pursuant to Rule 222(d), SCACR, for costs on appeal in the amount of \$3,932.46 to be taxed against the Respondent Bridgett Taylor. The requested costs on appeal are set forth in the Statement of Costs on Appeal, which is also filed herewith.

Respectfully submitted,

LINDEMANN LAW FIRM, P.A.

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*Counsel for Appellant
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STATEMENT OF COSTS ON APPEAL

The Clerk of the South Carolina Court of Appeals is requested to tax the following costs against the Respondent Bridgett Taylor:

COSTS AND FEES TAXABLE UNDER RULE 222(d), SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court use only)
Notice of Appeal Filing Fee:			\$ 250.00	
Trial Transcript			\$ 545.00	
Cost of Printing Final Brief of Appellant:	34 pages	\$.18	\$ 43.24	
Cost of Printing Final Reply Brief of Appellant:	20 pages	\$.24	\$ 34.78	
Cost of Printing Two-Volume Record on Appeal:	800 pages	\$.09	\$ 559.44	

Attorney's Fee Provided By Rule 222(b), SCACR: \$2,500.00

TOTAL \$ 3,932.46

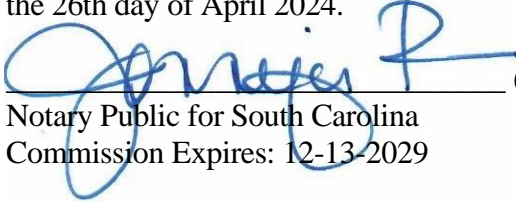
I, Andrew F. Lindemann, do swear that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon counsel for the Appellants by email only pursuant to Section (d)(1) of the Supreme Court's Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024).



ANDREW F. LINDEMANN

Counsel for Respondents

Sworn to and subscribed before me this
the 26th day of April 2024.



(SEAL)
Notary Public for South Carolina
Commission Expires: 12-13-2029

Approved: _____
CLERK

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CERTIFICATE OF SERVICE

Pursuant to Section (d)(1) of the Supreme Court's Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024), the undersigned employee of Lindemann Law Firm, P.A., counsel for the Appellant, does hereby certify that service of **Motion for Costs on Appeal, Memorandum in Support of Motion for Costs on Appeal**, and the **Statement of Costs on Appeal** in the above-captioned matter was made upon all counsel of record by email only this the 26th day of April, 2024 as follows:

Andrew W. Kunz, Esquire
Lauren K. Slocum, Esquire
Elliott, Phelan & Kunz, LLC
Email: andrew@elliottphelanlaw.com
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s/ Andrew F. Lindemann



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ANDREW F. LINDEMANN*
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*Also Admitted in North Carolina

April 26, 2024

Via Email Only

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

RECEIVED
Apr 26 2024
SC Court of Appeals

RE: Bridgett Taylor v. Richland County Sheriff's Department
Appellate Case Number: 2020-000589
Civil Action Number: 2017-CP-40-3166
Claim Number: Risk Management
Our File Number: 314.20297

Dear Ms. Kitchings:

Pursuant to Section (b)(2) the Supreme Court's Order Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (as amended April 26, 2024), please find enclosed for filing the **Motion for Costs on Appeal, Memorandum in Support of Motion for Costs on Appeal**, and the **Statement of Costs on Appeal** with regard to the above referenced appeal. By copy of this letter, I am serving copies on all counsel of record by email only pursuant to Section (d)(1) of the same Supreme Court Order.

My firm's \$50.00 check for the filing fee will be mailed to the Court via U.S. Mail. If you have any questions, please advise. Thank you for your assistance.

Sincerely,

LINDEMANN LAW FIRM, P.A.

Andrew F. Lindemann

AFL/jmb
Enclosures

cc: Andrew W. Kunz, Esquire (w/ Enclosures, Via Email Only)
Lauren K. Slocum, Esquire (w/ Enclosures, Via Email Only)
Robert D. Garfield, Esquire (w/ Enclosures, Via Email Only)