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May 16 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Appellate Case No. 2019-001921

Tekayah Hamilton, individually and as parent and guardian ad litem for Robert Lee M. Jr., a minor child under the age of 18,Respondent,

v.

Regional Medical Center,.....Appellant.

RESPONDENT’S MOTION FOR COSTS

Pursuant to Rule 222, SCACR, Respondent Tekayah Hamilton, individually and as parent and guardian ad litem for Robert Lee M. Jr., a minor child under the age of 18, moves the Court for an order awarding costs against Appellant Regional Medical Center. This motion is based on the Court’s August 2, 2023 opinion affirming the lower court and the Supreme Court’s May 1, 2024 order denying the Appellant’s petition for writ of certiorari. This Court issued the remittitur on May 2, 2024, and this motion is timely filed under Rule 222(d).

Under Rule 222(a), unless otherwise ordered or agreed, “costs **shall** be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed.” (emphasis added). This Court affirmed the judgment, and the Supreme Court denied the petition for writ of certiorari. The parties did not have an agreement about costs. Therefore, costs shall be taxed against Appellant.

A detailed, sworn, itemized statement of costs is attached. The Respondent requests that this Court award \$2,500.00 pursuant to Rule 222, SCACR.

May 16, 2024

Respectfully submitted,

s/Kathleen C. Barnes

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