

The South Carolina Court of Appeals

Dorothy A. Lehew, Respondent,

v.

R & W Foods, Inc. (d/b/a Allendale IGA), Dixie-Riverside, Inc., and Champion Beverage Distributors, LLC, Defendants,

Of whom R & W Foods, Inc. is the Appellant.

and

Robert Lehew, Respondent,

v.

R & W Foods, Inc. (d/b/a Allendale IGA), Dixie-Riverside, Inc., and Champion Beverage Distributors, LLC, Defendants,

Of whom R & W Foods, Inc. is the Appellant.

Appellate Case No. 2012-212922

The Honorable Perry M. Buckner,
Allendale County

Trial Court Case No. 2011CP0300051, 2012CP0300102

ORDER

Pursuant to Rule 222 of the South Carolina Appellate Court Rules, the motion for costs filed by respondents is granted in the amount of \$1000.00 against R&W

Foods, Inc. (d/b/a Allendale IGA). The Clerk of Court for Allendale County is directed to add this award of costs to the remittitur.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

FILED
JG 8.22.13

cc:

Mark H. Wall
H. Woodrow Gooding
Mark Brandon Tinsley
William Pearce Davis
John S. Nichols
Elaine Sabb

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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM ALLENDALE COUNTY
Court of Common Pleas
Perry M. Buckner, III, Circuit Court Judge

Case No. 2011-CP-03-051
Case No. 2012-CP-03-102

Dorothy A. Lehew, Respondent,
v.
R&W Foods, Inc. (d/b/a Allendale IGA), Dixie-Riverside, Inc.,
and Champion Beverage Distributors, LLC Defendants,
Of whom R&W Foods, Inc. (d/b/a Allendale IGA) is Appellant.

and

Robert Lehew, Respondent,
v.
R&W Foods, Inc. (d/b/a Allendale IGA), Dixie-Riverside, Inc.,
and Champion Beverage Distributors, LLC Defendants,
Of whom R&W Foods, Inc. (d/b/a Allendale IGA) is Appellant.

MOTION FOR COSTS

Pursuant to Rule 222 of the SCACR, Respondents request that the costs of this appeal be taxed against R&W Foods, Inc. (d/b/a Allendale IGA), who was the appellant.

Rule 222(a) provides that unless the court orders otherwise or the parties agree otherwise, costs shall be taxed against the appellant when the appeal is dismissed or the judgment is affirmed. This Court dismissed the appeal July 2, 2013, and issued the remittitur July 24, 2013. Because the Court has not ordered otherwise and the parties



have not agreed otherwise, the rule provides the Court should award costs to the Respondents.

In accordance with the instructions of Rule 222(d), an itemized statement of costs is attached to this motion.

Respectfully submitted, r



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Attorneys for Respondents

July 30, 2013

Granted.

V. Claire Allen, Deputy Clerk
8/20/13

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Dorothy A. Lehew,)
)
Respondent,)
v.)

R&W Foods, Inc. (d/b/a Allendale IGA),)
Dixie-Riverside, Inc.,)
and Champion Beverage Distributors, LLC,)
)
Defendants,)

Of whom)
R&W Foods, Inc. (d/b/a Allendale IGA),)
)
Appellant.)

And)

Dorothy A. Lehew,)
)
Respondent,)
v.)

R&W Foods, Inc. (d/b/a Allendale IGA),)
Dixie-Riverside, Inc.,)
and Champion Beverage Distributors, LLC,)
)
Defendants,)

Of whom)
R&W Foods, Inc. (d/b/a Allendale IGA),)
)
Appellant:)

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The appellate court is requested to tax the following costs against

R&W Foods, Inc. (d/b/a Allendale IGA) (Appellant)				
COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)

Cost of Printing or Copying Final Brief				
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 242(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing and Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing fee paid under Rule 242(c), SCACR				
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$1,000.00	

/Signature page attached

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SC Court of Appeals

I, John S. Nichols, do swear or affirm that the forgoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.

John S. Nichols
(Signature)

Attorney for RESPONDENTS

Subscribed and sworn before me this 30th day of July, 2013.

Amber Henderson
Notary Public for South Carolina
My Commission Expires: 7/1/2021

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SC Court of Appeals