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**Jul 03 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY  
Court of Common Pleas  
Michael L. Nettles, Circuit Court Judge

Appellate Case No. 2022-00131  
Case Nos. 2020-CP-21-1297/1296

Walt Parker ..... Appellant,

v.

Florence Carpet & Tile, Inc., John C. Curl, and Mike Barker..... Respondents.

AND

Allison Parker ..... Appellant,

v.

Florence Carpet & Tile, Inc., John C. Curl, and Mike Barker..... Respondents.

**MOTION FOR COSTS UNDER RULE 222, SCACR**

J. René Josey, Esq.  
Jeffrey L. Payne, Esq.  
**TURNER, PADGET, GRAHAM & LANEY, P.A.**  
Post Office Box 5478  
Florence, SC 29502-5478  
843-656-4451 (Telephone)  
843-413-5818 (Fax)  
JJosey@TurnerPadget.com (Email)

ATTORNEYS FOR RESPONDENT

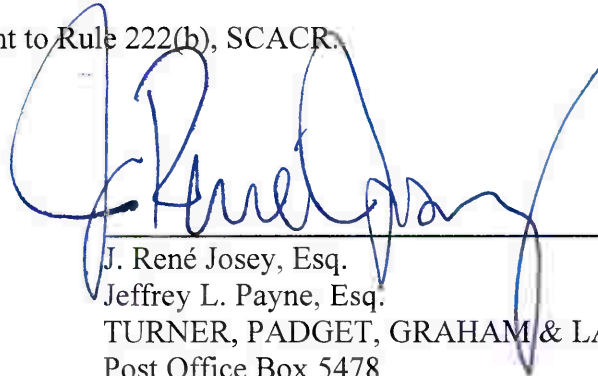
**Other Counsel:**

**Jerome Scott Kozacki, Esq.  
WILLCOX, BUYCK AND WILLIAMS, P.A.  
P.O. Box 1909  
Florence, SC 29503  
(843) 662-3258**

**Attorneys for the Appellant**

Respondent moves, pursuant to Rule 222, SCACR, for an award of costs and attorney's fees incurred in defending this appeal. Rule 222(a) provides that, unless otherwise ordered or agreed upon by the parties, costs shall be taxed against the Appellant when the appeal is dismissed. Rule 222(b), SCACR, entitles the prevailing party on appeal to recover costs actually incurred in responding to an appeal including an attorney's fee award of Two Thousand Five Hundred and 00/100 (\$2,500.00) Dollars. Accordingly, Respondents ask the Court to award them Two Thousand Five Hundred Sixty-Three and no/100 (\$2,563.00) Dollars in costs and attorney's fees under Rule 222(b), SCACR. In support of our motion, we have attached an Itemized Statement of Costs, pursuant to Rule 222(b), SCACR.

July 3, 2024



J. René Josey, Esq.  
Jeffrey L. Payne, Esq.  
TURNER, PADGET, GRAHAM & LANEY, P.A.  
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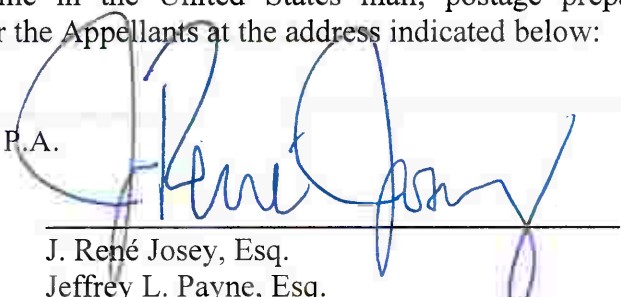
v.

Florence Carpet & Tile, Inc., John C. Curl, and Mike Barker ..... Respondents.

**PROOF OF SERVICE**

I certify that I have served a copy of the Motion for Costs and Itemized Statements of Costs by depositing copies of the same in the United States mail, postage prepaid, on July 3rd, 2024, to counsel for the Appellants at the address indicated below:

Jerome Scott Kozacki, Esq.  
WILLCOX, BUYCK AND WILLIAMS, P.A.  
P.O. Box 1909  
Florence, SC 29503



J. René Josey, Esq.  
Jeffrey L. Payne, Esq.  
TURNER, PADGET, GRAHAM & LANEY, P.A.  
Post Office Box 5478  
Florence, SC 29502-5478  
843-656-4451 (Telephone)  
JJosey@TurnerPadget.com (Email)

ATTORNEYS FOR RESPONDENT

# Turner Padget

**J. René Josey, Esquire**

REPLY TO  
E-Mail: [JJosey@TurnerPadget.com](mailto:JJosey@TurnerPadget.com)  
Writer's Direct Dial: (843) 656-4451  
Writer's Direct Fax: (843) 413-5818

July 3, 2024

**VIA US MAIL AND E-MAIL (ctappfilings@sccourts.org)**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

**RECEIVED**

**Jul 03 2024**

**SC Court of Appeals**

Re: Walter Parker v. Florence Carpet and Tile, Inc., John Curl and Mike Barker  
Allison Parker v. Florence Carpet and Tile, Inc., John Curl and Mike Barker  
Appellate Case No.: 2022-000131  
Our File No.: 4009.106

Dear Ms. Kitchings:

Please find enclosed a Motion to Award Costs Under Rule 222, SCACR and Itemized Statement of Costs regarding the above-referenced matter. We have also enclosed the Proof of Service regarding the same. We are not enclosing additional copies pursuant to Section (b)(2) of the Supreme Court's Order RE: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules.

We would respectfully request that you file the enclosed documents and return a clocked copy of the Motion to Award Costs Under Rule 222, SCACR, Itemized Statement of Costs and Proof of Service to me via electronic mail. Also enclosed you will find my firm's check in the amount of \$50.00 to the cover the fee associated with this request.

By copy of this letter with enclosures to counsel for appellant, Jerome Scott Kozacki, Esquire, I am herewith serving him with copies of the same.

Very truly yours,

TURNER, PADGET, GRAHAM & LANEY, P.A.

J. René Josey, Esquire

JLP/alb/Enclosures

cc: John Curl  
Jerome Scott Kozacki, Esquire

**From:** [Britt, Ashley L.](#)  
**To:** [Court Of Appeals Filings](#)  
**Cc:** [Josey, J. Rene](#); [Payne, Jeff L.](#); [skozacki@willcoxlaw.com](mailto:skozacki@willcoxlaw.com)  
**Subject:** Walter Parker v. Florence Carpet & Tile, Inc., et al.; Allison Parker v. Florence Carpet & Tile, Inc., et al., Case No.: 2022-000131  
**Date:** Wednesday, July 3, 2024 3:32:25 PM  
**Attachments:** [Letter to SC Court of Appeals filing Motion to Award Costs\(14599380.1\).pdf](#)  
[Motion for Costs Under Rule 222. SCARC, Itemized Statement of Costs & Proof of Service\(14599391.1\).pdf](#)

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**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

Good afternoon,

Please see the attached correspondence from Jon Rene Josey, Esquire along with Respondents' Motion for Costs Under Rule 222, SCARC with Itemized Statement of Costs and Proof of Service for filing in the above-captioned matter.

Please be advised that a hard copies have been placed in today's outgoing mail along with a check for the filing fee.

Please provide us with clocked copies of the same.

Thank you.

Kind Regards,



[Ashley L Britt](#)  
Legal Assistant  
PO Box 5478 | Florence, SC 29502  
1831 West Evans Street, Suite 400| Florence, SC 29501  
843-656-4452 | Fax 843-413-5850  
[abritt@turnerpadget.com](mailto:abritt@turnerpadget.com)  
[vCard](#) | [Location](#)

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**FORM 17**  
**ITEMIZED STATEMENT OF COSTS**

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The Court of Appeals is requested to tax the following costs against the Respondents:

(See Below)

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Printing/Copying Brief	54	\$0.25/page	\$13.50	
Cost of Filing Fees:				
Motion for Costs			\$50.00	
Attorneys' fee under under Rule 222(b), SCACR			\$2,500.00	
TOTAL			\$2,563.50	

I, J. Rene Josey, 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 and served upon opposing counsel.

Respectfully submitted:

TURNER, PADGET, GRAHAM & LANEY, P. A.

By: 

J. René Josey, Esquire  
 Jeffrey L. Payne, Esquire  
 1831 W. Evans Street, Suite 400  
 Post Office Box 5478 (29502)  
 Florence, South Carolina 29501  
 (843) 662-9008  
 (843) 667-0828 fax  
 Email: [jjosey@turnerpadget.com](mailto:jjosey@turnerpadget.com)

ATTORNEYS FOR RESPONDENT

SWORN to before me this  
3 day of July, 2024



Notary Public for South Carolina  
 My Commission Expires: 11/28/2027