

69267

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

The Honorable Doyet A. Early, Circuit Court Judge

Case No. 2011-CP-02-01051

RECEIVED  
JUL 30 2013  
SC COURT OF APPEALS

Margaret H. Fitch M.D., ..... Respondent,

v.

Michael G. Morgan, ..... Appellant.

**MOTION FOR COSTS**

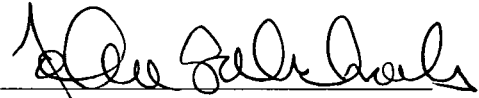
Pursuant to Rule 222 of the SCACR, Respondent requests that the costs of this appeal be taxed against Michael G. Morgan, who was the appellant.

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 June 21, 2013, and issued the remittitur July 10, 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 Respondent.

The deadline for filing this request was July 25, 2013; however, counsel for Respondent inadvertently overlooked this deadline. Counsel respectfully requests the Court accept this motion out of time.

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

Respectfully Submitted, ,



John S. Nichols

SC Bar No. 4210

BLUESTEIN NICHOLS

THOMPSON & DELGADO

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Columbia, South Carolina 29202

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(803) 779-8995 (facsimile)

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Attorneys for Respondent

July 30, 2013

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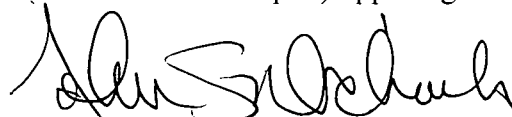
Margaret H. Fitch M.D.,	)
	)
Respondent,	)
	)
v.	)
	)
Michael G. Morgan,	)
Appellant.	)
_____	)

The appellate court is requested to tax the following costs against

Michael G. Morgan (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	12	\$.75 per page plus \$5.60 postage	\$14.60	
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				

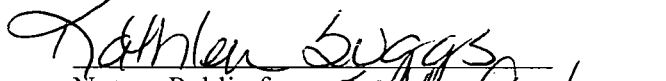
Cost of Printing and Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing fee paid under Rule 242(c), SCACR				
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$1,014.60	

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.

  
 (Signature)

Attorney for Respondent

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

  
 Notary Public for South Carolina  
 My Commission Expires: 7/22/19

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v.

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on the date indicated below she served the *pro se* Respondent with a copy of the *Motion for Costs* by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

Michael G. Morgan  
415 South Chesterfield Street  
Aiken, SC 29801

July 30, 2013  
Columbia, South Carolina



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Erin Bridges  
Paralegal  
BLUESTEIN, NICHOLS, THOMPSON  
& DELGADO, LLC

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SC Court of Appeals



Margaret Miles Bluestein  
John Shannon Nichols  
Stacy Elizabeth Thompson  
John Dennis Delgado  
Allison Paige Sullivan  
Ashley Trout Thompson  
Blake Alexander Hewitt  
Kenneth Henry Dojaquez  
John Clarke Newton

OF COUNSEL  
O. Eugene Powell, Jr.

July 30, 2013

**VIA HAND DELIVERY**

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

RECEIVED

JUL 30 2013

SC Court of Appeals

RE: Margaret Fitch v. Michael Morgan  
Case Tracking No.: 2010-CP-10-0558

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of Respondent's *Motion for Costs* along with an itemized statement of costs in regards to the above referenced matter. I have also enclosed a Proof of Service upon counsel of record along with a check in the amount of \$25.00 for filing this motion. Please return the additional filed copy to me via our courier.

Thank you in advance for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges  
Paralegal to John S. Nichols  
BLUESTEIN, NICHOLS, THOMPSON  
& DELGADO, LLC

/emb

Enclosures

cc: Michael Morgan  
Mary O. Guynn, Esquire