

**RECEIVED**

**Aug 30 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
In the Court of Common Pleas

Bentley Price, Circuit Court Judge

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Appellate Case No.: 2024-000773

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Alan M. Craig,

Respondent,

v.

Comcast Corporation and  
Troy Perez Tolbert; Simply  
Green Landscaping, LLC, and  
Jeremiah Shawn Harrell,  
Defendants,

of which Simply Green  
Landscaping, LLC is the  
Appellant.

Appellant.

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**RESPONDENT'S MOTION FOR COSTS**

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Pursuant to Rule 222, SCACR, Respondent Alan M. Craig, moves the Court for an order awarding costs / attorney's fee against Appellant Simply Green Landscaping, LLC. This motion is based upon the Orders dated May 14, 2024 and August 12, 2024, dismissing Appellant's appeal because the matter was not immediately appealable. The Court issued the remittitur on August 28, 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 dismissed Appellant’s appeal. 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.

URICCHIO HOWE KRELL JACOBSON  
TOPOREK & KEITH, P.A.

s/ Jeff Buncher, Jr.  
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Attorneys for Respondent

August 30, 2024  
Charleston, South Carolina

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Appellant.

PROOF OF SERVICE

I certify that Respondent's Motion for Costs and Itemized Statement of Costs have been served upon the Court of Appeals via e-mail and U.S. mail and counsel for Appellant via e-mail on this the 30<sup>th</sup> day of August, 2024.

URICCHIO HOWE KRELL JACOBSON  
TOPOREK & KEITH, P.A.

s/ Jeff Buncher, Jr.  
Jeff Buncher, Jr., Bar No. 78890

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August 30, 2024

URICCHIO, HOWE, KRELL, JACOBSON, TOPOREK & KEITH, P.A.

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August 30, 2024

**Via E-mail and U.S. Mail**

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

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**Aug 30 2024**  
**SC Court of Appeals**

Re: Alan Craig v. Simply Green Landscaping, LLC  
Lower Court Case No. 2022CP1005277  
Appellate Case No. 2024-000773

Dear Clerk:

Attached for electronic filing and service please find:

- (1) Respondent's Motion for Costs,
- (2) Itemized Statement of Costs, and
- (3) Proof of Service.

Please file the documents and return one file-stamped copy to me via email. By electronic copy of this letter, I am serving all counsel of record with a copy of the same. The \$50.00 filing fee for the motion will be mailed within five days.

With kindest personal regards, I am,

Sincerely,

URICCHIO HOWE KRELL JACOBSON  
TOPOREK & KEITH, P.A.

s/ Jeff Buncher, Jr.

c: Chase McNair, Esquire