

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

D. Garrison Hill, Circuit Court Judge

Case No. 2011-CP-23-5359

RECEIVED

SEP - 6 2013

S.C. Supreme Court

Sue Taylor Colson Widenhouse,.....Respondent,

v.

Tammy Batson Colson,.....Appellant.

**MOTION OF RESPONDENT SUE TAYLOR COLSON WIDENHOUSE
FOR COSTS AND FEES ON APPEAL**

NOW COMES Respondent Sue Taylor Colson Widenhouse, by and through counsel, pursuant to Rule 222 of the South Carolina Rules of Appellate Practice and hereby makes this motion for costs and fees on appeal. On August 7, 2013, the South Carolina Supreme Court's opinion affirming the circuit court's order denying Appellant's Motion for Relief and granting Respondent's Motion to Enforce Foreign Judgment was filed. On August 23, 2013, the clerk for the South Carolina Supreme Court issued a Remittitur to the circuit court. Therefore, pursuant to Rule 222(b), South Carolina Rules of Appellate Practice, Respondent seeks reimbursement for the following costs:

1. The cost of the court reporter's transcript: \$24.15; and
2. The cost of printing the parties' final briefs under Rule 211: \$141.57.

In support of this motion, counsel for Respondent has submitted an affidavit of costs, thereby swearing to the exact costs incurred on appeal. Furthermore, Respondent seeks reimbursement for attorneys' fees in the maximum amount allowed.

Wherefore, in consideration of the above, Respondent seeks reimbursement for the total costs of \$165.72 which were incurred on this appeal, attorneys' fees in the amount of \$1,000.00, and any such further relief the South Carolina Supreme Court deems appropriate.

This the 5TH day of September, 2013.



Matthew D. Lincoln
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scotttyler@mvalaw.com

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100 North Tryon Street, Suite 4700
Charlotte, NC 28202-4003
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Fax (704) 339-5979

ATTORNEYS FOR RESPONDENT
SUE TAYLOR COLSON WIDENHOUSE

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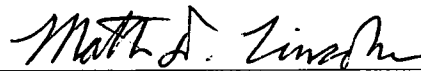
v.

Tammy Batson Colson,.....Appellant.

PROOF OF SERVICE

I certify that I have served the Motion of Respondent Sue Taylor Colson Widenhouse for Costs and Fees on Appeal by depositing copies of it in the United States Mail, postage prepaid, and UPS overnight delivery, on September 5, 2013, addressed to Appellant's counsel, David D. Armstrong, Armstrong Law Firm, 201 East North Street, Post Office Box 10855, Greenville, SC 29603.

September 5, 2013



Matthew D. Lincoln
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AFFIDAVIT IN SUPPORT OF MOTION FOR COSTS AND FEES ON APPEAL

PERSONALLY appeared before me, Matthew D. Lincoln, who, being duly sworn, on oath, deposes and says that:

1. I am over eighteen (18) years old. I am competent to give this Affidavit, and it is based upon my own personal knowledge.

2. I am familiar with the costs and fees incurred by Respondent Sue Taylor Colson Widenhouse in the appeal process in this matter.

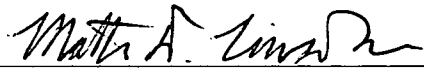
3. Pursuant to Rule 222(b), South Carolina Rules of Appellate Practice, Respondent seeks reimbursement for the following costs:

- a. The cost of the court reporter's transcript: \$24.15; and
- b. The cost of printing the parties' final briefs under Rule 211: \$141.57.

4. The aforesaid costs in the total amount of \$165.72 were actually incurred by Respondent in connection with this appeal, and are more fully exhibited by the invoices attached hereto as Exhibit A.

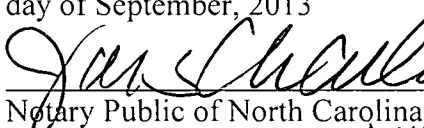
5. Attorneys' fees incurred by Respondent in connection with this appeal exceed \$1,000.00. Respondent seeks recovery of the attorney fee award provided for in Rule 222, South Carolina Rule of Appellate Practice, in the amount of \$1,000.00.

Further, the Affiant sayeth naught.

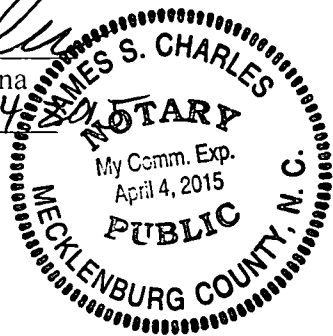


Matthew D. Lincoln
Moore & Van Allen PLLC

SWORN to before me this 5
day of September, 2013



Notary Public of North Carolina
My commission expires: 7-4-2015



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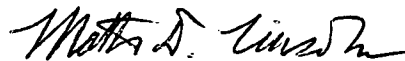
v.

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I certify that I have served the Affidavit in Support of Motion for Costs and Fees on Appeal by depositing copies of it in the United States Mail, postage prepaid, and UPS overnight delivery, on September 5, 2013, addressed to Appellant's counsel, David D. Armstrong, Armstrong Law Firm, 201 East North Street, Post Office Box 10855, Greenville, SC 29603.

September 5, 2013



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ATTORNEYS FOR RESPONDENT
SUE TAYLOR COLSON WIDENHOUSE

EXHIBIT A



State of South Carolina
The Circuit Court of the Thirteenth Judicial Circuit

Hollie M. Jenkins
Circuit Court Reporter

P.O. Box 16506
Greenville, SC 29606

February 11, 2012

Mr. Matthew D. Lincoln, Esq.
Moore & Van Allen, PLLC
100 N. Tryon Street, Suite 4700
Charlotte, NC 28202

In Re: #2011-CP-23-05359
Sue Taylor Colson Widenhouse v. Tammy Batson Colson

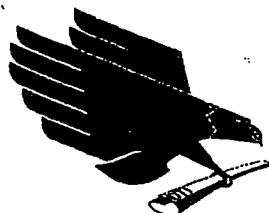
Dear Mr. Lincoln:

This is to advise you that I have completed the transcript of the hearing that was held before Judge D. Garrison Hill on October 27, 2011, in Greenville County in the above-referenced case. Opposing counsel in the case has ordered the transcript. If you require this transcript, please send a check payable to Hollie Jenkins in the amount of \$24.15 (amount includes postage), and I will be happy to forward your copy immediately.

Cordially,

A handwritten signature in cursive script that reads "Hollie M. Jenkins".

Hollie M. Jenkins
Circuit Court Reporter
Thirteenth Judicial Circuit



Document Technologies, Inc.

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Invoice Date: 05/07/12

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Matt Lincoln

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