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Nov 05 2024

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable George M. McFaddin, Jr., Circuit Judge

Appellate Case No. 2024-001160
Charleston County Case No.: 2023-CP-10-03607

Sheila Slomovitz & Maryco Realty, LLC Respondents,

v.

Andrew Sperling and Nina Sperling Appellants.

MOTION FOR COSTS ON APPEAL OF RESPONDENTS

Respondents, Sheila Slomovitz and Maryco Realty, LLC (“Respondents”) hereby move for the taxation of costs on appeal against Appellants Andrew Sperling and Nina Sperling (“Appellants”) pursuant to Rule 222, SCACR, on the grounds that (1) Appellants petitioned the South Carolina Court of Appeals to reverse the orders Granting Summary Judgment, Entry of Default, and Writ of Ejectment of the circuit court; (2) the South Carolina Court of Appeals dismissed the notice of appeal because Appellants failed to timely serve their notice of appeal; (3) Appellants petitioned the South Carolina Court of Appeals to reinstate their Appeal on the grounds that it was timely filed and served; and (4) the South Carolina Court of Appeals denied Appellants’ petition to reinstate the Appeal. Accordingly, Respondents respectfully request an Order taxing costs against Appellants in the amount of \$2,500 as supported by the attached sworn, itemized statement of costs.

[SIGNATURE PAGE TO FOLLOW]

Dated: November 5, 2024

Respectfully submitted,

BARNWELL WHALEY PATTERSON & HELMS

s/M. Dawes Cooke, Jr.

M. Dawes Cooke, Jr. (S.C. Bar No. 1376)

G. Hudson Worthy (S.C. Bar No. 105637)

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PROOF OF SERVICE

I, the undersigned employee of Barnwell Whaley Patterson & Helms, LLC, hereby certify that pursuant to Rule 222 and 262(b), SCACR, I have served the ***Motion for Taxation of Costs on Appeal of Respondents Sheila Slomovitz & Maryco Realty, LLC*** in this matter upon the Clerk of the South Carolina Court of Appeals, all counsel of record, and all pro se parties by delivering a copy by electronic mail or by mailing a copy by United States Mail, postage prepaid, on November 5, 2024, to the following addresses:

The Honorable Jenny Abbot Kitchings
Clerk, South Carolina Court of Appeals
Email: ctappfilings@sccourts.org

Irish Ryan Neville
496 Bramson Court, Ste. 140
Mount Pleasant, South Carolina 29464
Email: IRN@LawFirmNeville.com

November 5, 2024

s/Rachael Soto
Rachael Soto