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Nov 13 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

TRIAL CASE NO.: 2022CP1004068

APPELLATE CASE NO.: 2023-001926

TAMMY MOORE..... Respondent/Plaintiff,
V.
BASEM AL KHTAEBEH.....Appellant/Defendant.

RESPONDENT'S MOTION FOR COSTS

Pursuant to Rule 222, SCACR, Respondent Tammy Moore, moves the Court for an order awarding costs against Appellant Basem Al Khtaebbeh. This motion is based on the Court's dismissal of the Appellant's appeal. This Court dismissed this appeal on August 14, 2024. Appellant filed a motion to reinstate, or petition to rehear the dismissal. This Court denied the petition for rehearing and issued notice of the remittitur on November 13, 2024, and this motion is filed under Rule 222.

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 affirmed the judgment, and the Supreme Court denied the petition for writ of certiorari. 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.

Respectfully submitted,

November 13, 2024

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

s/J. DeVeaux Stockton

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Attorneys for Respondent

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BASEM AL KHTAEBEH.....Appellant/Defendant.

PROOF OF SERVICE

The undersigned certifies that a copy of the Respondent's Motion for Costs and Itemized Statement of Costs have been served upon counsel for Appellant via electronic mail at the email address stated in the Attorney Information System as set forth below on November 13, 2024.

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November 13, 2024

Via E-Mail and U.S. Mail (letter and check only)

The Honorable Jenny Abbott Kitchings
Clerk of Court for the Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org

RE: Tammy Mooore v. Basem Al Khtaebah
APPELLATE CASE NO.: 2023-001926

Dear Mrs. Kitchings:

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 kind regards, I am

s/ J. DeVeaux Stockton

Enclosures

cc: William K. Swope, Esquire (via e-mail)
Lawrence M. Hershon, Esquire (via e-mail)