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**Jan 07 2025**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM ALLENDALE COUNTY  
Court of Common Pleas

Brooks P. Goldsmith, Circuit Court Judge

Case Number: 2023-001281

Marcus Riley, ..... Appellant,

v.

Dorothy Riley, individually and Dorothy Riley in her role as Personal Representative of  
the Estate of Marion F. Riley, Jr..... Respondent.

**RESPONDENT’S  
MOTION FOR COSTS  
(Rule 222, SCACR)**

This Motion is being made by Respondent pursuant to Rule 222, SCACR, requesting this Court issue an Order assessing costs against Appellant. The basis for this request is the dismissal of this Appeal in favor of Respondent, and various irregularities and gross violations by Appellant of the Rules of Appellate Procedure. In support of Respondent’s position for an award of the costs attached below, Respondent craves reference and directs to the Court to its Arguments set forth in a Motion for Sanctions being filed contemporaneously herewith. In compliance with Rule 222(d), Respondent submits and incorporates herein a **Sworn Itemized Statement of Costs**.

Additionally, Respondent respectfully requests this Court issue an Order assessing attorney fees against Appellant. The basis for this request is provided in Rule 222(b), SCACR, in which attorney fees are compulsory in nature and shall be awarded to the party entitled to recover costs, the prevailing party.

Respectfully Submitted,

NESS & JETT, LLC

January 7, 2025  
Bamberg, South Carolina

/s/ R. Aaron Ness  
R. Aaron Ness, S.C. Bar #102331  
Alison Dennis Hood, S.C. Bar #77128  
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ATTORNEYS FOR RESPONDENT

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**PROOF OF SERVICE**

The undersigned certifies that a copy of RESPONDENT’S MOTION FOR COSTS ON APPEAL, and SWORN ITEMIZED STATEMENT OF COSTS has been served upon counsel of record for the Appellant, using his primary email address and mailing address listed in the Attorney Information System.

Respectfully Submitted,

NESS & JETT, LLC

January 7, 2025  
Bamberg, South Carolina

/s/ R. Aaron Ness  
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