

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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JAN 17 2025  
SC Court of Appeals

APPEAL FROM

THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

APPELLATE CASE NO. 2024-000607

SCWCC FILE NO. 2106012

103745

Nathaniel Coakley, Claimant, Appellant,

v.

Pilgrim's Pride Corp., Employer, and American Zurich Ins. Co., Carrier, Respondents.

**RESPONDENTS' MOTION FOR COSTS**

Timothy B. Killen, Esquire  
Holder Padgett Littlejohn + Prickett, LLC  
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Attorneys for Respondents

Other Counsel of Record:

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**COME NOW**, the Respondents, Pilgrim's Pride Corp. and American Zurich Ins. Co., by and through undersigned counsel, and respectfully moves this Honorable Court for an award of costs pursuant to Rule 222 of the South Carolina Appellate Court Rules and other applicable law. In support of this Motion, the Respondents state as follows:

1. On December 13, 2024, this Court entered an order dismissing the above-captioned appeal.
2. On December 31, 2024, this Court remitted this matter to the S.C. Workers' Compensation Commission.
3. Pursuant to Rule 222, SCRCPP, the prevailing party in an appellate action may recover costs incurred in connection with the appeal.
4. As the prevailing party, Respondent is entitled to recover allowable costs, including but not limited to filing fees, printing costs, copying and binding expenses for briefs and appendices, and any other allowable costs as determined by this Court.
5. The total costs incurred by Respondents in this appeal are as follows:
  - a) \$2,905.00 in attorneys' fees;
  - b) \$9.54 in binding expenses; and
  - c) \$50.00 in filing fees.

**WHEREFORE**, the Respondents respectfully requests that this Honorable Court:

1. Grant this Motion for Costs;
2. Enter an order awarding the Respondents the sum of \$2,559.64 as reimbursement for costs incurred in connection with this appeal; and
3. Grant such further relief as this Court deems just and proper.

Respectfully submitted this 15<sup>th</sup> day of January, 2025.

RESPECTFULLY SUBMITTED,



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Timothy B. Killen, S.C. Bar No. 0072501  
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**PROOF OF SERVICE**

I hereby certify that I have served Respondents' Motion for Costs upon Appellant's attorney on January 15, 2025, via electronic mail as follows:

Benjamin T. Cruse, Esquire  
Shelly Leeke Law Firm, LLC  
[ben@leekelaw.com](mailto:ben@leekelaw.com)



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HOLDER  
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January 15, 2025

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The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate St  
Columbia, South Carolina 29201

Re: Nathaniel Coakley, Claimant, Appellant,  
v.  
Pilgrim's Pride Corp, Employer, and American Zurich Ins. Co., Carrier, Respondents.  
**Appellate Case No. 2024-000607**

Dear Ms. Kitchings:

Enclosed herewith please find the Responents Motion for Costs to be filed in your office, regarding the above referenced matter: Also enclosed is our check for \$50.00 for the filing fee.

Should you have any questions or concerns, please feel free to contact me.

Respectfully,

**HOLDER PADGETT LITTLEJOHN + PRICKETT**



Michelle A. Adams  
Paralegal to Timothy B. Killen

TBK/maa  
Enclosures

cc: Benjamin T. Cruse, Esquire (via email)  
Anthony Toto (via facsimile)

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