

The South Carolina Court of Appeals

Tammy Moore, Respondent,

v.

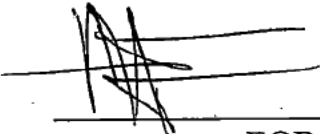
Basem Al Khtaebeh, Appellant.

Appellate Case No. 2023-001926

ORDER

On August 14, 2024, this appeal was dismissed. The case was remitted on November 13, 2024. Respondent has now filed a motion for costs pursuant to Rule 222, SCACR, seeking to recover \$2,500.00 in attorney's fees. Appellant did not file a return opposing the request.

We grant the motion in part. *See* Rule 222(a), SCACR ("Unless otherwise ordered by the appellate court or agreed by the parties, costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed."). In light of the dismissal of the appeal occurring early in the appellate process, this court exercises its discretion to award \$1,000 in attorney's fees. *See* Rule 222(b), SCACR (permitting an appellate court to award an attorney's fee); *Austin v. Stokes-Craven Holding Corp.*, 406 S.C. 187, 199, 750 S.E.2d 78, 84 (2013) (explaining that "it is within [the appellate] Court's discretion whether to award fees and costs under Rule 222"). The Charleston County Clerk of Court is directed to add this award of costs to the remittitur.



FOR THE COURT

Columbia, South Carolina

FILED
Jan 23 2025

cc:

Barry Krell, V, Esquire

John DeVeaux Stockton, Esquire

William Koatesworth Swope, Esquire

Lawrence Michael Hershon, Esquire

Julie J. Armstrong