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Feb 11 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 mandatory 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 Procedure¹. 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, pursuant to Rule 222(b), SCACR, in which attorney fees are

¹ 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 filed with this Court on January 7, 2025.

compulsory in nature and shall be awarded to the party entitled to recover costs, the prevailing party.

Respectfully Submitted,

NESS & JETT, LLC

February 11, 2025
Bamberg, South Carolina

/s/ R. Aaron Ness
R. Aaron Ness, S.C. Bar #102331
Alison Dennis Hood, S.C. Bar #77128
P.O. Box 909
Bamberg, SC 29003
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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

/s/ R. Aaron Ness

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February 11, 2025

Via U.S. Mail and Email

South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

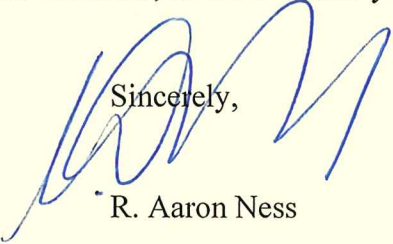
- Re: **1.) RESPONDENT'S MOTION FOR COSTS**
2.) SWORN ITEMIZED STATEMENT OF COSTS
3.) PROOF OF SERVICE
4.) \$50.00 FILING FEE

Marcus Riley, Appellant v. Dorothy Riley, individually and as Personal Representative of the Estate of Marion F. Riley, Respondent
Appellate Case No.: 2023-001281

To Whom It May Concern:

Please find enclosed with this letter the above-referenced documents and filing fee in this appeal. I am sending these documents via email, as well. Thank you for your attention to this matter.

Sincerely,


R. Aaron Ness

Enclosures

CC: Opposing Counsel