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Apr 01 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge

Circuit Court Case No. 2019-CP-23-02476

Appellate Case No. 2020-001051

Thomas C. Skelton..... Appellant,

v.

First Baptist Church of Travelers Rest, South Carolina, a non-profit Corporation Respondent.

MOTION TO RECONSIDER AWARD OF COSTS

Rule 222(d), SCACR requires a party desiring costs to file its request within fifteen (15) days of issuance of the remittitur. The Rule clearly states “shall” and not “may”. The South Carolina Court of Appeals issued the Remittitur on December 12, 2024. Respondent’s Motion for Costs was therefore due on or before December 27, 2024; it was not filed until January 6, 2025. The Rule requires the Motion to be denied.

Respondent filed an Amended Statement of Costs in the lower court on January 9, 2025. The Deputy Clerk issued a letter on January 15, 2025 informing Respondent that no action would be taken on their Statement of Costs because a timely motion for costs had not been received. Respondent sent its untimely motion to the Court of Appeals on January 16, 2025 but did not copy

Appellant on the correspondence.

Appellant, therefore, respectfully request this Court reconsider the award of costs and deny Respondent's Motion for Costs and revised Motion for Costs as untimely.

s/Bradford N. Martin
Bradford N. Martin, Esq. (SC Bar No. 3658)
Laura W. H. Teer, Esq. (SC Bar No. 16698)
Bradford Neal Martin & Associates, PA
Post Office Box 10410
Greenville, South Carolina 29603
864.552.9990
Attorneys for Appellant Thomas C. Skelton

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PROOF OF SERVICE

I certify that on April 1, 2025, I have electronically served Appellant's Motion to Reconsider Award of Costs via AIS email to attorney of record, O.W. Bannister, Esq.:

owbannister@bannisterwyatt.com.

April 1, 2025

s/Peggy McComb

Peggy McComb, Legal Assistant to
Bradford N. Martin, Esq., SC Bar No. 3658
Laura W. H. Teer, Esq., SC Bar No. 16698
BRADFORD NEAL MARTIN & ASSOCIATES, PA
Post Office Box 10410
Greenville, South Carolina 29603
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