

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM NEWBERRY COUNTY  
Court of Common Pleas

Charles M. Watson, Jr., Special Referee

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Appellate Case No.: 2024-000162

Related Appellate Case No.: 2023-001143

Lower Court Case No.: 2022-CP-36-00326

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**RECEIVED**

**May 16 2025**

**SC Court of Appeals**

Lena Sue Yarborough .....Appellant,

v.

Joel F. Yarborough, III.....Respondent.

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**APPELLANT’S MOTION FOR COSTS ON APPEAL**

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Pursuant to Rules 222 and 240 of the South Carolina Appellate Court Rules, Appellant Lena Sue Yarborough, by and through the undersigned counsel, hereby submits this motion for costs on appeal. For the reasons below, the Court should grant this motion and award costs.

On February 5, 2024, Appellant Lena Sue Yarborough (“Appellant”) filed a Notice of Appeal of Special Referee Charles M. Watson Jr.’s January 9, 2024, Order granting partition by allotment of the Fairfield Tract (Tax Map Number: 194-00-02-010) to Respondent Joel F. Yarborough III, and the Special Referee’s February 2, 2024, Order denying Appellant’s motion to reconsider under Rule 59(e), SCRCP.

After full briefing, without oral argument, this Court reversed the Special Referee’s ruling in an Unpublished Opinion on April 9, 2025. *See Yarborough v. Yarborough*, No. 2025-UP-125

(S.C. Ct. App. filed Apr. 9, 2025). The Court issued the Remittitur on May 2, 2025. As the judgment was reversed in its entirety, Appellant hereby moves the Court for fees and costs as permitted by Rule 222, SCACR.

As required by Rule 222(d), SCACR, this motion is “accompanied by a sworn itemized statement of costs incurred in the form prescribed by the Appendix to these rules.” Per the enclosed sworn statement of itemized costs, Appellant is seeking \$7,035.99 in costs on appeal from Respondent Joel F. Yarborough, III.

Respectfully submitted,

*s/ Beth B. Richardson*

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***Counsel for Appellant Lena Sue Yarborough***

Columbia, South Carolina

May 16, 2025

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**PROOF OF SERVICE**

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Pursuant to Rule 262(c)(3), SCACR, I certify that I have caused the **Motion for Costs on**

**Appeal** to be served on the following counsel of record by AIS email at the following addresses:

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*(Signature page follows)*

*s/Beth B. Richardson*

Beth B. Richardson (SC Bar No. 69552)  
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Columbia, South Carolina  
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SC Court of Appeals

**From:** [Victoria Cordoni](#)  
**To:** [Charles Verner](#); [Charles Verner](#); [cverner@8thcircuitpublicdefender.org](mailto:cverner@8thcircuitpublicdefender.org)  
**Cc:** [Beth B. Richardson](#); [Sarah Frierson](#); [Dara Carmichael](#)  
**Subject:** App. Case No.: 2024-000162 Yarborough v. Yarborough (Fairfield)  
**Date:** Friday, May 16, 2025 3:49:30 PM  
**Attachments:** [image001.png](#)  
[2025-05-16 Motion for Costs on Appeal - AS FILED.pdf](#)  
[2025-05-16 Statement of Costs - AS FILED.pdf](#)  
[2025-05-16 Proof of Service for Motion for Costs on Appeal - AS FILED.pdf](#)

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Good afternoon:

Pursuant to Rule 262(c)(3), SCACR, and *In re Methods of Electronic Filing and Service Under Rule 262* of the South Carolina Appellate Court Rules, App. No. 2020-000447, at ¶ (d)(1) (S.C. Sup. Ct. filed Apr. 24, 2024), attached for service is Appellant's Motion for Costs on Appeal in the above-referenced matter.

Thanks,

Victoria



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**VICTORIA CORDONI** PARALEGAL

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