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May 22 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
Court of Common Pleas

G. D. Morgan, Circuit Court Judge

Case No. 2024-CP-39-0019
Appellate Case No. 2024-002188

Ortagus BennettAppellant

v.

Hyper Formance, LLCRespondent

RESPONDENT’S MOTION FOR COSTS ON APPEAL

Respondent respectfully requests the Court to tax the costs allowed on appeal against Appellant pursuant to Rule 222, SCRAP. On December 24, 2024 Appellant appealed the order of the lower court denying Appellant’s Motion for Claim and Delivery. On March 10, 2025 Respondent filed a Motion to Dismiss the appeal as it was interlocutory and not immediately appealable. The Court of Appeals granted the Motion to Dismiss on May 1, 2025. The matter was remitted to the lower court on May 19, 2025. Pursuant to Rule 222(a), SCRAP Respondent is entitled to its attorneys fees and costs.

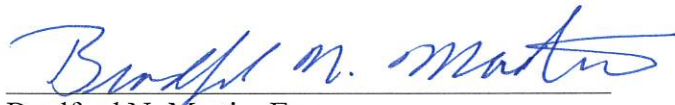
Respondent is entitled to recover its cost of \$50.00 for the filing fee of the Motion to Dismiss, and an attorney’s fee in the amount of \$2,500.00 as set forth by Order of the Supreme

Court on January 17, 2018. Respondents respectfully request the amount taxed to become a part of the judgment of this Court and added to the remittitur.

WHEREFORE, Respondent desires costs to be taxed in the amount of \$2,550.00, which includes recovery of attorney's fees and costs and respectfully requests the Court grant their Motion.

Respectfully submitted,

Dated: 22 May 25



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864.552.9990
Attorneys for Respondent

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PROOF OF SERVICE

I, Peggy McComb, Legal Assistant to attorneys for Respondent Hyper Formance, LLC, certify that I have served a copy of Respondent’s Motion for Costs *via email* and by depositing a copy in the U.S. Mail, sufficient first class postage prepaid, on May 22, 2025 addressed to Ortagus Bennett, *pro se*, 504 Piedmont Golf Course Road, Piedmont, SC 29673.

May 22, 2025



Peggy McComb, Legal Assistant to
Bradford N. Martin, Esq. (SC Bar No. 3658)
Laura W. H. Teer, Esq. (SC Bar No. 16698)
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