

RECEIVED
Jun 18 2025
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Honorable Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2023-000567

Hope Dukes and Nicole Dukes.....Appellants,

v.

Redfin Corporation, Christine Lefont, Rodolpho A. Pisigan Jr.,
Portia O. Pisigan, Jeremy Pisigan, and Cherry C. PisiganDefendants,

Of which

Redfin Corporation is the Respondent.

RETURN TO MOTION TO DISMISS

Appellants’ main contention for moving to dismiss Respondent Redfin Corporation’s Motion for Costs is that it was untimely filed. However, Appellants have miscalculated. Rule 222(d) of the South Carolina Appellate Court Rules provides that “[a] party desiring costs to be taxed shall, within fifteen (15) days of the issuance of the remittitur, serve and file a motion requesting that costs be assessed under this Rule.” The remittitur in this case, attached hereto as **Exhibit A**, was issued on May 23, 2025. Respondent’s Motion for Costs was filed twelve (12) days later, on June 4, 2025. Because Respondent filed its Motion for Costs at the twelve-day mark, in advance of the fifteen-day deadline, Respondent’s Motion for Costs was timely. Appellants’ argument as to untimeliness is without merit and warrants the denial of their Motion to Dismiss.

Appellants’ other arguments focus on equitable issues rather than legal ones. However,

Appellants' appeal was denied without a hearing and this Court found most of the grounds for the appeal were dismissed on the basis of Appellants' failure to preserve the issues for appellate review or did not include authority to support their argument. Further, Rule 222(a) of the South Carolina Appellate Court Rules provides that "[u]nless 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." Rule 222(a), SCACR (emphasis added). Thus, given the word "shall" is used, this Court has little to no discretion to deny Respondent's Motion for Costs. Based on the foregoing, Respondent Redfin Corporation respectfully requests Appellants' Motion to Dismiss be denied and reiterates its request for an order taxing costs against Appellants in accordance with the bill of costs attached to its Motion for Costs.

Respectfully submitted,

/s/Rhett D. Ricard

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*Attorneys for Respondent
Redfin Corporation*

June 18, 2025
Charleston, South Carolina

EXHIBIT A



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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May 23, 2025

The Honorable Renee Elvis
PO Box 677
Conway SC 29528-0677

REMITTITUR

Re: Hope Dukes v. Redfin Corporation
Lower Court Case No. 2022CP2604440
Appellate Case No. 2023-000567

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

Catherine Harrison, deputy

CLERK

Enclosure

cc: Hope Dukes
Nicole Dukes
Cheryl D. Shoun, Esquire
Rhett Douglas Ricard, Esquire
The Honorable Benjamin H. Culbertson

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Of which

Redfin Corporation is the Respondent.

PROOF OF SERVICE

The undersigned certifies that the Return to Motion to Dismiss by Respondent Redfin Corporation was served on Appellants Hope Dukes and Nicole Dukes via U.S. mail delivery on June 18, 2025 as follows:

Hope Dukes and Nicole Dukes
6353 Catalina Drive
Unit 812
North Myrtle Beach, SC 29582

Hope Dukes and Nicole Dukes
11 Crown Street
Bloomfield, NJ 07003-4701

/s/ Rhett D. Ricard
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