

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

The Honorable Robert Lawrence Reibold
Beaufort County
Trial Court Case No. 2022ALJ0270033CC

Appellate Case No. 2023-001592

RECEIVED

Jan 08 2026

SC Court of Appeals

William P. Scurry and J & W Corporation of Greenwood, Appellants,

v.

South Carolina Department of Health and Environmental Control
and Simmons Family Holdings, LLC, Respondents.

MOTION FOR COSTS

Respondent Simmons Family Holdings, LLC, pursuant to Rule 222, SCACR, respectfully moves for entry of an order taxing costs against Appellants William P. Scurry and J & W Corporation of Greenwood. In support of this motion, Respondent would show as follows:

1. On October 10, 2023, Appellants appealed orders of the Administrative Law Court affirming the issuance of a critical area permit to Respondent and denying Appellants' motion for reconsideration.
2. Following briefing and oral argument, the Court of Appeals issued an unpublished opinion on December 10, 2025, affirming.

3. Accordingly, Respondent is the prevailing party on appeal and is entitled to recovery of costs and attorneys' fees. See Rule 222(a), SCACR.

4. Respondent incurred appellate costs for printing six bound copies of its Final Brief of Respondent.

5. A sworn, itemized statement of costs is attached hereto as Exhibit A to this motion.

6. The Administrative Law Court's orders having been affirmed, Respondent respectfully requests that this Court tax costs against Appellants as set forth in Exhibit A.

Respectfully submitted,

s/ Michael S. Traynham

Michael S. Traynham, SC Bar No. 75117

Mary D. Shahid, SC Bar No. 1794

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*Attorneys for Respondent Simmons Family
Holdings, LLC*

January 8, 2026
Columbia, South Carolina

EXHIBIT A

(Itemized Statement of Costs)

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ITEMIZED STATEMENT OF COSTS

The Court of Appeals is requested to tax the following costs against Appellants William P. Scurry and J & W Corporation of Greenwood:

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	139	\$0.10	\$13.90	
Cost of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 203(d), SCACR				
Cost of Court Reporter's Transcript		\$2,200.50	\$2,200.50	

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Attorney's Fee Provided By Rule 222(b), SCACR			\$2,500.00	
Other (specify and explain):				
		TOTAL	\$4,714.40	

I, Michael S. Traynham, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon opposing counsel.

Michael Traynham

 (Signature)
 Attorney for Respondent
 Simmons Family Holdings, LLC

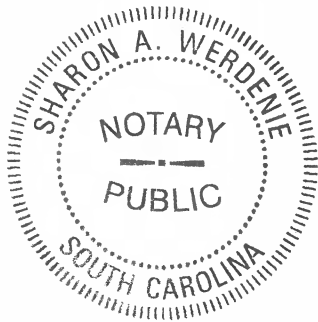
Subscribed and sworn to before me this 8th day of January, 2026.

Sharon A. Werdenie

 Notary Public for South Carolina

My Commission Expires 6/19/2030

(Seal)



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CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2026, I served Respondent's Motion for Costs on Appellants William P. Scurry and J & W Corporation of Greenwood by emailing a copy of the same to their counsel of record using the email address listed below:

Thomas C. Taylor, Esq.
tom@thomastaylorlaw.com

s/ Michael S. Traynham
Michael S. Traynham



Michael S. Traynham
Of Counsel
Admitted in SC, NC

January 8, 2026

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Jan 08 2026

SC Court of Appeals

VIA U.S. MAIL AND ELECTRONIC DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

Re: William P. Scurry and J&W Corporation of Greenwood v. SCDHEC and
Simmons Family Holdings, LLC; Appellate Case No. 2023-001592;
Respondent's Motion for Costs

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced case, please find Respondent Simmons Family Holdings, LLC's Motion for Costs. By copy of this letter, as reflected on the attached Certificate of Service, I am serving Appellant's counsel with the same.

Enclosed with our mailed copy of this letter is a check in the amount of \$50.00 representing the filing fee for our Motion for Costs. Please let me know if you need any additional information.

Very truly yours,

A handwritten signature in black ink that reads "Michael S. Traynham". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael S. Traynham

MST/saw
Enclosures

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