

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

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Feb 23 2026

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Eugene C. Griffith, Jr., Circuit Court Judge

S.C. SUPREME COURT

Opinion No. 28313

Appellant Case No. 2023-000930

National Trust for Historic Preservation in the United States and the
City of Charleston.....Petitioners

v.

City of North CharlestonRespondent

MOTION FOR COSTS AND FEES

Petitioner National Trust for Historic Preservation in the United States (“National Trust”) hereby files this Motion for Fees and Costs pursuant to Rule 242 of the South Carolina Appellate Court Rules. National Trust moves this Court for an order taxing all recoverable costs and fees against Respondent City of North Charleston (“Respondent”) as allowed by Rule 242(j)(2), SCACR, in the above-captioned appeal.

The court of appeals affirmed the judgment of the circuit court holding the National Trust did not have standing in Opinion No. 5965 (S.C. Ct. App. filed February 1, 2023) (Howard Adv. Sh. No. 5 at 23-30). Subsequently, this Court granted certiorari and reversed in part and affirmed in part the judgment of the court of appeals in Opinion No. 28313 (S.C. Sup. Ct. filed January 21, 2026) (Howard Adv. Sh. No. 3 at 33-38. This Court reversed the ruling of the Court of Appeals

on the issue of standing and affirmed the ruling of the trial court in favor of the National Trust on the merits that was not addressed by the Court of Appeals. Accordingly, National Trust moves to have costs taxed against Respondent herein. See Rule 242(j), SCACR (“When the decision of the Supreme Court has the effect of reversing the judgment of the lower court or tribunal which was on appeal, costs shall be assessed against the respondent before the Court of Appeals.”).

The Court issued its remittitur in this matter on February 6, 2026; therefore, this Motion is timely filed. A sworn, itemized statement of fees and costs incurred by National Trust is attached to this Motion as required by Rule 242(j)(4), SCACR.

Respectfully submitted,

/s/ G. Trenholm Walker

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STATES**

February 23, 2026
Charleston, South Carolina