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Mar 25 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

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Appellate Case No. 2025-002408

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Debra E. Nelson, Appellant,

v.

Hunt Law, LLC and Bonnie Travaglio Hunt, Esq.,  
Respondents.

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**APPELLANT'S RESPONSE IN OPPOSITION TO RESPONDENTS' MOTION FOR  
ATTORNEY'S FEES (RULE 222, SCACR)**

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Appellant, Debra Nelson, representing herself *pro se*, respectfully submits this response in opposition to Respondents' Motion for Attorney's Fees filed pursuant to Rule 222, SCACR. In support of her position, Appellant shows the Court the following:

1. While Respondents correctly cite Rule 222, SCACR, as the authority for awarding costs on appeal, they fail to acknowledge the discretionary nature of such an award. The plain language of the rule grants this Court the authority to deviate from the standard taxation of costs. Rule 222(a), SCACR states, "**Unless otherwise ordered by the appellate court** or agreed by the parties, costs shall be taxed against the appellant when the appeal is dismissed or the judgment on appeal is affirmed." (emphasis added). This provision explicitly empowers the Court to deny or reduce an award of attorney's fees where circumstances warrant.

2. On December 12, 2025, Appellant filed a motion to proceed *in forma pauperis*, demonstrating her financial inability to pay the costs associated with this litigation. The imposition of a \$2,500 judgment for attorney's fees would create an extreme and undue financial hardship for the Appellant, frustrating the purpose of allowing indigent parties access to the courts.
3. The dismissal of this appeal was based on a procedural issue—the timeliness of the notice of appeal—and was not a judgment on the merits of Appellant's case. Appellant pursued the appeal in good faith, as evidenced by her motion seeking leave to file her notice of appeal out of time. The appeal was not frivolous, and the underlying issues were substantial to the Appellant. Taxing fees under these circumstances would penalize a litigant for a procedural misstep rather than for pursuing a baseless claim.
4. Given Appellant's status as a *pro se* litigant and the financial circumstances detailed in her motion to proceed *in forma pauperis*, considerations of equity and fairness weigh heavily against awarding the full amount of attorney's fees requested by Respondents.

WHEREFORE, for the foregoing reasons, Appellant respectfully requests that this Honorable Court exercise its discretion under Rule 222(a), SCACR, and issue an Order denying Respondents' motion for attorney's fees in its entirety. In the alternative, Appellant requests that the Court significantly reduce the amount of any fees awarded to reflect the equitable circumstances of this case.

Respectfully submitted March 25, 2026,



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**PROOF OF SERVICE**

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I hereby certify that on this 25th day of March, 2026, I served a true and correct copy of the foregoing **Appellant's Response in Opposition to Respondents' Motion for Attorney's Fees (Rule 222, SCACR)** by depositing the same in the United States Mail, postage prepaid, addressed to:

Andrew W. Countryman, Esq.  
Countryman Law Firm  
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**Counsel for the Respondents**



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