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**Apr 01 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Lawton McIntosh, Circuit Court Judge

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Lower Court Case No. 2022-CP-07-01079

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Jerilyn Jean Vogelsang, an Individual, Appellant,

v.

Chatham Chiropractic & Integrated Health Services, LLC, a South Carolina Limited Liability Company; d/b/a Kalensky Chiropractic, Robert Kalensky, as individual and officer of Chatham Chiropractic & Health Integrated Services, LLC; Nicole Todd, an individual; and Does 1-50, inclusive, whose true names are unknown, Respondents.

Appellate Case No. 2025-001762

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MOTION FOR COSTS AND ATTORNEY'S FEES

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Respondents respectfully move this Court to award appellate costs and attorney's fees pursuant to Rule 222 of the South Carolina Appellate Court Rules and Re: Attorney's Fees Under Rules 222 and 242 of the South Carolina Appellate Court Rules, Or. No. 2018-01-17-02 (S.C. Sup. Ct. January 17, 2018).

In support of this Motion, undersigned counsel submits that this appeal was dismissed due to Appellant's failure to file the record on appeal after initial briefing was completed. Under Rule 222(a), SCACR, "costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed. "The party entitled to recover costs under this rule may, to the extent the party actually incurred these costs, recover the following: . . . (2) the cost of the court

reporter's transcript." Rule 222(b), SCACR. Furthermore, the party entitled to costs "shall be entitled to recover an attorney's fee." *Id.*

Undersigned counsel respectfully requests the Court to award appellate costs and attorney's fees, which are detailed in the attached itemized statement of costs, that undersigned necessarily incurred in this action.

Respectfully submitted:

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Attorneys for Respondents

April 1, 2026

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PROOF OF SERVICE

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Pursuant to Rule 262(c)(3), SCACR, undersigned counsel hereby certifies that a true copy of the motion for attorney's fees and costs in the above-referenced case has been served upon Allen Johnson, at the primary e-mail address listed in the Attorney Information System (AIS), this 1st day of April 2026.

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