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Apr 23 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Case No. 2021-CP-02-00766

App. Case No. 2024-000545

Melanie Hozey,

Appellant,

v.

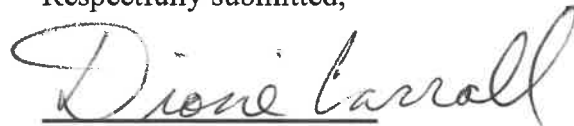
Alan Rutherford and Susan Rutherford

Respondents.

MOTION FOR AWARD OF ATTORNEY'S FEES AND COSTS
ON BEHALF OF RESPONDENTS/APPELLEES

The Respondents/Appellees move the Court for an award by the Court of attorney's fees and costs in favor of the Respondents/Appellees and against the Appellant Melanie Hozey. This motion is made pursuant to Rule 222, SCACR, and Rule 240, SCACR, upon the grounds as allowed and expressed therein, and is supported by the Itemized Statement of Costs filed herewith.

Respectfully submitted,



Dionè C. Carroll, Esq.

S.C. Bar 78185

ATTORNEY FOR RESPONDENTS

Carroll Law Offices, P.A.

107 Pendleton St. NW

Aiken, SC 29801

Phone: 803-514-2557

Fax: 866-954-0184

Email: dione@carroll-law-offices.com

April 23, 2026
Aiken, South Carolina

Melanie Hozey v. Alan Rutherford and Susan Rutherford

Attached Bills for Representation of Respondents/Appellees by Dione` C.

Carroll:

EXHIBITS



CARROLL
LAW OFFICES, P.A.

Carroll Law Offices, P.A.
107 Pendleton St NW
Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2142
DATE 04/25/2024
DUE DATE 05/25/2024
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
03/18/2024	Conference with client regarding options relating to neighbor.	0:30	350.00	175.00

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PAYMENT 175.00
BALANCE DUE **\$0.00**

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Ways to pay



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Carroll Law Offices, P.A.
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INVOICE

BILL TO
Susan Rutherford

INVOICE # 2157
DATE 05/21/2024
DUE DATE 06/20/2024
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
04/04/2024	Review correspondence regarding Notice of Appeal and inform client of same.	0:06	385.00	38.50
04/05/2024	Conference with opposing counsel regarding the potential for settlement.	0:06	385.00	38.50
04/20/2024	Review appellate rules for compliance.	0:06	385.00	38.50
04/22/2024	Telephone conference with Clarke McCants. Draft correspondence to client.	0:12	385.00	77.00
04/27/2024	Review correspondence from opposing counsel and respond. Inform client regarding same.	0:06	385.00	38.50

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PAYMENT 231.00
BALANCE DUE **\$0.00**

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107 Pendleton St NW
Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2190
DATE 07/31/2024
DUE DATE 08/30/2024
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
06/03/2024	Review and respond to correspondence from client regarding fence. (Paralegal Time)	0:12	99.00	19.80
06/13/2024	Review correspondences to & from Court Appeals correspondence from Court Reporter. Inform client of same.	0:06	385.00	38.50

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PAYMENT 58.30
BALANCE DUE **\$0.00**

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Carroll Law Offices, P.A.
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Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2204
DATE 08/20/2024
DUE DATE 09/19/2024
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
07/11/2024	Review correspondence from court of appeals.	0:06	385.00	38.50

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PAYMENT 38.50
AMOUNT DUE **\$0.00**

PAID

Ways to pay



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Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2216
DATE 09/11/2024
DUE DATE 10/11/2024
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
08/22/2024	Review correspondence regarding appeal and transcripts for the record. Inform client.	0:12	385.00	77.00

Please remit payment to Carroll Law Offices, P.A. at 107 Pendleton Street N.W., Aiken, SC 29801. If you have any questions concerning this invoice, contact Alexis Williams at (803) 514-2557 or at alexis@carroll-law-offices.com. Thank you for your business!

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PAYMENT
BALANCE DUE

77.00
\$0.00

Ways to pay



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107 Pendleton St NW
Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2244
DATE 11/22/2024
DUE DATE 12/22/2024
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
10/17/2024	Review second motion for extension of time by appellant. Inform client of same.	0:06	385.00	38.50

Please remit payment to Carroll Law Offices, P.A. at 107 Pendleton Street N.W., Aiken, SC 29801. If you have any questions concerning this invoice, contact Alexis Williams at (803) 514-2557 or at alexis@carroll-law-offices.com. Thank you for your business!

PAYMENT
BALANCE DUE

38.50
\$0.00

PAID

Ways to pay



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INVOICE

BILL TO
Susan Rutherford

INVOICE # 2269
DATE 01/08/2025
DUE DATE 02/07/2025
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
12/10/2024	Initial draft of motion for extension of time. (Paralegal Time)	1:42	90.00	153.00
12/16/2024	Review draft motion for extension of time. Revise. Review certificate of service, and file.	0:12	385.00	77.00
12/16/2024	Prepare proof of service. (Paralegal Time)	0:24	90.00	36.00

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Please remit payment to Carroll Law Offices, P.A. at 107 Pendleton Street N.W., Aiken, SC 29801. If you have any questions concerning this invoice, contact Alexis Williams at (803) 514-2557 or at alexis@carroll-law-offices.com. Thank you for your business!

PAYMENT 266.00
BALANCE DUE **\$0.00**

Ways to pay



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Carroll Law Offices, P.A.
107 Pendleton St NW
Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2280
DATE 02/24/2025
DUE DATE 03/26/2025
TERMS Net 30

PAID

DATE	DESCRIPTION	QTY	RATE	AMOUNT
01/03/2025	Review Appellant's brief. Prepare initial draft of respondent brief. (Paralegal Time)	1:48	99.00	178.20
01/20/2025	Work on initial brief to court of appeals.	0:06	385.00	38.50
01/21/2025	Continue working on memorandum.	0:12	385.00	77.00
01/21/2025	Continuing working and memorandum and initial brief.	1:06	385.00	423.50
01/22/2025	Continue preparing initial brief.	7:00	385.00	2,695.00
01/22/2025	Continue preparing reply brief.	3:24	385.00	1,309.00
01/22/2025	Sherardize cases. Review and revise Appellant's brief for final issues. Research.	7:24	385.00	2,849.00
01/22/2025	Prepare designation of matter and proof of service. Review and revise brief. (Paralegal Time)	2:42	99.00	267.30
01/23/2025	Revise substitute brief.	1:06	385.00	423.50
01/23/2025	Continue revising draft substitute brief.	2:00	385.00	770.00
01/23/2025	Prepare proof of service. Review motion for extension of time. (Paralegal Time)	0:30	99.00	49.50
01/23/2025	Work on substitute brief. (Paralegal Time)	4:54	99.00	485.10
	Transcript	1	1,010.60	1,010.60

A 1.5% late fee will be added per month for payments not received within 30 days.

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SUBTOTAL	10,576.20
DISCOUNT	-1,000.00
TOTAL	9,576.20
PAYMENT	9,576.20
BALANCE DUE	\$0.00

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INVOICE

BILL TO
Susan Rutherford

INVOICE # 2311
DATE 05/01/2025
DUE DATE 05/31/2025
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
03/12/2025	Call with court of appeals regarding filings in case. (Paralegal Time)	0:24	99.00	39.60

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PAYMENT 39.60
BALANCE DUE **\$0.00**

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Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2335
DATE 06/18/2025
DUE DATE 07/18/2025
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
05/05/2025	Review correspondences from opposing counsel. Respond. To correspondence and inform client of motion for continuance.	0:06	385.00	38.50

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PAYMENT 38.50
BALANCE DUE **\$0.00**

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INVOICE

BILL TO
Susan Rutherford

INVOICE # 2349
DATE 07/31/2025
DUE DATE 08/30/2025
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
06/04/2025	Review correspondence to Court of Appeals. Draft correspondence to client regarding the same.	0:06	385.00	38.50
06/12/2025	Review and revise draft motion for extension. Draft correspondence regarding same.	0:18	385.00	115.50
06/12/2025	Prepare draft of motion for extension of time. (Paralegal Time)	0:36	99.00	59.40
06/18/2025	Draft correspondence to the Court of Appeals regarding motion for extension.	0:12	385.00	77.00
06/26/2025	Work on draft of final brief. (Paralegal Time)	3:06	99.00	306.90
	1.5% - Applied on Aug 31, 2025			8.96
	1.5% - Applied on Sep 30, 2025			9.09

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PAYMENT 615.35
BALANCE DUE **\$0.00**

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107 Pendleton St NW
Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2360
DATE 09/05/2025
DUE DATE 10/05/2025
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
07/11/2025	Corresponded with printer regarding bound final brief. (Paralegal Time)	0:24	99.00	39.60
07/14/2025	Review and revise initial brief to make final. Make final and have filed.	2:54	385.00	1,116.50
07/14/2025	Finalize final brief. Draft proof of service. (Paralegal Time)	1:00	99.00	99.00
07/18/2025	Call to Court Of Appeals. Draft correspondence to Court Of Appeals.	0:06	385.00	38.50
	Columbia Printers	1	70.81	70.81

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PAYMENT 1,364.41
BALANCE DUE **\$0.00**

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INVOICE

BILL TO
Susan Rutherford

INVOICE # 2366
DATE 09/18/2025
DUE DATE 10/18/2025
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
08/04/2025	Review correspondence from counsel for plaintiff to the court of appeals. Review response from Court Of Appeals. Draft correspondence informing client of same.	0:12	385.00	77.00

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BALANCE DUE **\$0.00**

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Carroll Law Offices, P.A.
107 Pendleton St NW
Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2422
DATE 03/27/2026
DUE DATE 04/26/2026
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
02/03/2026	Review correspondence from the court of appeals. Inform client of same.	0:06	385.00	38.50

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PAYMENT
BALANCE DUE

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\$0.00

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Carroll Law Offices, P.A.
107 Pendleton St NW
Aiken, SC 29801 US

INVOICE

BILL TO
Susan Rutherford

INVOICE # 2430
DATE 04/15/2026
DUE DATE 05/15/2026
TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
03/24/2026	Research appellate costs and attorneys fees recovery.	0:12	385.00	77.00

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BALANCE DUE **\$0.00**

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Apr 23 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Case No. 2021-CP-02-00766
App. Case No. 2024-000545

Melanie Hozey,

Appellant,

v.

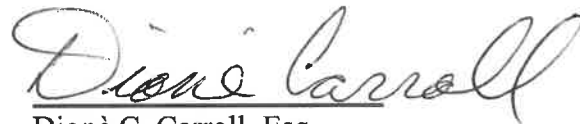
Alan Rutherford and Susan Rutherford

Respondents.

PROOF OF SERVICE

I certify that I have served the Motion for Award of Attorney's Fees and Costs on Behalf of Appellees and Itemized Statement of Costs on the Appellant by having a copy of it electronically mailed to her attorneys at mccants3rd@aol.com and clarkemccants4@gmail.com and by having a copy of it deposited in the United States Mail, postage prepaid, on April 23, 2026, addressed to her attorneys, Clarke McCants, III and Clarke McCants IV at 218 Newberry Street SW, Aiken, SC.

Respectfully submitted,



Dionè C. Carroll, Esq.

S.C. Bar 78185

ATTORNEY FOR RESPONDENTS

Carroll Law Offices, P.A.

107 Pendleton St. NW

Aiken, SC 29801

Phone: 803-514-2557

Fax: 866-954-0184

Email: dione@carroll-law-offices.com

April 23, 2026

Aiken, South Carolina