

The South Carolina Court of Appeals

M. Edward Wilson, Jr., Respondent,

v.

Marquee Limo Co., LLC and Paul Brown, Appellants.

Appellate Case No. 2025-001314

ORDER

Respondent filed a motion for costs pursuant to Rule 222 of the South Carolina Appellate Court Rules seeking to recover \$2,500.00 in attorney's fees, \$379.00 for the cost of the court reporter's transcript, and \$100.00 in filing fees. No return was filed. After careful consideration, we grant the motion in part. *See* Rule 222(a), SCACR ("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 judgment on appeal is affirmed."). In light of the dismissal of the appeal occurring early in the appellate process, this Court exercises its discretion to award \$1,500.00 in attorney's fees and \$379.00 for the cost of the court reporter's transcript. *See* Rule 222(b), SCACR (permitting an appellate court to award an attorney's fee); *Austin v. Stokes-Craven Holding Corp.*, 406 S.C. 187, 199, 750 S.E.2d 78, 84 (2013) (explaining that "it is within [the appellate court's] discretion whether to award fees and costs under Rule 222"). We deny Respondent's request to recover the cost of filing fees because Rule 222(b) only allows for recovering the cost of the notice of appeal filing fee, which Respondent did not pay. *See* Rule 222(b), SCACR (allowing the recovery of "the filing fee paid under Rule 203(d) [of the South Carolina Appellate Court Rules]"). The lower court is directed to add this award of costs to the remittitur.



J.

FILED
Apr 27 2026

Columbia, South Carolina

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