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May 18 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas**

**The Honorable Bentley Price
Circuit Court Judge**

Appellate Case No.: 2022-000592

Pamela Holliday Wallin; Mark Bennett Holliday; Kingsley K. Holliday; Sara Jane Holliday; and John C. Holliday Appellants,

vs.

Ross Samuel Holliday as Personal Representative of the Estate of Warren Phillip Holliday; Ross Samuel Holliday, individually, Warren Lea Holliday, individually; 2233 Highway 17 North, LLC; 2237 Highway 17 North, LLC; 2805 Highway 17 North, LLC; 1606 Meeting Street, LLC; Bacons Bridge Road, LLC; 4687 Franchise Street, LLC; Zeezrom Properties, LLC; John Doe Leased Vehicle; 1905 North Main Street, Summerville, LLC; 815 Folly Road, LLC; 832 Coleman Blvd., LLC; 2189 Discher Avenue, LLC; New Space Science, LLC; Pirates Plunder, LLC; Sawgrass Technologies, Inc.; Holliday Amusement Company, Inc.; and The Revocable Trust Agreement between Warren P. Holliday as Settlor and as Trustee Respondents.

RETURN TO APPELLANTS' MOTION FOR COSTS

Appellants seek an award of fees and costs pursuant to Rule 222, SCACR, which provides that the party entitled to recover costs may, to the extent the party actually incurred the costs, recover the following:

(1) the filing fee paid under Rule 203(d); (2) the cost of the court reporter's transcript; (3) premiums paid for costs of supersedeas bonds or other bonds obtained to preserve rights pending appeal; (4) the cost of printing the Record on Appeal under Rule 209; and (5) the cost of printing the party's final brief(s) under Rule 210. In addition, the party shall be entitled to recover an attorney's fee in an amount which shall be set by order of the Supreme Court. The allowance of

additional costs will generally not be allowed except in the most extraordinary of circumstances.

SCACR 222(b). Respondents oppose an award of costs associated with the printing or copying of six additional copies of the record and six additional copies of Appellants' final brief and reply brief.

In their Motion for Costs, Appellants seek attorney's fees as provided for under Rule 222(b) and they seek the following costs, which costs Respondents do not challenge: "cost of printing or copying record on appeal, final brief, and reply brief (one copy of each for the Court)"; filing fee; and cost of court reporter's transcript for three hearings. Appellants seek one additional cost, which Respondents challenge by way of this Return: costs in the amount of \$2,656.44 for the "printing or copying record on appeal, final brief, and reply brief (six (6) additional copies of each as requested by the Court)."

Under Rule 210, SCACR, which governs the record on appeal, "[t]he appellant must file the Record on Appeal with the clerk of the appellate court no later than the date his brief(s) are due under Rule 211. As provided by Rule 267(d), one copy filed with the appellate court shall be filed unbound or filed by electronic means. The appellate court may require an appellant to file additional copies of the Record on Appeal." SCACR 210(b). Under Rule 211, SCACR, governing final briefs, "one copy [of the party's final brief(s)] filed with the appellate court shall be filed unbound . . . [t]he appellate court may require a party to file additional copies of its brief(s)." SCACR 211(a).

Rule 222 authorizes the reimbursement of costs incurred in the printing of one copy of Appellants' final brief and reply brief and one copy of the record on appeal. Costs associated with the printing of the additional six copies of the briefs and record are "additional costs," which the

Court should not authorize. Additionally, costs in the amount of \$2,656.44 for six additional copies of what the Rule requires is neither reasonable nor appropriate.

Respondents respectfully request that the cost of \$2,656.44 incurred in printing or copying six copies of the record on appeal, final brief, and reply brief be denied.

Respectfully submitted,

s/Alice F. Paylor
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