

**RECEIVED**

**Jun 02 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

\_\_\_\_\_  
Appeal from Marlboro County  
Court of Common Pleas  
Civil Action No. 2021-CP-34-00163

The Honorable Michael S. Holt, Circuit Court Judge

\_\_\_\_\_  
Appellate Case No.: 2023-000919  
\_\_\_\_\_

Ronald David Kirby, Jr. ....Appellant,

v.

Todd Provencher.....Respondent.

\_\_\_\_\_  
**MOTION FOR COSTS UNDER RULE 222, SCACR**

Florence, South Carolina

June 2, 2026

\_\_\_\_\_  
TURNER, PADGET, GRAHAM & LANEY, P.A.

By: \_\_\_\_\_

J. René Josey (S.C. Bar # 3230)  
Jeffrey L. Payne (S.C. Bar # 15136)  
Post Office Box 5478  
Florence, SC 29502-5478  
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JPayne@TurnerPadget.com

*ATTORNEYS FOR APPELLANT*

Other Counsel of Record:  
Edgar Lloyd Willcox, II, Esq.  
PO Box 1909  
Florence, SC 29503

Appellant moves, pursuant to Rule 222 SCACR, for an award of costs and attorney's fees incurred in pursuing this appeal. Rule 222(a) provides that, unless otherwise ordered or agreed upon by the parties, costs shall be taxed against the Respondent when the appeal is dismissed. Rule 222(b) SCACR, entitles the prevailing party on appeal to recover costs actually incurred in responding to an appeal including an attorney's fee award of Two Thousand Five Hundred and 00/100 (\$2,500.00) Dollars. Accordingly, Appellant asks the Court to award him Two Thousand Six Hundred Eighty and 50/100 (\$2,680.50) Dollars in costs and attorney's fees under Rule 222(b), SCACR. In support of our motion, we have attached an Itemized Statement of Costs, pursuant to Rule 222(b), SCACR.

Florence, South Carolina

June 2, 2026

TURNER, PADGET, GRAHAM & LANEY, P.A.

By: 

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Ronald David Kirby, Jr.....Appellant,

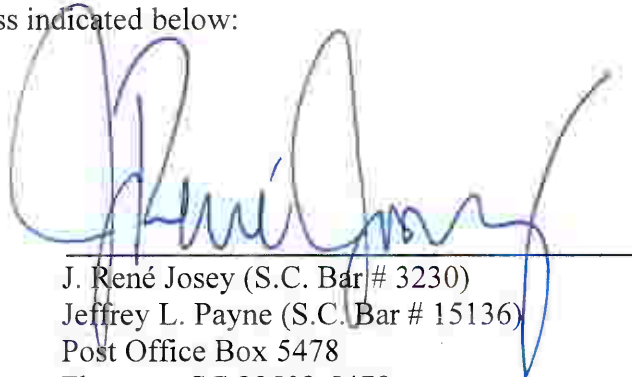
v.

Todd Provencher.....Respondent.

\_\_\_\_\_  
**PROOF OF SERVICE**  
\_\_\_\_\_

I certify that I have served a copy of the Motion for Costs and Itemized Statements of Costs by depositing copies of the same in the United States mail, postage prepaid, on June 2, 2026, to counsel for the Respondent at the address indicated below:

E. Lloyd Willcox, II, Esquire  
Willcox, Buyck & Williams, P.A.  
PO Box 1909  
Florence, SC 29503-1909  
lloyd@willcoxlaw.com



\_\_\_\_\_  
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ATTORNEYS FOR APPELLANT

Jun 02 2026

SC Court of Appeals

**J. René Josey**

REPLY TO:

E-Mail: [JJosey@TurnerPadget.com](mailto:JJosey@TurnerPadget.com)  
Writer's Direct Dial: (843) 656-4451  
Writer's Direct Fax: (843) 413-5818

June 2, 2026

**VIA US MAIL AND EMAIL**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

Re: Todd Provencher v. Ronald David Kirby, Jr.  
Appellate Case No.: 2023-000919  
TPGL File No.: 18280.102

Dear Ms. Kitchings:

Please find attached a Motion to Award Costs Under Rule 222 SCACR and Itemized Statement of Costs regarding the above-referenced matter. We have also attached the Proof of Service regarding the same.

We would respectfully request that you file the attached documents and return a clocked copy of the Motion to Award Costs Under Rule 222 SCACR, Itemized Statement of Costs and Proof of Service to me via electronic mail. Please be advised that my firm has, by hard-copy of this letter, placed a check in today's outgoing mail to cover the requisite filing fee.

By copy of this letter with enclosures to counsel for the Respondent, Edgar Lloyd Willcox, II, Esquire, I am herewith serving him with copies of the same.

Sincerely,

TURNER PADGET GRAHAM & LANEY P.A.

J. René Josey

JRJ/alb

cc: E. Lloyd Willcox, II, Esq. (via E-mail)