

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

172242

Frank R. Addy, Jr., Circuit Court Judge

Appellate Case No. 2012-212543
Lower Case No. 2008-CP-36-428

Forrest Byrd Appellant

v.

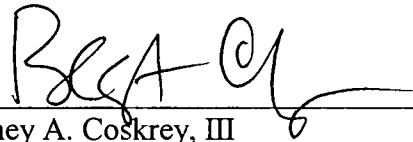
Judy Livingston and TIAA Timberlands, II, LLC Respondents

MOTION FOR COSTS OF RESPONDENT
TIAA TIMBERLANDS II, LLC

Respondent TIAA Timberlands II, LLC (“TIAA”) hereby moves this Court for an award of costs pursuant to Rule 222, S.C.A.C.R. The grounds for this Motion are that the lower court’s judgment was affirmed by this Court and rehearing was denied. *Byrd v. Livingston and TIAAA Timberlands II, LLC*, Op. No. 4973 (S.C. Ct. App filed May 16, 2012, rehearing denied June 22, 2012). Appellant Byrd then filed a Petition for Certiorari, which was denied by the S.C. Supreme Court on May 7, 2014. The remittitur issued on May 15, 2014.

This Motion is supported by the Statement of Costs of TIAA Timberlands II, LLC being filed herewith. The costs sought, as detailed in that Statement, total \$1083.36.

Respectfully submitted,



Blaney A. Coskrey, III
1201 Main Street, Suite 1980
Columbia, South Carolina 29201

Attorney for Respondent TIAA Timberlands, II, LLC

Columbia, S.C.
May 20, 2014

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appellate Case No. 2012-212543
Lower Court Case No. 2008-CP-36-428

FORREST BYRD)	
)	
Appellant,)	
vs.)	
)	
JUDY LIVINGSTON, TIAA TIMBERLANDS, II, LLC)	
)	
Respondents)	
)	

**ITEMIZED STATEMENT OF COSTS
of TIAA TIMBERLANDS, II, LLC**

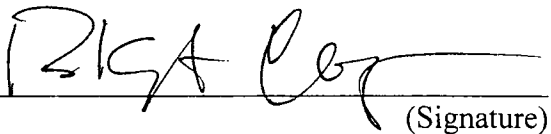
The Appellate Court is requested by Respondent TIAA Timberlands, II, LLC to tax the following costs against Forrest Byrd, Appellant.

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief ¹	460 pages 20 briefs	0.08 (copies) 3.25 (binding)	Total \$108.93 /2 = \$54.46	
Cost of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 203(d), SCACR				
Cost of Court Reporter's Transcript	32 pages	0.75 per page, postage \$4.90	\$28.90	

¹The total cost of printing and binding the final brief, \$108.93, was shared by the Respondents. This Respondent seeks its share of the cost: \$54.46.

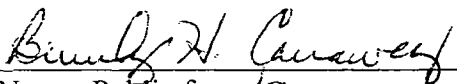
Other (specify and explain):				
COSTS TAXABLE UNDER RULE 242(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing or Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing fee paid under Rule 242(c), SCACR				
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$1083.36	

I, Blaney A. Coskrey, III, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.


(Signature)

Attorney for Respondent TIAA Timberlands, II, LLC

Subscribed and sworn to before me this 20th day of May, 2014.


Notary Public for NC

My Commission Expires: 3/27/2022
(Seal)

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Appellate Case No. 2012-212543
Lower Court Case No. 2008-CP-36-428

Forrest Byrd Appellant

v.

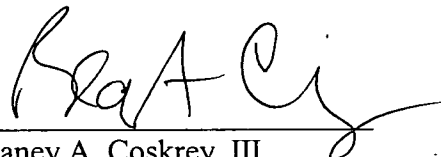
Judy Livingston and TIAA Timberlands, II, LLC Respondent

PROOF OF SERVICE

I certify that I have served the Motion for Costs and Statement of Costs on counsel of record by depositing a copy of it in the United States Mail, postage prepaid, addressed to their attorney of record as follows:

B. Michael Brackett, Esquire
Moses Koon & Brackett, PC
PO Box 100261
Columbia, SC 29202-3261
Attorneys for Appellant Forrest Byrd

Timothy D. Savidge, Esquire
Bufkin Law Firm, LLC
P.O. Box 419
Prosperity, South Carolina 29127
Attorneys for Respondent Judy Livingston



Blaney A. Coskrey, III
1201 Main Street, Suite 1980
Columbia, South Carolina 29201
(803) 748-1202

May 20, 2014

LAW OFFICE OF
Blaney A. Coskrey, III

Capitol Center Tower
1201 Main Street, Suite 1980
Columbia, South Carolina 29201

Telephone: (803) 748-1202

Facsimile: (803) 748-1302

e-mail: coskrelaw@sc.rr.com

May 20, 2014

Via Hand-Delivery

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, S.C. 29201

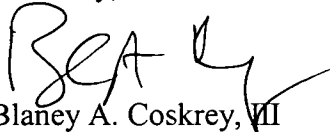
Re: *Forrest Byrd v. Judy Livingston and TIAA Timberlands II, LLC*
Appellate Case No. 2012-212543
Lower Court case No. 2010180569
Our file no. 08-473

Dear Ms. Kitchings:

Please find enclosed for filing behalf of Respondent TIAA Timberlands II, LLC, an original and six copies of a Motion for Costs, Statement of Costs, and Proof of Service in the above-referenced appeal. By copy of this letter I am serving all counsel of record.

Please accept my high regards.

Sincerely,


Blaney A. Coskrey, III

cc: Timothy Savidge, Esquire
B. Michael Brackett, Esquire
(Via US mail, with 1 copy of enclosures)