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JUN 26 2014

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Deborah Brooks Durden, Administrative Law Judge

Appellate Case No. 2012-210327

Carolina Walk, LLC and Serrus Carolina Walk, LLC,.....Appellants,

v.

Richland County Assessor,Respondent.

MOTION FOR COSTS

Pursuant to Rule 222, SCACR, Respondent, Richland County Assessor, moves this Court for an order taxing costs against Appellants Carolina Walk, LLC and Serrus Carolina Walk, LLC. In support of its motion, Respondent would respectfully show unto the Court as follows:

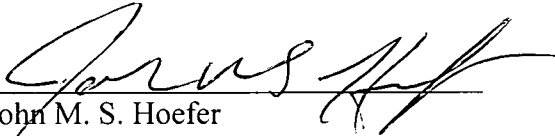
1. On March 29, 2012, Appellants filed a notice of appeal in the court of appeals from the decision of the administrative law court in the above-referenced matter. The parties subsequently submitted their briefs and a record on appeal to the court of appeals.

2. The Court certified the appeal for review pursuant to Rule 204(b), SCACR.
3. The Court heard oral argument in the appeal on January 21, 2014.
4. On June 4, 2014, the Court issued its Opinion No. 2014-MO-016 affirming the administrative law court.
5. No petition for rehearing was filed by Appellants.
6. This Court issued its remittitur to the administrative law court on June 20, 2014.
7. Pursuant to Rule 240(c), SCACR, Respondent submits the attached memorandum, and the Itemized Statement of Costs totaling \$1,812.24 incorporated therein by reference as an exhibit, in support of the within motion.

WHEREFORE, Respondent respectfully requests that the costs and attorney's fee shown in its Itemized Statement of Costs be taxed against Appellants, that such costs and attorney's fee become part of the judgment in this matter and be added to the remittitur as provided in Rule 222(e), SCACR, and that it be granted any further relief that the Court deems just and proper.

[Signature page to follow]

Respectfully submitted,



John M. S. Hoefler

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803-252-3300

Malane S. Pike

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White Rock, SC 29177

(803) 622-1493

Attorneys for Respondent
Richland County Assessor

Columbia, South Carolina
June 26, 2014

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**MEMORANDUM IN SUPPORT
OF MOTION FOR COSTS**

Pursuant to Rule 222, SCACR, Respondent Richland County Assessor (“Assessor”) hereby moves for an order taxing costs against Appellants Carolina Walk, LLC and Serrus Carolina Walk, LLC (“Carolina Walk”). In support of its motion, Assessor submits the within memorandum in accordance with Rules 222(d) and 240, SCACR and the attached itemized sworn statement of costs in accordance with Rule 222(d), SCACR.

ARGUMENT

In *Carolina Walk, LLC and Serrus Carolina Walk, LLC*, Mem. Op. No. 2014-MO-016 (S.C. Sup. Ct. filed June 4, 2014 (“Opinion”), the Court affirmed the Administrative Law Court

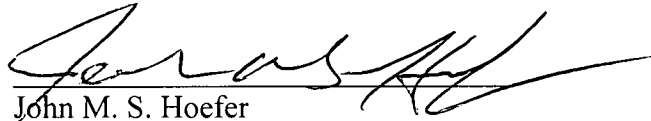
("ALC"). No petition for rehearing was submitted by Appellants and the remittitur was issued by the Clerk.

When a judgment is affirmed, costs shall be taxed against the Respondent. Rule 222(a), SCACR. The party entitled to recover costs under this rule may, to the extent that the party actually incurred these costs, recover the following: (1) the filing fee; (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; and (5) the cost of printing the party's final brief(s). Rule 222(b), SCACR. In addition, the party shall be entitled to recover an attorneys' fee in the amount of \$1,000. *Id.* Furthermore, additional costs may be allowed in the most extraordinary circumstances. *Id.*

Because the Court affirmed the ALC's ruling, costs should be taxed against Carolina Walk. *See* Rule 222(a). During this appeal, Assessir incurred the costs shown on the sworn Itemized Statement of Costs attached hereto and incorporated herein. Accordingly, the Court should tax Carolina Walk in the amount of \$1,812.24.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,



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Richland County Assessor

Columbia, South Carolina
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ITEMIZED STATEMENT OF COSTS

The Supreme Court is requested to tax the following costs against Appellants City of Myrtle Beach:

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Respondent's Brief	660	\$0.1735 per page	\$114.49	
Cost of Printing or Copying Final Brief Responding to Amicus Curiae Brief	560	\$0.1886 per page	\$105.60	
Cost of Court Reporter's Transcript	N/A	N/A	\$592.15	
Attorney's Fee Provided By Rule 222(b), SCACR	N/A	N/A	\$1,000.00	
Other (specify and explain): Filing fee incurred as a result of filing this motion for costs	N/A	N/A	N/A	

TOTAL COSTS REQUESTED TO BE TAXED: \$1,812.24

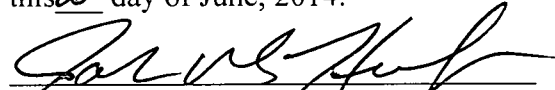
I, Malane S. Pike, do swear that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon opposing counsel.



Malane S. Pike
PO Box 729
White Rock, SC 29177
(803) 622-1493

Attorney for Respondent
Richland County Assessor

Subscribed and sworn to before me
this 26th day of June, 2014.



Notary Public for South Carolina

My Commission Expires: 12-28-16

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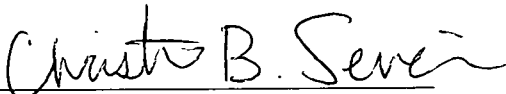
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Richland County Assessor,.....Respondent.

CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day one (1) copy of **Respondent's Motion for Costs, Supporting Memorandum, and Itemization** by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

Burnet Rhett Maybank, III, Esquire
Tanya A. Gee, Esquire
P.O. Drawer 2426
Columbia, SC 29202-2426


Christine B. Severin

Columbia, South Carolina
June 26, 2014