

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

Appeal from Berkeley County
Court of Common Pleas

Roger M. Young, Circuit Court Judge

73077

Civil Case No. 2010-CP-08-4453
Ct. App. Tracking No. 2012 - 212325
Sup. Ct. No. 2014-000310

L.G. Elrod,

Appellant,

v.

Berkeley County Sheriff's Department, and
H. Wayne DeWitt,

Respondents.

Motion for Costs

The Respondents move this Court, pursuant to Rule 222(d), SCACR, to tax costs on appeal in the amount of \$1102.76 against the Appellant L.G. Elrod.

Pursuant to Rule 222(a), "costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed." Rule 222(e) provides "If a petition for a writ of certiorari is sought under Rule 242, the Court of Appeals shall tax costs only in those cases in which the petition for a writ of certiorari is denied."

In support of this motion, the appellate records will show unto the Court that:

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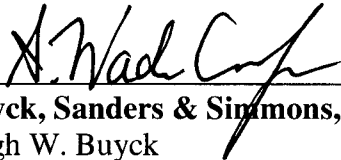
AUG 04 2014

SC Court of Appeals

1. The Court of Appeals issued its opinion on October 9, 2013, affirming the trial court's order granting summary judgment;
2. The Appellant petitioned for rehearing on November 7, 2013, which was denied by order of the Court of Appeals issued on January 24, 2014;
3. Thereafter, on February 20, 2014, the Appellant filed a petition for a writ of certiorari with the Supreme Court, which was denied by order issued July 25, 2014.

The Respondents are submitting an Itemized Statement of Costs herewith for \$102.76 in printing costs for the Final Brief of the Respondents and the standard \$1000.00 attorney fees allowed to a prevailing party.

Respectfully submitted,



Buyck, Sanders & Simmons, LLC

Hugh W. Buyck

G. Wade Cooper

Post Office Box 2424

Mount Pleasant, S.C. 29465-2424

(843) 377-1400

(843) 377-1403 (fax)

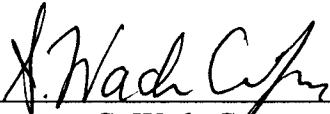
hwb@buyckfirm.com

Counsel for the Respondents

Certificate of Service

I, G. Wade Cooper , attorney for the Respondents , do hereby certify that on August 1, 2014, I served a copy of the foregoing Motion and the associated Itemized Statement of Coasts on Counsel for Appellant, via U.S. Mail, first class, postage prepaid to the following address:

M. Brooks Derrick
36 Broad Street
Charleston, SC 29401



G. Wade Cooper

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L.G. Elrod,

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Respondents.

Itemized Statement for Costs

The Appellate Court is requested to tax the following costs against

Appellant L.G. Elrod
(Name of Party)

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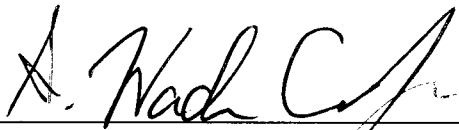
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SC Court of Appeals

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief of Respondent	361 pp.	.11 per page	39.71	
	19 sets	1.00 covers	19.00	
	18 sets	2.00 binding	36.00	
Tax			8.05	
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				
Attorney's Fee Provided By Rule 222(b), SCACR			\$1,000.00	
Other (specify and explain):				
		TOTAL	\$1102.76	

I, G. Wade Cooper, 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)

Buyck, Sanders & Simmons, LLC

Hugh W. Buyck

G. Wade Cooper

Post Office Box 2424

Mount Pleasant, S.C. 29465-2424

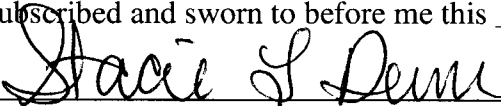
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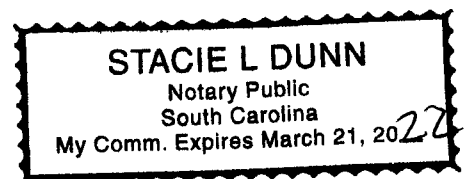
Attorney for Respondents

Subscribed and sworn to before me this 15th day of August, 2014.



Notary Public for Charleston Co., SC

My Commission Expires: March 21, 2022



BUYCK, SANDERS & SIMMONS, LLC

ATTORNEYS & COUNSELORS AT LAW

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Hugh W. Buyck
Darren K. Sanders
Chilton Grace Simmons

G. Wade Cooper
Elizabeth W. Ballentine

August 1, 2014

The Honorable Jenny Abbott Kitchings
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: L. G. Elrod v. Berkley County Sheriff's Department
Ct. App. Tracking No. 2012 – 212325
Sup. Court Appellate Case No. 2014-000310

Dear Clerk:

Enclosed please find the original and six copies of the Respondents' Motion for Costs and Itemized Statement along with the filing fee. As evidenced on my certificate of service, I am serving Counsel for the Appellant by mail this same day.

With appreciation for your consideration and cooperation in this regard,

Yours truly,


G. Wade Cooper

Enclosures

cc: Deborah H. Sheffield, Esq. (via e-mail only)
M. Brooks Derrick, Esq.
36 Broad Street
Charleston, SC 29401

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SC Court of Appeals

BUYCK, SANDERS & SIMMONS, LLC

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SC Court of Appeals

THE HONORABLE JENNY ABBOTT KITCHINGS
S.C. COURT OF APPEALS
P.O. BOX 11629
COLUMBIA, SC 29211

