

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM SUMTER COUNTY  
Clifton Newman, Circuit Court Judge

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Opinion No. 27419  
(S.C. S.Ct. filed July 16, 2014)

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**RECEIVED**  
AUG 18 2014  
S.C. Supreme Court

Joe Perry and Osteen Publishing Co., Inc., ..... Appellants,

v.

Harvin Bullock, in his capacity  
as Sumter County Coroner, ..... Respondent.

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**MOTION FOR COSTS ON APPEAL**

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The Respondent Harvin Bullock, in his capacity as Sumter County Coroner, moves this Court, pursuant to Rule 222(d), SCACR, to tax costs on appeal in the amount of \$1,108.96 against the Appellants.

The requested costs on appeal are set forth in the Statement of Costs on Appeal which is filed herewith.

DAVIDSON & LINDEMANN, P.A.

BY:  \_\_\_\_\_

ANDREW F. LINDEMANN  
1611 Devonshire Drive  
Post Office Box 8568  
Columbia, South Carolina 29202  
(803) 806-8222

*Counsel for Respondent*

Columbia, South Carolina

August 18, 2014

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**MEMORANDUM IN SUPPORT OF  
MOTION FOR COSTS ON APPEAL**

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On July 16, 2014, the South Carolina Supreme Court issued a published decision affirming the Circuit Court's granting of summary judgment to the Respondent Harvin Bullock, in his capacity as Sumter County Coroner. The Appellants did not file a petition for rehearing, and the Remittitur was issued by this Court on August 1, 2014.

Rule 222(a), SCACR, provides that "costs shall be taxed against appellant when the appeal is dismissed or judgment on appeal is affirmed." See, Rule 222(a), SCACR. Therefore, as a prevailing party, the Respondent Harvin Bullock is entitled to an award of costs on appeal in accordance with Rule 222(b), SCACR, which includes the costs of the court reporter's transcript and the printing of the final brief. The Respondent Harvin Bullock is also entitled to attorneys' fees in the amount of \$1,000.00, which is an amount set by order of the Supreme Court.

As a result, the Respondent Richland County moves this Court, pursuant to Rule 222(d), SCACR, for costs on appeal in the amount of \$1,108.96. The requested costs on appeal are set forth in the Statement of Costs on Appeal, which is also filed herewith.

Respectfully submitted,

DAVIDSON & LINDEMANN, P.A.

BY:  \_\_\_\_\_

ANDREW F. LINDEMANN  
1611 Devonshire Drive  
Post Office Box 8568  
Columbia, South Carolina 29202  
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Columbia, South Carolina

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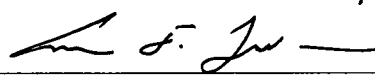
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**STATEMENT OF COSTS ON APPEAL**

The Clerk of the South Carolina Supreme Court is requested to tax the following costs against the Appellants:

<b>COSTS AND FEES TAXABLE UNDER RULE 222(d), SCACR</b>	<b>NO. OF PAGES</b>	<b>RATE</b>	<b>REQUESTED</b>	<b>ALLOWED</b> (For Court use only)
Cost of Printing Final Brief:			\$ 83.46	
Attorney's Fee Provided By Rule 222(b), SCACR			\$ 1,000.00	
Other (specify and explain): Motion for Summary Judgment Hearing Transcript			\$ 25.50	
<b>TOTAL ....</b>			<b>\$ 1,108.96</b>	

I, Andrew F. Lindemann, do swear that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon the Appellants' counsel by first class mail.



ANDREW F. LINDEMANN

*Counsel for Respondent*

SWORN TO BEFORE ME THIS 18th  
DAY OF AUGUST 2014



(SEAL)  
NOTARY PUBLIC FOR S.C.  
COMMISSION EXPIRES: 01-13-2020

Approved: \_\_\_\_\_  
CLERK

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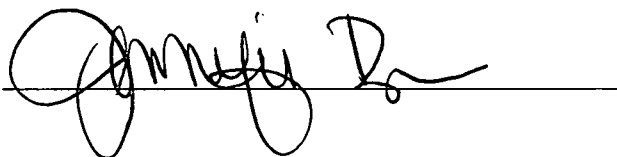
**CERTIFICATE OF SERVICE**

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The undersigned employee of Davidson & Lindemann, P.A., counsel for the Respondent, does hereby certify that service of the below listed documents in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed address clearly indicated on said envelope this the 18th day of August 2014:

1. Motion for Costs on Appeal
2. Memorandum in Support of Motion for Costs on Appeal
3. Statement of Costs on Appeal

Jay Bender, Esquire  
Baker, Ravenel & Bender, LLP  
Post Office Box 8057  
Columbia, South Carolina 29202

A handwritten signature in black ink, appearing to read "Jay Bender", is written over a horizontal line. The signature is stylized and cursive.