

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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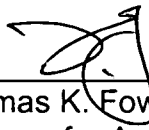
Andreal Holland)
Appellant,)
)
v.)
)
JC Witherspoon, Jr., Inc., A.K. Mulch, LLC)
and Capital City Insurance Company)

S.C. SUPREME COURT

NOTICE OF MOTION
AND
MOTION FOR AWARD
OF COSTS & FEES

NOW COMES THE APPELLANT, Andreal Holland, by and through his undersigned Counsel, respectfully requesting an award of appeal costs and attorney fees pursuant to Rule 222, SCACR. The costs and fees requested are shown upon the attached Form 17 this Honorable Court is requested to tax the attached costs and fees against the Respondents jointly and severally.

Respectfully submitted,



Thomas K. Fowler, Jr.
Attorney for Appellant
S.C. Bar #: 2102
PEAKE & FOWLER LAW FIRM, P.A.
9357 Two Notch Road
P.O. Box 23601
Columbia, SC 29224
(803) 788-4370

September 17, 2014

**FORM 17
ITEMIZED STATEMENT OF COSTS**

THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Andreal Holland)
Appellant,)
)
v.)
)
JC Witherspoon, Jr., Inc., A.K. Mulch, LLC)
and Capital City Insurance Company)

The Appellate Court is requested to tax the following costs against:

JC Witherspoon, Jr., Inc., A.K. Mulch, LLC
and Capital City Insurance Company, Respondents

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	46	See attached printing receipt	\$198.22	
Cost of Printing or Copying Final Reply Brief	48	\$.10 pp	\$4.80	
Cost of Printing or Copying Record on Appeal	1994	See attached printing receipt	\$636.75	
Filing Fee Paid Under Rule 203(d), SCACR			\$200.00	
Cost of Court Reporter's Transcript	n/a			
Attorney's Fee Provided By Rule 222(b), SCACR			\$1000.00	
Other (specify and explain): Shipping, Tabbing, Card stock		See attached receipt	\$ 91.58	

<i>Addendum to Record</i>	16	\$.10	\$1.60	
Return to Petition for Rehearing	48	\$.10	\$4.80	
Rule 240 Filing Fee			\$25.00	
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): <i>Addendum to Record</i>	16	\$.10	\$ 1.60	
<i>Return to Petition for Rehearing</i>	48	\$.10	\$4.80	
		TOTAL	\$ 2165.95	

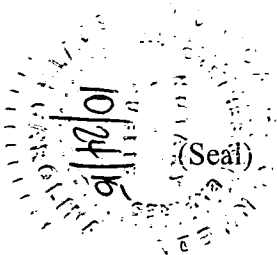
I, THOMAS K. FOWLER, JR. , do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.

(Signature)
Attorney for Appellant

Subscribed and sworn to before me this 17 day of September, 2014.

Notary Public for S.C.

My Commission Expires: 10/24/15



THE STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Andreal Holland, Appellant,

Versus

J.C. Witherspoon, Jr., Inc., A&K Mulch, LLC, and Capital
Insurance Company, Respondents.

Appellate Case Number: 2013-000276

Appeal from Clarendon County

R. Ferrell Cothran, Jr., Circuit Court Jr.

CERTIFICATE OF SERVICE

I, the undersigned, of the Law Offices of Peake, Fowler & Associates, P.A., attorneys for the claimant do hereby certify that I have served counsel of record, and Claimant, Andreal Holland, in this action with a copy of the pleading herein below specified by mailing a copy of same in the United States mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

SERVED: Mark Cauthen, Esquire
Peter P. Leventis, IV
McKay Law Firm
PO Box 7217
Columbia, SC 29202

PLEADINGS: Appellant's Notice of Motion and Motion for Award of Costs & Fees

DATE SERVED: Wednesday, September 17, 2014



Thomas K. Fowler, Jr.
S.C. Bar # 2102
Attorney for Appellant
Peake and Fowler Law Firm, P.A.
9357 Two Notch Road
P.O. Box 23601
Columbia, SC 29224
(803) 788-4370

NORTHEAST POST OFFICE
 COLUMBIA, South Carolina
 292239998
 4518030223 -0098
 08/02/2013 (800)275-8777 12:56:30 PM

		Sales Receipt		
Product Description	Sale Qty	Unit Price	Final Price	
Dom. Money Order				Void
Domestic Money Order Fee				Void
Subtotal:				Void
@@ COLUMBIA SC 29202 Zone-0			\$8.85	
Priority Mail 1-Day				
4 lb. 15.30 oz.				
Scheduled Delivery Day: Sat 08/03/13				
Includes \$50 insurance				
Label #:				
9505 5105 0190 3214 4653 17				
Issue PVI:				=====
				\$8.85

Total: \$8.85

Paid by: \$8.85
 VISA
 Account #: XXXXXXXXXXXX5461
 Approval #: 08839G
 Transaction #: 540
 23 902980184

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SALE	1546856 12 006 56906	
	0323 09/09/13 02:02	
QTY SKU		PRICE
1 STAPLES 65LB CARD		
718103095464		15.49
SUBTOTAL		15.49
Standard Tax 8.00%		1.24
TOTAL		\$16.73
Visa		16.73
Card No.:	XXXXXXXXXXXX5487 [S]	
Auth No.:	06057G	

TOTAL ITEMS 1


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Tel: (803) 699-3900

Yabbing

Order Date: 09/06/2013 Branch: 1557
Order Time: 15:38 Register: 12
Pickup Date: 9/6/2013
Pickup Time: 20:00
Team Member: Gary F.

CLAIM CHECK



* 1 5 5 7 0 1 L 0 5 1 *

Customer: Chris Cunningham

Project Name:		
Law & Order Tab		56.00
	16 @ 3.5000	
Project Name:		
Typesetting		10.00
	1 @ 10.0000	
Sub-Total (TAX NOT INCLUDED)		66.00

CLAIM CHECK




* 1 5 5 7 0 1 L 0 5 1 *

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All prices shown are estimates

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Sub-Total 290.70
 Tax 23.26
 Deposit 0.00

Total 313.96

Visa (S) 313.96

Account: 5461
 Auth: 04042G (A)

Total Tender 313.96
 Change Due 0.00

Total Discounts 371.00



* 1 5 5 7 0 0 2 3 1 9 6 *

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 Tel: (803) 699-3900

7/31/2013 12:37:43 PM EST
 Team Member: Kasey B.
 Customer: Ryan Smith

SALE

Volumes 1 & 2	Qty 2	142.24
BW 2S on 24# Wht	530 @	0.2000 T
000331 Reg. Price	0.26	
BW on Tab Paper	100 @	0.3500 T
000072 Reg. Price	0.35	
BW 1S Resume Card	4 @	0.3100 T
000005 Reg. Price	0.31	
Price per piece	71.12	
Regular Total	174.04	
Discounts	31.80	
Coil Binding	Qty 4	15.96
Coil Card Cover	4 @	3.9900 T
001284 Reg. Price	3.99	
Price per piece	3.99	
Regular Total	15.96	
Discounts	0.00	
PDF Scans	Qty 1	132.50
Auto Scan-To-Print	530 @	0.2500 T
002862 Reg. Price	0.89	
Price per piece	132.50	
Regular Total	471.70	
Discounts	339.20	



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Tel: (803) 699-3900

9/11/2013 9:46:01 AM EST
Team Member: Ashley L.
Customer: Ryan Smith

SALE

binds	Qty 46	183.54
Coil No Cover	46 @	3.9900 T
001282 Reg. Price	3.99	
Price per piece	3.99	
Regular Total	183.54	
Discounts	0.00	

Sub-Total	183.54
Tax	14.68
Deposit	0.00

Total	198.22
-------	--------

Visa (S)	198.22
----------	--------

Account: 5461
Auth: 08356G (A)

Total Tender	198.22
Change Due	0.00

Total Discounts	0.00
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T K Fowler



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7359 Two Notch Rd
Columbia, SC 29223-7619
Tel: (803) 699-3900

7/24/2013 11:19:56 AM EST
Team Member: Jason R.
Customer: Ryan Smith

SALE

Peake&Fowler	Qty 4	298.88
BW 1S on 24# Wht	4 @	0.1300 T
000330 Reg. Price	0.13	
BW 2S on 24# Wht	1160 @	0.2000 T
000331 Reg. Price	0.26	
BW on Tab Paper	180 @	0.3500 T
000072 Reg. Price	0.35	
BW 1S Cardstock	16 @	0.2100 T
000006 Reg. Price	0.21	
Price per piece	74.72	
Regular Total	368.48	
Discounts	69.60	
Sub-Total		298.88
Tax		23.91
Deposit		0.00
Total		322.79
Visa (S)		322.79
Account: 5461		
Auth: 00783G (A)		
Total Tender		322.79
Change Due		0.00