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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY
FRANK R. ADDY, CIRCUIT COURT JUDGE
EDGAR W. DICKSON, CIRCUIT COURT JUDGE
Appellate Case No. 2014-000618

Adele J. Pope, Respondent,

v.

Gloria P. Corley and Samuel M. Corley, Individually and as Trustee of the M. L. Corley
Marital Trust, Defendants,

Of whom Gloria P. Corley is Appellant.

RESPONDENT ADELE J. POPE'S REPLY TO RETURN TO MOTION FOR COSTS

Respondent Adele J. Pope replies to Appellant's Response to Motion for Costs and again asks that the Court grant the relief sought in the motion. In reply, Respondent would show:

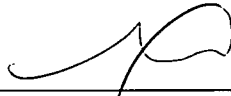
1. Mrs. Corley asserts that, in good faith, she "did not attempt to keep the appeal alive" once Respondent sought dismissal based on untimeliness. Respondent would show that Mrs. Corley is and has been represented by counsel, and the calculation of the time allowed for appeal should have been done *before* filing the Notice of Appeal.

2. As to Mrs. Corley's assertion that the fees sought are "disproportionate" to the costs incurred, the undersigned affirms that fees in excess of the amount allowed by under

Rule 222, SCACR, have been incurred in seeking and obtaining the dismissal of this unnecessary appeal. An award of the costs sought is in line with the purpose of Rule 222.

For the foregoing reasons, Respondent respectfully requests that the Court tax the costs of this appeal in the amount of \$1,000 against Appellant Gloria P. Corley.¹

Respectfully Submitted,



Adam T. Silvernail
Law Office of Adam T. Silvernail, LLC
1901 Hampton Street
Post Office Box 1898
Columbia, South Carolina 29202
Telephone: (803) 779-1770

September 3, 2014

Attorney for Respondent Adele J. Pope

¹ This is without prejudice to Appellant's right to collect additional attorneys' fees and costs incurred under the Order of the Honorable Edgar W. Dickson, dated July 15, 2013 and/or the contract.

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Marital Trust, Defendants,

Of whom Gloria P. Corley is Appellant.

PROOF OF SERVICE

I certify that on the 3rd day of September, 2014, I have served the Reply to Response to Motion for Costs on all parties by mailing a copy of same to them or their attorneys of record, by U.S. Mail, First-class postage prepaid, addressed as follows:

Desa Ballard, Esquire
Stephanie Weissenstein, Esquire
Ballard Watson Weissenstein
Post Office Box 6338
West Columbia, South Carolina 29171

Attorneys for Appellant Gloria P. Corley

Charlie M. Pender, Esquire
Craig Law Firm, PC
2001 Assembly Street, Suite 201
Columbia, South Carolina 29201

Attorney for Defendant Samuel M. Corley, individually and as Trustee of the M.L. Corley Marital Trust



Adam T. Silvernail
Law Office of Adam T. Silvernail, LLC
1901 Hampton Street
Post Office Box 1898
Columbia, South Carolina 29202
Telephone: (803) 779-1770

September 3, 2014

**LAW OFFICE OF
ADAM T. SILVERNAIL, LLC**

POST OFFICE BOX 1898
1901 HAMPTON STREET
COLUMBIA, SOUTH CAROLINA 29202

September 3, 2014

By U.S. Mail:
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, South Carolina 29211

Re: *Pope vs. Corley, et al*
Appellate Case No. 2014-000618

Dear Ms. Kitchings:

Enclosed please find an original and six (6) copies of our Reply to Return to Motion for Costs.

By copy of this letter, I am serving the motion on opposing counsel and counsel for Defendant Samuel M. Corley, Individually and as Trustee of the M.L. Corley Marital Trust.

Thank you for your assistance with this matter.

Sincerely,



Adam T. Silvernail

Enclosures

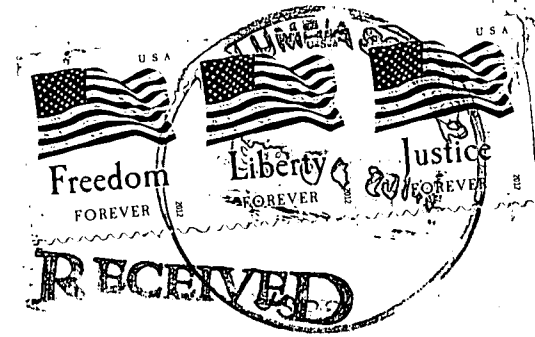
cc: Desa A. Ballard, Esquire
Adele J. Pope, Esquire
Charlie M. Pender, Esquire

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**LAW OFFICE OF
ADAM T. SILVERNAIL, LLC**

POST OFFICE BOX 1898
COLUMBIA, SOUTH CAROLINA 29202-1898

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
PO Box 11629
Columbia, South Carolina 29211



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