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S.C. Supreme Court

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM RICHLAND COUNTY
John D. McLeod, Administrative Law Court Judge

Docket No.: 09-ALJ-30-0103-AP

James "Cal" Bell, Othella Bernard, Katherina Bowyer, Linda M.W. Bratton, Ann T. Bridges, Richard M. Cobb as Personal Representative of the Estate of Rance C. Cobb, Jeannie B. Croxton, Bernetha L. Culbreath, William K. Dreyer, Jacqueline D. Farr, Ruth Fritts, Nancy Glenn, Etta Jane Jones, Geneva M. Martin, Mary H. McCabe, Beverly McClanahan, Max D. Randolph, Carolyn McIver Smith, Maggie G. Williams and Paula Woodlief,..... Appellants.

v.

South Carolina Department of Corrections and Palmetto Unified School District No. 1
..... Respondents.

MOTION FOR COSTS

Appellants move pursuant to Rule 222(b) SCACR for reimbursement of costs and fees in the above matter, filed April 12, 2012 and remitted April 30, 2012. This motion is supported by the reversal in part and remand of this case based upon the violation of statutory law precluding Appellants from exercising their priority right to recall following separation from employment due to reduction in force. The Court further found that the Respondent violated state law, as confirmed in the Opinion. Abraham v. Palmetto Unified Sch. Dist. No. 1, 343 S.C. 36, 538 S.E.2d 656 (Ct. App. 2000) For these reasons, this matter has been remanded to the State Employee Grievance Committee for the limited purpose of determining appropriate relief for the individual Appellants.

It is respectfully submitted that the Order issued by this Court provides substantial and material relief to the Appellants in a manner that justifies the award of fees and costs.

NICKLES LAW FIRM, LLC



W. Allen Nickles, III
1519 Richland Street
Columbia, South Carolina 29201
(803)779-8080

Columbia, South Carolina

Attorneys for Appellants

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v.

South Carolina Department of Corrections and Palmetto Unified School District No. 1
..... Respondents.

ITEMIZED STATEMENT OF COSTS

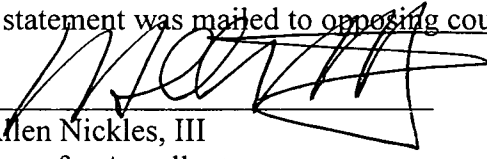
The Appellate Court is requested to tax the following costs against:

The South Carolina Department of Corrections and Palmetto Unified School District No. 1

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	612	0.142	86.90	
	36	0.15	5.40	
	17	2.00	34.00	
			8.84 (tax)	
			Total 135.14	
Cost of Printing or Copying Final Reply Brief	N/A			

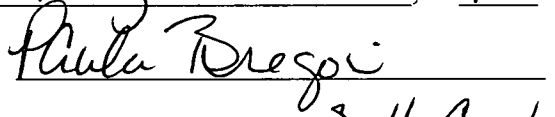
Cost of Printing or Copying Record on Appeal	61,438	.098	6,020.92	
	272	0.15	40.80	
	68	3.80	258.40	
	17	2.00	34.00	
	17	3.50	59.50	
	34	4.25	144.50	
			459.07 (tax)	
			Total: 7,017.19	
Filing Fee Paid Under Rule 203(d), SCACR			100.00	
Cost of Court Reporter's Transcript			195.00	
Attorney's Fee Provided By Rule 222(b), SCACR			1,000.00	
Other (specify and explain):				
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):				
		TOTAL	\$8,447.33	

I, W. Allen Nickles, III, 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 ~~opposing counsel~~.



W. Allen Nickles, III
Attorney for Appellants

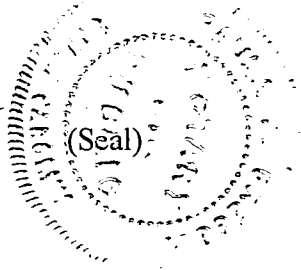
Subscribed and sworn to before me this 10th day of May, 2012.



Paula Bresci

Notary Public for South Carolina

My Commission Expires: 11/30/2016



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- ATTORNEYS AT LAW -
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W. Allen Nickles, III
Certified Circuit Court Mediator

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May 10, 2012

Via Hand Delivery

The Honorable Daniel E. Shearhouse
Clerk of Court
South Carolina Supreme Court
Post Office Box 11330
Columbia, South Carolina 29211

**RE: James "Cal" Bell, et al. v. South Carolina Department of Corrections and
Palmetto Unified School District No. 1; Docket No.: 09-ALJ-30-0103-AP**

Dear Dan:

Enclosed please find the original and six copies of Appellants' Motion and Statement of Itemized Costs in the above matter. A check for the filing fee is also enclosed. A copy of these materials has been mailed to opposing counsel as indicated on the Certificate of Service.

Thank you for your assistance and cooperation in this matter.

Sincerely,


W. Allen Nickles, III

WAN/pfb
Enclosures
cc: Lake E. Summers, Esquire
File #03-156

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