

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
The Honorable Mikell R. Scarborough, Master-in-Equity

73860

Appellate Case No. 2014-001635

Windswept Villas III Horizontal Property Regime .....Respondent,

v.

Elaine Devlin Peery a/k/a Elaine D. Peery. ....Appellant.

**RESPONDENT’S MOTION FOR COSTS PURSUANT TO RULE 222, SCACR**

Pursuant to Rule 222, SCACR, Respondent Windswept Villas III Horizontal Property Regime, by and through its undersigned counsel, hereby submits this Motion for Costs on Appeal. Rule 222(a), SCACR provides, in pertinent part: “Unless otherwise ordered by the appellate court or agreed by the parties, costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed.” Pursuant to Rule 222(b), SCACR, “the party shall be entitled to recover an attorney’s fee in an amount which shall be set by order of the Supreme Court.” By order dated July 24, 1997, the amount of this attorney’s fee was set at \$1,000.00. See Rule 222, SCACR, note 1.

Appellant filed the present appeal, and this Court dismissed this appeal on September 18, 2014. On October 7, 2014, this Court remitted Appellant’s appeal. This motion is being filed

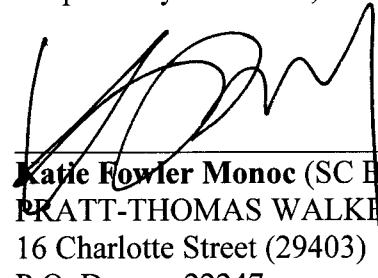
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**SC Court of Appeals**

within fifteen (15) days of the remittitur, as required by Rule 222(d), SCACR. Accordingly, attorneys' fees and costs are appropriate.

Respectfully submitted,



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**Katie Fowler Monoc** (SC Bar# 78131)  
PRATT-THOMAS WALKER, P.A.  
16 Charlotte Street (29403)  
P.O. Drawer 22247  
Charleston, S.C. 29413-2247  
(843) 727-2200  
Attorneys for Respondent Windswept Villas III  
Horizontal Property Regime

October 13, 2014

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Appellate Case No. 2014-001635

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STATEMENT OF COSTS

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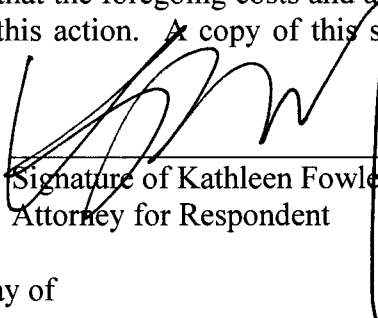
The Appellate Court is requested to tax the following costs against Elaine Devlin

Peery a/k/a Elaine D. Peery.

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief				
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): Filing Fee for Motion to Recognize the Master in			\$50.00	

Equity's Continuing Jurisdiction (\$25) and Motion for Costs (\$25)				
COSTS TAXABLE UNDER Rule 226(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 226(c), SCACR				
Attorney's fee provided by Rule 226(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$1050.00	

I, Kathleen Fowler Monoc, do swear or affirm that the foregoing costs and attorneys' fees are correct and were necessarily incurred in this action. A copy of this statement was mailed to opposing counsel.

  
 \_\_\_\_\_  
 Signature of Kathleen Fowler Monoc  
 Attorney for Respondent

Subscribed and sworn to before me this 13th day of  
 October, 2014.

Rolores M. Catapano  
 Notary Public for South Carolina  
 My Commission Expires: 10-26-22

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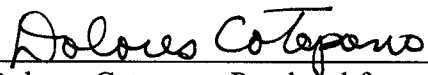
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**PROOF OF SERVICE**

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I certify that I have served Respondent's Motion for Costs and supporting Statement of Costs on Vernee C. Hancock, Esq., Appellant's attorney of record, by depositing a copy of it in the United States Mail, postage prepaid, on October 13, 2014, addressed as follows: Vernee C. Hancock, Esq., P.O. Box 2276, Summerville, South Carolina 29484.

October 13, 2014

  
\_\_\_\_\_  
Dolores Catapano, Paralegal for  
Katie Fowler Monoc, Esq.  
Pratt-Thomas Walker, P.A.  
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Charleston, South Carolina 29413-2247  
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KATHLEEN FOWLER MONOC  
JOHN P. LINTON, JR.

OF COUNSEL  
THOMAS P. GRESSETTE, JR. (SC, USVI)

October 13, 2014

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

RE: Windswept Villas III Horizontal Property Regime v. Elaine Devlin Peery  
Appellate Case No. 2014-001635

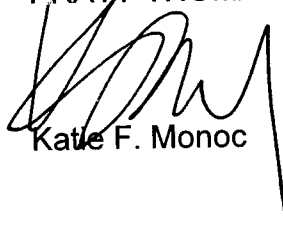
Dear Ms. Kitchings:

Please find enclosed the original and seven (7) copies of the Respondent's Motion for Costs, Respondent's Statement of Costs, and Respondent's Proof of Service, as well as the required filing fee of \$25.00, in the above referenced appeal. I would appreciate your returning a file-stamped copy of the Motion in the enclosed self-addressed envelope.

Please contact me if you have any questions. Thank you for your many courtesies in these regards.

Yours very truly,

PRATT-THOMAS WALKER, P.A.



Katie F. Monoc

KFM\dmc  
Enclosure  
cc: Vernee C. Hancock, Esq. (w/encl.)

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**PRATT-THOMAS | WALKER**

**ATTORNEYS AT LAW**

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