

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

175025

APPEAL FROM THE OCONEE COUNTY
Court of Common Pleas

The Honorable R. Lawton McIntosh

Case No. 2010-CP-37-319
Appellate Case No. 2013-001295

Randolph M. James, P.C., a North Carolina
Professional Corporation.....Appellant.

v.

Oconee County, a body politic and corporate, and a political subdivision of the
State of South Carolina.....Respondent.

MOTION FOR COSTS

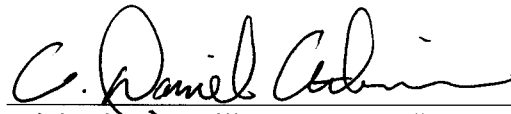
Pursuant to Rule 222, SCACR, and Rule 240, SCACR, Respondent Oconee County, a body politic and corporate, and a political subdivision of the State of South Carolina (“Respondent”), moves this Court for an Order taxing costs recoverable under Rule 222, SCACR, against Appellant Randolph M. James, P.C., a North Carolina Professional Corporation (“Appellant”).

Respondent seeks taxation of costs allowed under Rule 222(b), SCACR, because, on February 5, 2015, this Court filed an Order affirming the ruling of the Circuit Court. Pursuant to plain application of Rule 222, SCACR, Respondent is entitled to payment of taxable costs by Appellant. Provided herewith is an itemized statement of costs, demonstrating that Respondent is entitled to payment of taxable costs, including an

attorney's fee, in the amount of \$1,177.67. Accordingly, Respondent seeks an Order from this Court awarding Respondent taxable costs in the amount of \$1,177.67.

This Motion is based upon the filings, including this Court's Order filed February 4, 2015, a Memorandum of Authority, filed herewith, an Itemized Statement of Costs filed herewith, and South Carolina law.

February 9, 2015



Michael B.T. Wilkes (S.C. Bar #6107)

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C. Daniel Atkinson (S.C. Bar #72721)

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Wilkes Law Firm, P.A.
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Spartanburg, SC 29306
Telephone: (864)591-1113
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ATTORNEYS FOR RESPONDENT

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM THE OCONEE COUNTY
Court of Common Pleas

The Honorable R. Lawton McIntosh

Case No. 2010-CP-37-319
Appellate Case No. 2013-001295

Randolph M. James, P.C., a North Carolina
Professional Corporation.....Appellant.

v.

Oconee County, a body politic and corporate, and a political subdivision of the
State of South Carolina.....Respondent.

ITEMIZED STATEMENT OF COSTS


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

Randolph M. James, P.C., a North Carolina Professional Corporation:

Costs Taxable Under Rule 222, SCACR	No. of Pages	Rate	Requested	Allowed (For Court Use Only)
Cost of Printing or Copying Final Brief	522 (reg. stock) 18 (binding strip) 18 (front cover) 18 (back cover)	.13 2.45 .21	\$112.67 (w/ FedEx discount applied)	
Cost of Court Reporter's Transcript	20	3.25	\$65.00	
Attorney's Fee Provided by Rule 222(b), SCACR			\$1,000.00	
		Total	\$1,177.67	

I, C. Daniel Atkinson, do swear that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served on opposing counsel.

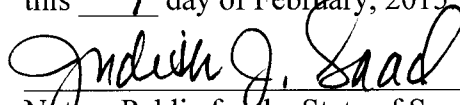
February 9, 2015


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ATTORNEY FOR RESPONDENT

Sworn to and subscribed before me
this 9 day of February, 2015


Notary Public for the State of South Carolina
My Commission Expires: 4/21/24

STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas
R. Lawton McIntosh, Circuit Court Judge

Case No. 2013-001295

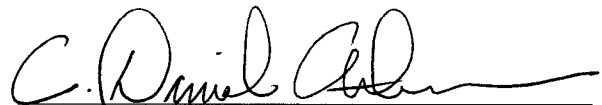
Randolph M. James, P.C.Appellant,

v.

Oconee County, South Carolina, a political
Subdivision of the State of South Carolina
d/b/a Oconee County Regional Airport (KCEU).....Respondent.

PROOF OF SERVICE

The undersigned counsel for Respondent Oconee County, a body politic of the State of South Carolina certifies that he has served Respondent's *Motion for Costs, Memorandum in Support of Motion for Costs, and Itemized Statement of Costs* on counsel for Appellant Randolph M. James, P.C., Tracy L. Eggleston, Cozen O'Connor, One Wells Fargo Center, Suite 2100, 301 South College Street, Charlotte, North Carolina 28202 by depositing a copy of same in the U.S. Mail, postage prepaid, on this 9th day of February, 2015.



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ATTORNEYS FOR RESPONDENT
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South Carolina*

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February 9, 2015

VIA U.S. MAIL

V. Claire Allen, Deputy Clerk
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

**Re: *Randolph M. James P.C. a North Carolina Professional Corporation, Appellant
v. Oconee County, South Carolina, a political Subdivision of the State of South
Carolina d/b/a Oconee County Regional Airport (KCEU), Respondent***
In the South Carolina Court of Appeals
Appellate Case No.: 2013-001295

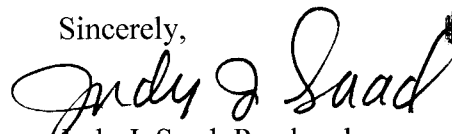
Dear Ms. Allen:

Please find enclosed an original and six (6) copies of Respondent's Motion for Costs, Memorandum in Support of Motion for Costs, and Itemized Statement of Costs, together with Proof of Service, in the above matter. Also enclosed is our firm check in the amount of \$25.00 for the costs of filing the Motion.

Please advise if you have any questions.

With kind regards,

Sincerely,



Judy J. Saad, Paralegal
jsaad@wilkeslaw.com

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SC Court of Appeals

Enclosures

cc: Tracy Lynn Eggleston, Esq.



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SC Court of Appeals



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Carolina Court of Appeals
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