

**NOTICE OF APPEAL IN A CIVIL CASE**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

75130

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Honorable William Jeffrey Young, Circuit Court Judge

Case No. 2010-CP-26-5964  
Appellate Case No. 2013-000195

William H. BAILEY, Jr.,

Appellant,

vs.

CITY OF NORTH MYRTLE  
BEACH, a South Carolina  
Municipal Corporation,

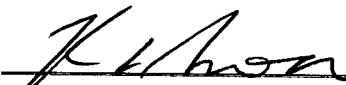
Respondent.

**MOTION TO TAX COSTS AGAINST RESPONDENT**

Appellant William H. Bailey, Jr., by and through his undersigned attorneys, respectfully moves the Court of Appeals to tax costs against the Respondent. The Appellant attaches herewith his Memorandum in Support of Motion .

Wright, Worley, Pope, Ekster & Moss, PLLC  
Attorneys for the Appellant

February 18, 2015

  
\_\_\_\_\_  
Kenneth R. Moss, S.C. Bar No. 15520  
1180 Highway 17 North, Suite 2  
Post Office Box 250  
Little River, South Carolina 29566  
Tel: 843/ 281-9901/ Fax: 843/ 281-9903

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**SC Court of Appeals**

**MEMORANDUM IN SUPPORT OF MOTION**

Appellant William H. Bailey, Jr. moves the Court for an Order or Orders taxing costs against the Respondent City of North Myrtle Beach pursuant to Rule 222, SCACR.

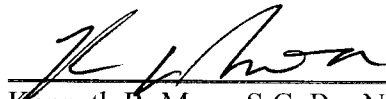
The Court's Unpublished Order in this matter was filed on February 4, 2015. This Motion is therefore timely pursuant to Rule 222(d), SCACR.

Upon hearing the appeal in this matter, the Court affirmed in part and vacated in part the judgment of the lower court. The Court vacated that portion of the lower court's ruling that the Appellant retired from employment and therefore was not entitled to a grievance hearing. As to that matter, therefore, the Appellant was the prevailing party, and costs should be taxed against the Respondent in the amount of \$3,838 as shown on the Itemized Statement of Costs attached hereto.

Respectfully submitted.

Wright, Worley, Pope, Ekster & Moss, PLLC  
Attorneys for the Appellant

February 18, 2015

  
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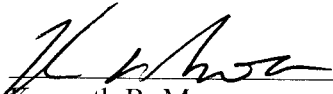
**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

William H. Bailey, Jr.,	)
Appellant,	)
	)
-vs.-	)
	)
City of North Myrtle Beach, a South	)
Carolina Municipal Corporation,	)
Respondent.	)

The Appellate Court is requested to tax the following costs against Respondent  
**City of North Myrtle Beach**

COSTS TAXABLE UNDER RULE 222, SCACR	No. OF PAGES	RATE	REQUESTED	ALLOWED <small>(Court Use Only)</small>
Cost of Printing or Copying Final Brief	544	\$ 1.75	\$ 952.00	
Cost of Printing or Copying Final Reply Brief	225	\$ 1.75	\$ 393.75	
Cost of Printing or Copying Record on Appeal	387	\$ 1.75	\$ 677.25	
Filing Fee Paid Under Rule 203(d), SCACR			\$ 100.00	
Cost of Court Reporter's Transcript			\$ 715.00	
Attorney's Fee Provided By Rule 222(b), SCACR			\$ 1,000.00	
Other (Specify and Explain)				
<b>COSTS TAXABLE UNDER RULE 242(j), SCACR</b>				
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)				
		<b>TOTAL</b>	<b>\$ 3,838.00</b>	

I, Kenneth R. Moss, do swear and affirm that the foregoing costs re correct and were necessarily incurred in this action. A copy of this Statement was mailed to and served upon opposing counsel.

  
Kenneth R. Moss  
Attorney for Appellant

Sworn and Subscribed before me this 18<sup>th</sup> day of February, 2015.

\_\_\_\_\_  
Notary Public for the State of South Carolina  
My Commission Expires: \_\_\_\_\_

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APPEAL FROM HORRY COUNTY  
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Honorable William Jeffrey Young, Circuit Court Judge

Case No. 2010-CP-26-5964

William H. BAILEY, Jr.,

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vs.

CITY OF NORTH MYRTLE  
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Municipal Corporation,

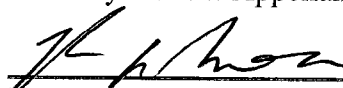
Respondent.

**PROOF OF SERVICE**

I certify that I have served the Appellant's Motion to Tax Costs Against Respondent, by depositing a copy of it in the United States Mail, postage prepaid, on February 18, 2015, addressed to their attorneys of record, Attorneys Aydlette and Johnson, Gignilliat, Savitz & Bettis, LLP, 900 Elmwood Avenue, Suite 100, Columbia, SC 29201.

Wright, Worley, Pope, Ekster & Moss, PLLC  
Attorneys for the Appellant

February 18, 2015



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**SC Court of Appeals**

# WRIGHT, WORLEY, POPE, EKSTER & MOSS, PLLC

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MARTHA HENLEY SLEDGE (Retired)

*D.F. McGOUGAN, JR.*  
(1921 - 1994)

**OTHER OFFICES**  
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TABOR CITY, NC

\*licensed only in SC  
\*\*licensed in NC & SC  
\*licensed in NC, DC & SC  
\*DRC-Certified Family Financial Mediator  
\*Of Counsel

February 18, 2015

**VIA CERTIFIED MAIL #7006 2760 0000 4340 0241;  
RETURN RECEIPT REQUESTED**

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

Re: William H. Bailey, Jr., *Appellant* vs. City of North Myrtle Beach, a  
South Carolina Municipal Corporation, *Respondent*  
C/A: 2010-CP-26-5964  
**Appellate Case No. 2013-000195**

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies of Appellant's Motion to Tax Costs Against Respondent, Itemized Statement of Costs, Proof of Service for same and our check for the filing fee in the amount of \$25.00. Please file the original and six copies and return one clocked copy to me in the envelope provided.

Thank you for your time and consideration. Should you have any questions, please do not hesitate to contact me at the office.

With best regards, I am

Sincerely yours,

  
Kenneth R. Moss

KRM/jml

Enclosures as stated

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**SC Court of Appeals**



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Wright, Worley, Pope, Ekster & Moss, PLLC  
Attorney Kenneth R. Moss  
628 A Sea Mountain Highway  
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