

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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FEB 26 2015

APPEAL FROM HAMPTON COUNTY  
Court of Common Pleas

**S.C. Supreme Court**

Perry M. Buckner, Circuit Court Judge

Civil Action No. 2009-CP-25-00517  
Appellate Case No. 2013-000391

401 S.C. 646, 737 S.E.2d 854 (Ct. App. 2012)

Maria T. Curiel and Martin L. Curiel, . . . . . Respondents,

v.

Hampton County E.M.S., . . . . . Petitioner.

**MOTION FOR COSTS**

Pursuant to Rules 222(a), 240 and 242(j), SCACR, Respondents Maria T. Curiel and Martin L. Curiel request that the costs of this appeal be taxed against Hampton County E.M.S.

Rule 222(a), SCACR, provides costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed. The Court of Appeals affirmed the circuit court's decision in an opinion published December 19, 2012, *Curiel v. Hampton County E.M.S.*, 401 S.C. 646, 737 S.E.2d 854 (Ct. App. 2012). Thus, Respondents are entitled to an award of costs arising out of the Court of Appeals' opinion.

Appellant petitioned this Court to review the Court of Appeals' order. This Court issued a writ of certiorari to review that decision, and following briefing and oral argument, the Court dismissed the writ as improvidently granted and issued the remittitur February 11, 2015.

Rule 242(j) provides that unless the court orders otherwise or the parties agree otherwise, costs shall be taxed against the appellant when this Court's decision has the effect of affirming the judgment of the lower court which was reviewed by the Court of Appeals.

In accordance with the instructions of Rules 222(d) and 242(j)(4), an itemized statement of costs is attached to this motion.

February 25, 2015

Respectfully submitted,



John S. Nichols, SC Bar #4210  
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THOMPSON & DELGADO, LLC  
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Post Office Box 1000  
Allendale, South Carolina 29810  
(803) 584-7676

Counsel for Respondents

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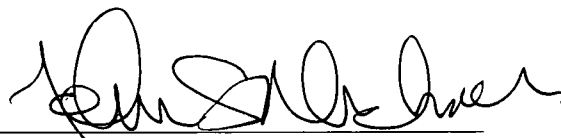
Maria T. Curiel and Martin L. Curiel,	)
	)
Respondents,	)
	)
v.	)
	)
Hampton County E.M.S.,	)
	)
Petitioner.	)
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	)
	)

The Appellate Court is requested to tax the following costs against

Hampton County E.M.S. (Petitioner)				
COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	360 pages	\$48.06 (plus \$3.36 tax)	\$51.42	
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):				
COSTS TAXABLE UNDER RULE 242(j), SCACR				

Cost of Printing or Copying Brief	680	\$89.03 (plus \$7.12 tax)	\$96.15	
Cost of Printing and 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			\$1,000.00	
Other (specify and explain):				
		TOTAL	\$2,147.57	

I, JOHN S. NICHOLS, do swear or affirm that the forgoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.

  
 \_\_\_\_\_  
 (Signature)

Attorney for Respondents

Subscribed and sworn before me this 25 day of February, 2015.

Alma McCurt  
 Notary Public for South Carolina  
 My Commission Expires: 7-19-22

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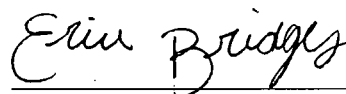
**PROOF OF SERVICE**

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The undersigned hereby certifies that on the date indicated below she served counsel for the Petitioner with a copy of the *Motion for Costs and Itemized Statement of Costs* by mailing a copy of the same by United States Mail with first class postage prepaid to the following address:

Mary E. Sharp, Esquire  
E. Mitchell Griffith, Esquire  
GRIFFITH, SADLER & SHARP, P.A.  
Post Office Drawer 570  
Beaufort, South Carolina 29901

February 26, 2015  
Columbia, South Carolina



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Erin Bridges  
BLUESTEIN, NICHOLS, THOMPSON &  
DELGADO, LLC

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