

The South Carolina Court of Appeals

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August 27, 2012

Mr. James D. Nance
218 Newberry St., SW
Aiken SC 29801

Re: Cupstid, Jake v. Fogle, Jimmie
Appellate Case No. 2010-161026

Dear Counsel:

Returned herewith is your Motion for Costs in the above case.

Rule 222 (d) of the South Carolina Appellate Court Rules states that costs are to be filed within fifteen (15) days of the issuance of the remittitur.

The filing fee will be held to be used in the timely filed Motion for Costs.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Michael Pinckney Horger, Sr.

The South Carolina Court of Appeals

Jake E. Cupstid, Respondent/Appellant,

v.

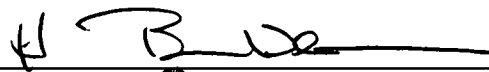
Jimmie D. Fogle, Appellant/Respondent.


Appellate Case No. 2010-161026

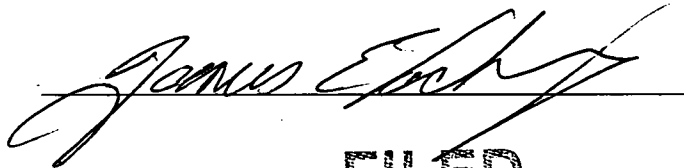
ORDER

The Court hereby denies Respondent/Appellant's motion for costs because it is premature. See Rule 222(d), SCACR ("A party desiring costs to be taxed shall, within fifteen (15) days of the issuance of the remittitur, serve and file a motion requesting that costs be assessed under this Rule." (emphasis added)). Nothing in this order shall be construed as preventing Respondent/Appellant from filing a motion for costs at the appropriate time.

IT IS SO ORDERED.


_____ J.


_____ J.


_____ J.

Columbia, South Carolina
cc: Michael Pinckney Horger, Sr.
James D. Nance

FILED

