



The South Carolina Court of Appeals

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July 17, 2015

The Honorable Paul B. Wickensimer
Courthouse
305 E North St
Greenville SC 29601-2121

REMITTITUR

Re: K & S Food Services, Inc. v. City of Mauldin
Lower Court Case No. 2011CP2304773, 2011CP2306290
Appellate Case No. 2013-001714

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: Robert Clyde Childs, III, Esquire
John B. Duggan, Esquire
J. Falkner Wilkes, Esquire
Daniel Roper Hughes, Esquire

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

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

K & S Food Services, Inc. d/b/a Hailee's Bar and Grill,
Appellant,

v.

City of Mauldin and Mauldin City Council, John
Gardner, Brian Turner, and Callista, LLC, Defendants,

Of whom City of Mauldin and Mauldin City Council,
John Gardner, and Brian Turner are the Respondents.

Appellate Case No. 2013-001714

Appeal From Greenville County
Letitia H. Verdin, Circuit Court Judge

Unpublished Opinion No. 2015-UP-321
Submitted March 1, 2015 – Filed July 1, 2015

AFFIRMED

Robert Clyde Childs, III, of The Childs Law Firm, and J.
Falkner Wilkes, of Craven & Wilkes, both of Greenville,
for Appellant.

Daniel Roper Hughes and John B. Duggan, both of
Duggan & Hughes, LLC, of Greer, for Respondents.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: S.C. Code Ann. § 30-4-100(b) (2007) ("If a person or entity seeking [relief under the Freedom of Information Act (FOIA)] prevails, he or it may be awarded reasonable attorney[']s fees and other costs of litigation."); *Burton v. York Cnty. Sheriff's Dep't*, 358 S.C. 339, 357-58, 594 S.E.2d 888, 898 (Ct. App. 2004) ("As a general rule, the amount of attorney[']s fees to be awarded in a particular case is within the discretion of the trial judge. The award, however, must be reasonable and supported by adequate findings. There are six factors for the trial court to consider when determining an award of attorney[']s fees: (1) the nature, extent, and difficulty of the case; (2) the time necessarily devoted to the case; (3) professional standing of counsel; (4) contingency of compensation; (5) beneficial results obtained; and (6) customary legal fees for similar services. Upon request for attorney[']s fees that are authorized by contract or statute, the trial court should make specific findings of fact on the record for each of these factors." (internal citations omitted)); *Brock v. Town of Mount Pleasant*, 411 S.C. 106, 123, 767 S.E.2d 203, 211-12 (Ct. App. 2014) ("[O]n appeal, an award for attorney's fees will be affirmed so long as sufficient evidence in the record supports each factor." (internal quotation marks and citation omitted)).

AFFIRMED.¹

SHORT, LOCKEMY, and McDONALD, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.