

THE STATE OF SOUTH CAROLINA

In The Supreme Court

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Appeal from Charleston County

AUG 18 2015

Court of Common Pleas

Hon. J.C. Nicholson, Jr., Circuit Court Judge

S.C. SUPREME COURT

Appellate Case No. 2014-001167

Amber Johnson.....Petitioner,

v.

Stanley E. Alexander, Mario S. Inglese and Mario S. Inglese, P.C.,  
of whom Stanley E. Alexander is the ..... Respondent.

v.

Mario S. Inglese and Mario S. Inglese, P.C.....Third Party  
Plaintiffs,

v.

Charles Feeley.....Third Party Defendant.

PETITIONER'S MOTION FOR COSTS

**Justin S. Kahn**  
**Wes B. Allison**  
Kahn Law Firm, LLP  
P. O. Box 31397  
Charleston, SC 29417-1397  
Phone (843) 577-2128

**Mary Leigh Arnold**  
Mary Leigh Arnold, P.A.  
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Phone (843) 971-6053

Pursuant to Rules 222(a), 240 and 242(j), SCACR, Petitioner Amber Johnson (Johnson) requests the costs of this appeal be taxed against Stanley E. Alexander (Alexander). On July 16, 2014, Johnson filed a Petition for Writ of Certiorari that was granted December 10, 2014. Briefs were submitted and oral argument was held. On July 29, 2015 this Court issued an order reversing the Court of Appeals and affirming the lower court in Johnson's favor.

Johnson is entitled to recover the costs of the appeal pursuant to Rule 242(j)(1), SCACR because "the decision of the Supreme Court has the effect of affirming the judgment of the lower court or tribunal which was reviewed by the Court of Appeals."

Rule 242(j)(2), SCACR sets forth the costs that are recoverable including "all those costs specified in Rule 222(b), to include the attorney's fee provided by that rule. Additionally, the party may, to the extent the party actually incurred these costs, recover: (1) the filing fee paid under Rule 242(c); (2) the cost of printing the Appendix under Rule 242(e) and (i); and (3) the cost of printing the party's brief(s) under Rule 242(i). The party may also recover an additional attorney's fee in an amount which shall be set by order of the Supreme Court."

The following costs against Stanley E. Alexander are requested:

### Court of Appeals Costs

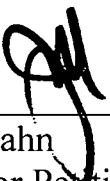
| COSTS<br>TAXABLE<br>RULE 222,<br>SCACR        | NO. OF<br>PAGES                             | RATE   | REQUESTED  | ALLOWED<br>(For Court Use Only) |
|---|---|--|------------|---------------------------------|
| Cost of Printing or Copying Final Brief       | 847 pages, binding & card covers            | .11 per page, \$3 each for covers & binding (plus \$12.59 tax) | \$160.76   |                                 |
| 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           | 27 pages, May 26, 2011 Hearing              | \$.87 per page   | \$42.65    |                                 |
| Attorney's Fee Provided By Rule 222(b), SCACR |   |  | \$1,000.00 |                                 |
| Other (specify and explain):                  | Enlargement / Blow Up used in Oral Argument | \$43.40  | \$43.40    |                                 |
| Subtotal                                      |   |  | \$1,246.81 |                                 |

### Supreme Court Certiorari Costs

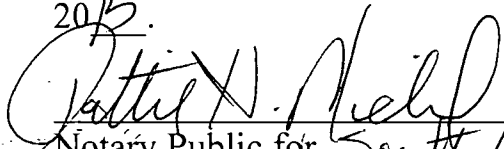
| COSTS TAXABLE UNDER RULE 242(j), SCACR           | NO. OF PAGES                       | RATE  | REQUESTED         | ALLOWED<br>(For Court Use Only) |
|--|------------------------------------|---|-------------------|---------------------------------|
| Cost of Printing or Copying Brief                | 862 pages binding and card covers  | .11 per page<br>\$3 each for covers and binding plus \$13.50 tax  | \$172.32          |                                 |
| Cost of Printing and Copying Reply Brief         | 360 pages, binding and card covers | \$.10 per page<br>\$3 each for covers and binding plus \$8.25 tax | \$105.25          |                                 |
| Cost of Printing or Copying Appendix 242(e)      | 2020                               | .10 per page \$3 each for covers and binding \$18.28 tax          | \$233.28          |                                 |
| Cost of Printing or Copying Appendix 242(i)      | 5239                               | .10 per page \$3 each for binding and cover plus \$47.85 tax      | \$610.75          |                                 |
| Filing fee paid under Rule 242(c), SCACR         | Jul. 25, 2014                      |   | \$100.00          |                                 |
| Attorney's fee provided by Rule 242(j)(2), SCACR |                                    |   | \$1,000.00        |                                 |
| Other (specify and explain):                     |                                    |   |                   |                                 |
| Subtotal   |                                    |   | \$2,221.60        |                                 |
| <b>TOTAL</b>                                     |                                    |   | <b>\$3,468.41</b> |                                 |

WHEREFORE, pursuant to Rule 242, SCACR, Amber Johnson requests that this Court order Stanley E. Alexander to pay \$3,468.41 for the costs requested above or in the alternative, make such an order as the Court deems just.

I, Justin S. Kahn, 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 on August 14, 2015 by mailing a copy of this Motion for Costs.

  
\_\_\_\_\_  
Justin S. Kahn  
Attorney for Petitioner Amber Johnson

Subscribed and sworn before me this 14<sup>th</sup> day of August,  
2015.

  
\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: 1-21-21

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

Appeal from Charleston County  
Court of Common Pleas

Hon. J.C. Nicholson, Jr., Circuit Court Judge

**RECEIVED**

AUG 18 2015

Case No. 2009-CP-10-6529  
Op. No. (5208)

S.C. SUPREME COURT

Amber Johnson.....Petitioner,

v.

Stanley E. Alexander, Mario S. Inglese and Mario S. Inglese, P.C.,  
of whom Stanley E. Alexander is the .....Respondent.

v.

Mario S. Inglese and Mario S. Inglese, P.C.....Third Party Plaintiffs,

v.

Charles Feeley.....Third Party Defendant.

Appellate Case No. 2014-001167

**PROOF OF SERVICE**

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**AMBER JOHNSON**

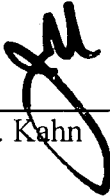
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I, Justin S. Kahn, do hereby affirm that on August 14, 2015, I served one copy of Petitioner's Consent Motion for Costs on the following named individuals by placing a copy in the United States Mail, first class, postage prepaid addressed to the following:

Joel W. Collins, Jr.  
**Collins & Lacy, P.C.**  
PO Box 12487  
Columbia, SC 29211

Robert F. Goings  
**Goings Law Firm, LLC**  
PO Box 436  
Columbia, SC 29202

**Attorneys for Appellant  
Stanley E. Alexander**

  
\_\_\_\_\_  
Justin S. Kahn

Charleston, South Carolina  
August 14, 2015