

7717

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

APPEAL FROM DORCHESTER COUNTY  
COURT OF COMMON PLEAS

SEP 01 2015  
SC Court of Appeals

Maité Murphy, Circuit Court Judge

Appellate Case No. 2013-002129

Kay Howell Jordan, Marion Howell Tolson,  
and Lewis Virgil Howell, ..... Respondents,

v.

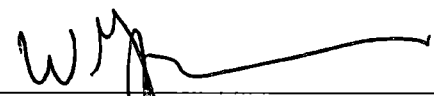
Betty L.S. Judy, ..... Appellant.

**MOTION FOR COSTS UNDER RULE 222 OF THE SCACR**

The Respondents do hereby respectfully move, pursuant to Rule 222, for an award of an Attorney's Fee and costs in this matter. The Respondents were the prevailing party on appeal as evidenced by this Court's Opinion No. 5334 filed July 22, 2015, and the Remittitur to the lower court dated August 18, 2015.

Attached to this Motion is an Itemized Statement of Costs (Form 17), evidencing costs and fees.

RESPECTFULLY SUBMITTED,



W. Grady Jordan (S.C. Bar # 066104)  
**SMITH, JORDAN, & LAVERY, P.A.**  
Post Office Box 1207  
Easley, South Carolina 29641-1207  
(864) 855-1661 office  
Jordan@smithjordan.com  
Attorney for Respondents

August 28, 2015

Page 2:

Appellate Case No. 2013-002129  
Motion for Costs Under Rule 222

Other Counsel of Record:

James B. Richardson, Jr., Esquire  
Law Office of James B. Richardson, Jr.  
1229 Lincoln Street  
Columbia, South Carolina 29201  
(803) 799-9412  
Attorney for Appellant

Robert F. McCurry, Jr., Esquire  
Hoger Barnwell & Reid, LLP  
P.O. Drawer 329  
Orangeburg, South Carolina 29116  
(803) 531-3000  
Attorney for Appellant

**FORM 17**  
**ITEMIZED STATEMENT OF COSTS**

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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

SEP 01 2015  
SC Court of Appeals

Kay Howell Jordan, Marion Howell Tolson	)	
And Lewis Virgil Howell	)	
	)	Lower Court Case No.: 2010CP1802243
v.	)	Appellate Case No.: 2013-002129
	)	
Betty L.S. Judy	)	
	)	

The Appellate Court is requested to tax the following costs against

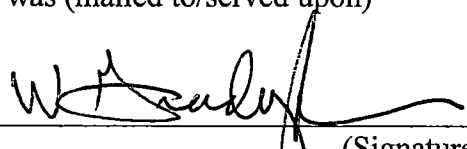
The Appellant Betty L. S. Judy

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COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	468	.25	\$117.00	
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	271	See attached invoices	\$1,074.02	
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				
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):				
		TOTAL	\$2,191.02	

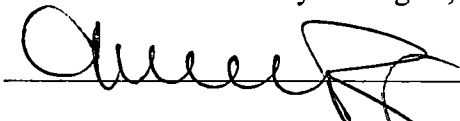
I, Woodrow Grady Jordan, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.



(Signature)

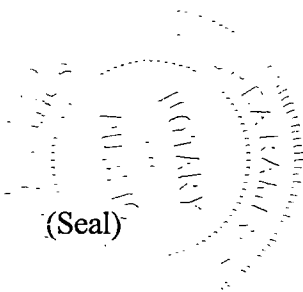
Attorney for Respondents

Subscribed and sworn to before me this 28th day of August, 2015.



Notary Public for South Carolina

My Commission Expires: 7/1/22



Ray Swartz & Associates

Invoice


514 N. Magnolia Street

Summerville, SC 29483

Phone: (843) 821-6755

Fax: (843) 821-6756

Wednesday, May 22, 2013	26919ddj
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5/24/13  
 10-0661E  
 Jordan / Howell 

W. Grady Jordan  
 Smith Jordan Lavery & Lee, P.A.  
 P.O. Box 1207  
 Easley, SC 29641-1207

Phone: (864) 859-2306 Fax:

<b>Witness:</b>	Master in Equity hearing
<b>Case:</b>	Kay Howell Jordan, et al. v. Betty L.S. Judy
<b>Venue:</b>	
<b>Case #:</b>	10-CP-18-2243
<b>Date:</b>	2/27/2013
<b>Start Time:</b>	10:30 AM
<b>End Time:</b>	4:15 PM
<b>Reporter:</b>	Stacey Scoggan
<b>Claim #:</b>	
<b>File #:</b>	15919lms

	Quantity	Rate	Total
Original & 1 Copy	135	\$3.95	\$533.25
Postage	1	\$5.80	\$5.80
Copy	135	\$17.63	\$243.00
Postage	1	\$5.80	\$5.80
<b>Sub Total</b>			<b>\$787.85</b>
<b>Payments</b>			<b>\$0.00</b>
<b>Balance Due</b>			<b>\$787.85</b>

We pay 1/2 \$393.92

Fed. I.D. # 57-1078364

We appreciate your business!

Ray Swartz & Associates

Invoice

514 N. Magnolia Street

Summerville, SC 29483

Phone: (843) 821-6755

Fax: (843) 821-6756

Wednesday, May 22, 2013	26920ddj
-------------------------	----------

W. Grady Jordan  
 Smith Jordan Lavery & Lee, P.A.  
 P.O. Box 1207  
 Easley, SC 29641-1207

10-0661E <sup>SC</sup>  
 Jordan/Howell

Phone: (864) 859-2306 Fax:

<b>Witness:</b>	Master in Equity hearing	
<b>Case:</b>	Kay Howell Jordan, et al. v. Betty L.S. Judy	
<b>Venue:</b>		
<b>Case #:</b>	10-CP-18-2243	
<b>Date:</b>	5/8/2013	
<b>Start Time:</b>	10:00 AM	
<b>End Time:</b>	4:26 PM	
<b>Reporter:</b>	Molly Newton	
<b>Claim #:</b>		
<b>File #:</b>	12130ajb	

Description	Quantity	Amount
Court Appearance for 1st hour	1	\$100.00
Court Appearance for additional hours	6	\$450.00
Original & 1 Copy	136	\$537.20
Exhibits	55	\$13.75
Color Exhibits	17	\$14.45
Copy	136	\$244.80
<b>Sub Total</b>		<b>\$1,360.20</b>
<b>Payments</b>		<b>\$0.00</b>
<b>Balance Due</b>		<b>\$1,360.20</b>

We pay 1/2 \$680.10

WJ 5/28/2013

Fed. I.D. # 57-1078364

We appreciate your business!

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM DORCHESTER COUNTY  
COURT OF COMMON PLEAS

Maité Murphy, Circuit Court Judge

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Appellate Case No. 2013-002129

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v.

Betty L.S. Judy, ..... Appellant.

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PROOF OF SERVICE

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I certify that I have served the Motion for Costs Under Rule 222 of the SCACR on the Appellant,  
by depositing a copy of it in the United States Mail, postage prepaid, on August 28, 2015,  
addressed to her attorneys of record:

James B. Richardson, Jr., Esquire  
Law Office of James B. Richardson, Jr.  
1229 Lincoln Street  
Columbia, South Carolina 29201

Robert F. McCurry, Jr., Esquire  
Horger Barnwell & Reid, LLP  
P.O. Drawer 329  
Orangeburg, South Carolina 29116

  
\_\_\_\_\_  
W. Grady Jordan S.C. Bar #66104  
**SMITH, JORDAN, & LAVERY, P.A.**  
Post Office Box 1207  
Easley, SC 29641  
(864)855-1661  
Attorney for Respondents

**Smith Jordan Lavery**  
- Attorneys at Law -

Ronnie L. Smith †  
W. Grady Jordan  
C. Nicholas Lavery

James E. Sterling  
Raymond T. Wooten\*  
† Of Counsel  
\*Licensed in SC & GA

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SEP 01 2015

SC Court of Appeals

August 28, 2015

The Honorable Jenny A. Kitchings  
Clerk of the S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

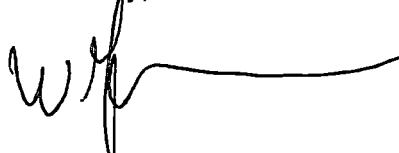
**RE: Kay Jordan, et al. v. Betty Judy**  
**Case No.: 2010-CP-18-2243**  
**Appeals Court Case No.: 2013-002129**

Dear Ms. Kitchings:

Please find enclosed the original two (2) copies of the *Motion for Costs Under Rule 222 of the SCACR and Form 17*, in the above captioned matter, along with Proof of Service of the same. Also enclosed is a check in the amount of \$25.00 for your filing fee.

With kindest regards, I remain

Sincerely,



W. Grady Jordan

WGJ/amr  
Enclosures

cc: Client (w/ enclosures)  
James B. Richardson, Jr., Esquire (w/ enclosures)  
Robert F. McCurry, Jr., Esquire (w/ enclosures)

**Smith Jordan Lavery**  
- Attorneys at Law -  
PO Box 1207 | Easley, SC 29641



The Honorable Jenny A. Kitchings  
Clerk of the S.C. Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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SEP 01 2015

**SC Court of Appeals**

10-0661e wgj

2921131629 5012

