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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SEP 10 2015

SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

The Honorable Marvin H. Dukes, III, Presiding Judge

Case No. 2013-CP-1186

Appellate Case No. 2014-000325

Charles R. Mikals and Donna Mikals.....Appellants

v.

Debra House.....Respondent

**MOTION REQUESTING THAT COSTS AND ATTORNEY'S FEES BE ASSESSED
UNDER RULE 222, SCACR**

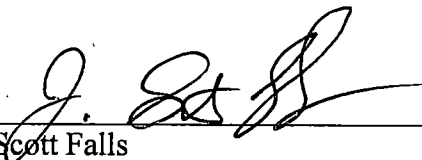
Respondent Debra House ("House"), by and through her undersigned counsel, hereby moves this honorable Court for an order taxing the costs of this appeal incurred by Respondent to Appellants Charles R. Mikals ("Charles Mikals") and Donna Mikals ("Donna Mikals") [collectively "the Mikals"] and requiring Appellants to pay Respondent for such costs pursuant to Rule 222(d), SCACR.

On August 12, 2015, the South Carolina Court of Appeals issued an Order affirming the lower court's order granting Respondent's motion to dismiss. The Clerk of Court for the South

Carolina Court of Appeals subsequently issued the Remittitur to the lower court on September 2, 2015. Accordingly, this Motion is timely made within fifteen (15) days of the issuance of the Remittitur as required by Rule 222(d), SCACR.

Respondent's Itemized Statement of Costs is attached hereto in the form of South Carolina Appellate Court Form 17 and sets forth the costs, including attorney's fees, recoverable to her pursuant to Rule 222(b), SCACR. Respondent has served opposing counsel for Appellants with this Motion and accompanying documentation as evidenced by Respondent's attached Proof of Service of her Motion for Taxation of Costs. Therefore, Respondent respectfully requests that this honorable Court grant her Motion for Taxation of Costs to Appellants.

Respectfully Submitted By:



J. Scott Falls
Bar No. 75799
Scott@falls-legal.com
245 Seven Farms Dr., Suite 250
Charleston, South Carolina 29492
(843) 737-6040 (telephone)
(843) 737-6140 (facsimile)
Attorney for Respondent

September 8, 2015
Charleston, South Carolina

**FORM 17
ITEMIZED STATEMENT OF COSTS**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Charles R. Mikals and Donna Mikals,)
Appellants,)
)
 v.)
)
 Debra House, Respondent,)
)
 Appellate Case No. 2014-000325)

The Appellate Court is requested to tax the following costs against

Appellants Charles R. Mikals and Donna Mikals

(Name of Party)

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	36 (card stock); 486 (standard); 18 (8 mm Spiral- Binding)	\$0.20/copy (card stock); \$0.10/copy (standard); \$3.99/each (spiral- binding)	\$127.62	
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				
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	\$1,127.62	

I, J. Scott Falls, 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.

J. Scott Falls
 (Signature)
 Attorney for Respondent Debra House

Subscribed and sworn to before me this 8th day of September, 2015.

Jacob C...
 Notary Public for SC

My Commission Expires: 8/11/15

(Seal)

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Case No. 2013-CP-1186

Appellate Case No. 2014-000325

Charles R. Mikals and Donna Mikals.....Appellants


v.

Debra House.....Respondent

PROOF OF SERVICE

I certify that I have served the Motion Requesting that Costs and Attorney's Fees be Assessed under Rule 222, SCACR on Appellants Charles R. Mikals and Donna Mikals by depositing a copy of it in the United States Mail, postage prepaid, on September 8, 2015, addressed to their attorney, John E. North, Esq., at the following address:

John E. North, Jr.
North & Black, P.C.
916 Bay Street, Suite 100
Beaufort, South Carolina 29902



J. Scott Falls
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Attorney for Respondent

September 8, 2015

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FALLS LEGAL

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SC Court of Appeals

September 8, 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1205 Pendleton Street
Columbia, SC 29201

**Re: Charles Mikals & Donna Mikals vs. Debra House
Appellate Case No. 2014-000325**

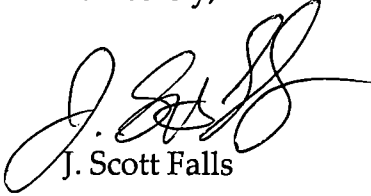
Dear Ms. Kitchings:

Enclosed herein, please find the following in regards to the case referenced above:

- (a) The original and seven (7) copies of Respondent Debra House's Motion Requesting that Costs and Attorney's Fees be Assessed under Rule 222, SCACR;
- (b) Respondent Debra House's Itemized Statement of Costs (in the form of South Carolina Appellate Court Form 17);
- (c) Proof of Service on Appellants Charles Mikals and Donna Mikals;
- (d) Our check in the amount of \$25.00 for the motion fee; and
- (e) A self-addressed stamped envelope.

I would greatly appreciate your filing the original and returning the file stamped copy to me in the self-addressed, stamped envelope provided.

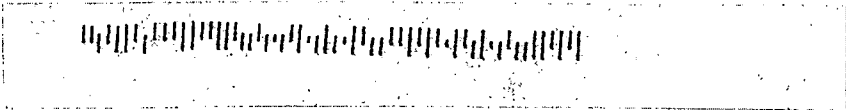
Sincerely,



J. Scott Falls

Enclosures – as stated

cc: John North, Esq.



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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
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