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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SALUDA COUNTY
Court of Common Pleas

The Honorable Letitia H. Verdin Circuit Court Judge

RECEIVED

SEP 17 2015

SC Court of Appeals

Appellate Case No.: 2014-001588

Carl Eugene Berry.....Respondent,

v.

Jess T. Reichardt and Thomas H. ReichardtAppellants.

RESPONDENT'S MOTION TO TAX COSTS

Richard L. Whitt,
S.C. Bar No.: 62895
Jefferson D. Griffith, III,
S.C. Bar No.: 2299
AUSTIN & ROGERS, P.A.
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803) 251-7442
Attorneys for Respondent

ORIGINAL

OTHER COUNSEL OF RECORD:

Philip H. Woolhiser, Esquire

112 Trafalgar St. SW

Aiken, South Carolina 29801-3744

INTRODUCTION

A decision was rendered in this matter by the South Carolina Court of Appeals on August 26, 2015. The Remittitur in this matter was issued by this Court on September 16, 2015. This filing is made within fifteen days of that issuance of the Remittitur, as required by the Rules and Respondent's Motion to Tax Costs follows.

MOTION TO TAX COSTS

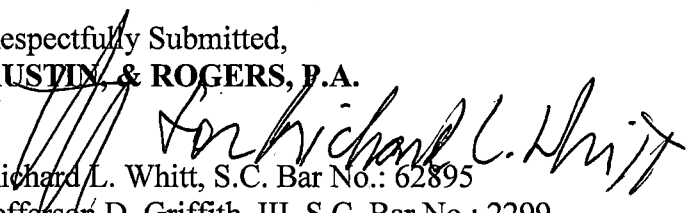
Pursuant to Rule 222(a)(b)(d)(e), South Carolina Appellate Court Rules, (hereinafter as, "SCACR"), Respondent hereby moves this Court to Tax Costs against Appellants, as set forth in the Itemized Statement of Costs attached hereto, in the form approved by this Court.

The grounds for this Motion are that this assessment of costs against Appellants is allowed by Respondent under Rule 222(a), SCACR.

WHEREFORE, Respondent moves this Court to grant the relief sought in this Motion and Tax Costs against Appellants, as part of the Judgment of this Court; and

GRANT SUCH OTHER AND FURTHER RELIEF AS THIS COURT DEEMS JUST AND PROPER.

Respectfully Submitted,
AUSTIN & ROGERS, P.A.


Richard L. Whitt, S.C. Bar No.: 62895
Jefferson D. Griffith, III, S.C. Bar No.: 2299
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803)251-7442 (phone)
(803) 252-3679 (fax)
Attorneys for Respondent

September 17, 2015
Columbia, South Carolina

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Carl Eugene Berry.....Respondent,

v.

Jess T. Reichardt and Thomas H. ReichardtAppellants.

**RESPONDENT'S
ITEMIZED STATEMENT OF COSTS**

Respondent hereby submits his Itemized Statement of Costs, in support of Respondent's Motion to Tax Costs, filed on even date. Respondent respectfully requests that this Court tax the following costs against the Appellants, Jess T. Reichardt and Thomas H. Reichardt.

ORIGINAL

COSTS TAXABLE UNDER RULE 222, SCACR:	NO. OF PAGES:	RATE:	REQUESTED:	ALLOWED:
Cost of Printing/Copying Final Brief	345	\$0.25	\$86.25	
Cost of Court Reporter's Transcript		\$46.10	\$46.10	
Attorneys Fees Provided by Rule 222(b), SCACR		\$1,000.00	\$1,000.00	
Other (specify and explain): (see Exhibit "A" attached hereto)		\$25.00	\$25.00	
		TOTAL:	\$1,157.35	

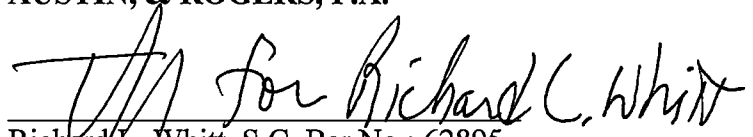
I, Richard L. Whitt, do swear and affirm that the foregoing costs are correct and were necessarily incurred in this action. Copies of the Motion to Tax Costs and this Itemized Statement of Costs, with Exhibit "A", were served upon opposing counsel.

WHEREFORE, Respondent prays this Court grant Respondent's Motion and Tax Costs against Appellants as part of the Judgment of this Court; and

GRANT SUCH OTHER AND FURTHER RELIEF AS THIS COURT DEEMS JUST AND PROPER.

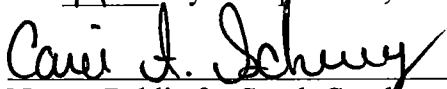
[Signature Page Follows]

Respectfully Submitted,
AUSTIN, & ROGERS, P.A.

 for Richard C. Whitt

Richard L. Whitt, S.C. Bar No.: 62895
Jefferson D. Griffith, III, S.C. Bar No.: 2299
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803) 251-7442 (phone)
(803) 252-3679 (fax)
Attorneys for Respondent

SUBSCRIBED AND SWORN TO BEFORE ME
this 17th day of September, 2015.



Notary Public for South Carolina

My Commission Expires: 4-1-21

EXHIBIT "A", "Other Costs"
(to Respondent's Itemized Statement of Costs)

Appellate Case No.: 2014-001588

Respondent moves to recover the \$25.00, filing fee, required to file Respondent's Motion to Tax Costs.

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Appellate Case No.: 2014-001588

Carl Eugene Berry.....Respondent,

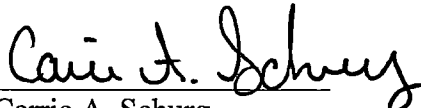
v.

Jess T. Reichardt and Thomas H. ReichardtAppellants.

PROOF OF SERVICE

I, Carrie A. Schurg, an employee of Austin & Rogers, P.A., certify that I have caused a copy of Respondent's Motion to Tax Costs, Respondent's Itemized Statement of Costs, with Exhibit "A" and this Proof of Service to be served, via U.S. Mail on September 17, 2015, as addressed below.

Phillip H. Woolhiser, Esquire
112 Trafalgar St. SW
Aiken, South Carolina 29801-3744


Carrie A. Schurg

September 17, 2015
Columbia, South Carolina

ORIGINAL

Austin & Rogers, P.A.

ATTORNEYS AND COUNSELORS AT LAW

C.C. HARNESS, III
(1949-2010)

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RAYMON E. LARK, JR.
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EDWARD L. EUBANKS
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OF COUNSEL:
WILLIAM FREDERICK AUSTIN
JEFFERSON D. GRIFFITH, III*

* ALSO ADMITTED IN N.C.

September 17, 2015

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SC Court of Appeals

VIA, HAND-DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

- Re: ● Carl Eugene Berry v. Jess T. Reichardt and Thomas H. Reichardt.
● Appellate Case No.: 2014-001588
● **Respondent's Motion to Tax Costs, Respondent's Itemized Statement of Costs with Exhibit.**

Dear Ms. Kitchings:

Enclosed for filing, please find the original and the required six copies of Respondent's Motion to Tax Costs, Respondent's Itemized Statement of Costs, with Exhibit and Proof of Service in the above-referenced matter. Also enclosed, please find a check in the amount of \$25.00, for the required filing fee.

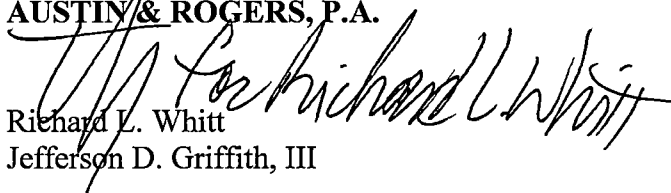
Please accept these documents for filing and acknowledge receipt of the same by file-stamping the copies enclosed and returning them to me, via our courier.

Please don't hesitate to contact the undersigned if you have any questions or concerns.

With best regards, we are,

RLW/cas
Enclosures

Respectfully Submitted,
AUSTIN & ROGERS, P.A.


Richard L. Whitt
Jefferson D. Griffith, III

cc: Philip H. Woolhiser, Esquire