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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable G. Thomas Cooper, Jr., Circuit Court Judge

Case No(s). 2013-CP-40-1469
Appellate Case No. 2014-000058

RECEIVED
SEP 28 2015
SC Court of Appeals

Hugh Allen Hoover,

Appellant,

v.

L.A. Blue and Kem Dempsey,

Respondents,

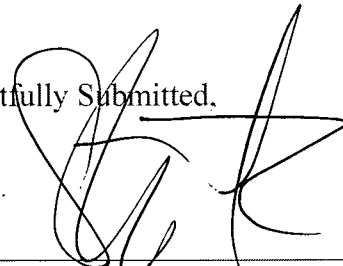
MOTION FOR COSTS

NOW COMES the Respondents, who, by and through their undersigned counsel of record listed below, requests that this Honorable Court order costs and fees as provided by SCACR 222. The grounds for this motion are as follows:

On August 19, 2015, this Honorable Court issued an unpublished Opinion affirming the trial court decision in the above referenced matter and dismissing the Appellant's appeal. As evidenced by the attached Itemized Statement of Costs, the Respondents have expended necessary monies for costs and attorney fees in this appeal which they would be entitled to have reimbursed to them by Appellant as provided by SCACR 222. In regards to Respondents' attorney fees which total \$3,000.00 above the court ordered attorney fee of \$1,000.00 per Respondent, Respondents' would represent to this Court that it has been their position from the beginning of this action that any appeal taken from The Honorable G. Thomas Cooper's ruling would be meritless and filed in order to cause

additional financial and emotional stress on the Respondents. Appellant's Counsel was notified of the Respondents' position via letter on January 23, 2014, which is attached and incorporated herein for the convenience of the Court. As such, Respondents would request full reimbursement of all costs and fees incurred in this matter due to Appellant's malicious behavior.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'S. Fajardo', written over a horizontal line.

Stephanie R. Fajardo, Esquire
The Fajardo Law Firm, LLC
Post Office Box 2177
Irmo, South Carolina 29063
Phone: (803) 391-8980
Facsimile: (877) 365-5340

Attorney for Respondents

September 24, 2015
Irmo, South Carolina

THE FINNEY LAW FIRM, INC.

Attorneys and Counselors at Law
thefinneylawfirm.com



JERRY LEO FINNEY

STEPHANIE R. FAJARDO

2117 Park Street • Columbia, South Carolina 29201
Telephone (803) 254-7408 • Facsimile (803) 254-1941

RETIRED CHIEF JUSTICE
SOUTH CAROLINA SUPREME COURT
ERNEST A. FINNEY, JR.
OF COUNSEL

January 23, 2014

Reply to Columbia Office

John Carrigg, Jr., Esquire
Carrigg Law Firm
137 E. Butler Street, Suite 6
Lexington, South Carolina 29072

Re: Hugh Allen Hoover v. Kem Dempsey and L.A. Blue
Civil Action No.: 2013-CP-40-01469
Appellate Case No.: 2014-000058

Dear John:

Please be advised that your client Mr. Hoover is continuously harassing Mr. Dempsey and his family and attempting to damage his property by throwing large clumps of dirt at the Dempsey's large picture window of their home. This type of malicious and threatening behavior by Mr. Hoover poses a threat to not only my client but also for his child and his wife, not to mention their property. Should Mr. Hoover choose to continue this behavior, I will have no choice but to advise my client to take further legal action in order to protect his family and his property.

Additionally, please be advised that I have reviewed your notice of appeal as well as the latest Order from Judge Cooper denying your motion for reconsideration. Based on my review of the relevant documents in this matter, I feel this appeal is completely meritless and is being taken up solely for the purposes of harassment of both of my clients. As I'm sure you are aware, as attorneys we are held to a high standard of ethics, and have pledged to not pursue or maintain any suit or proceeding which appears to be unjust. Your client's lawsuit and now appeal has been admitted by yourself as based solely on Mr. Hoover's anger and hurt feelings from the previous action that my clients filed. As such, I would request that this baseless appeal be withdrawn and the parties be allowed to continue their lives without further conflict. Finally, I want to make you, as well as your client, aware that should my clients be successful in this appeal, I will be seeking full attorneys' fees and costs incurred by my clients as a result of Mr. Hoover's desire to punish my client through litigation.

With kind regards, I am

Sincerely,


Stephanie R. Fajardo
Attorney at Law

SATELLITE OFFICE

110 South Sumter Street • Sumter, South Carolina 29150
Telephone (803) 773-1415 • Facsimile (803) 775-3478

FORM 17
ITEMIZED STATEMENT OF COSTS

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Hugh Hoover,)
Appellant.)
)
v.)
)
L.A. Blue and Kem Dempsey,)
Respondents.)

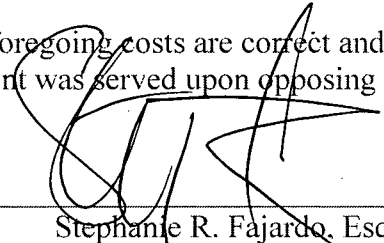
The Appellate Court is requested to tax the following costs against

Hugh Hoover

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	323	\$.25/page plus binding and tax	\$96.23	
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	18	\$.75/page	\$13.50	
Attorney's Fee Provided By Rule 222(b), SCACR		\$200.00/hour	\$2,000.00 (\$1,000 per Respondent)	
Other (specify and explain): Necessary attorney fees		\$200.00/hour 25 hours	\$3,000 (\$5,000 total reduced by \$2,000 requested above)	

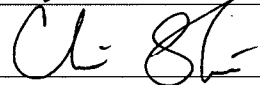
COSTS TAXABLE UNDER RULE 242(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing or Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing fee paid under Rule 242(c), SCACR				
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL		

I, **Stephanie R. Fajardo, Esquire** do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon opposing counsel as evidenced by the attached Proof of Service.



Stephanie R. Fajardo, Esquire
Attorney for L.A. Blue and Kem Dempsey

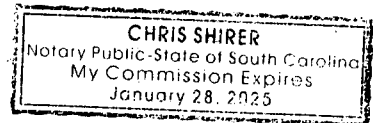
Subscribed and sworn to before me this 24 day of September, 2015.



Notary Public for SC

My Commission Expires: 01/28/2025

(Seal)



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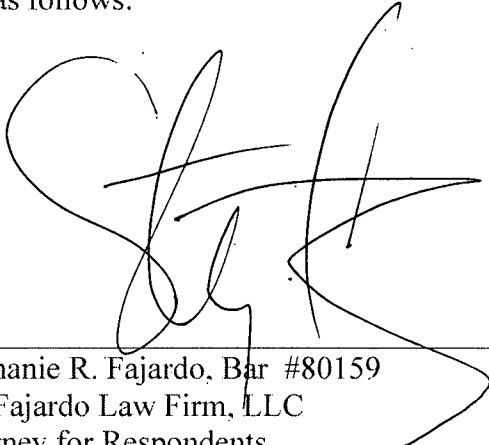
L.A. Blue and Kem Dempsey,

Respondents,

PROOF OF SERVICE

I certify that I have served the **Motion for Costs and Itemized Statement of Costs** in the above matter on opposing counsel of record, by depositing a copy of the same in the United States Mail, postage prepaid, on September 24, 2015, addressed as follows:

John Carrigg Jr., Esquire
Carrigg Law Firm
137 E. Butler Street, Suite 6
Lexington, South Carolina 29072



Stephanie R. Fajardo, Bar #80159
The Fajardo Law Firm, LLC
Attorney for Respondents