



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC  
ATTORNEYS AT LAW

October 26, 2015

RECEIVED  
OCT 26 2015  
SC Court of Appeals

**VIA HAND DELIVERY**

The Honorable Jenny Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: Chaudhari v. Avni Grocers  
App. Case No. 2013-000282

Puniyani v. Avni Grocers  
App. Case No. 2013-000412

Dear Ms. Kitchings:

I am receipt of the Court's orders filed October 20, 2015 denying the Respondents' separate petitions for an award of fees and costs. I wonder, however, if these orders may have been entered by mistake.

Rule 222(a) provides, "Unless otherwise ordered by the appellate court..., costs *shall* be taxed against the appellant when the appeal is ... affirmed." (Emphasis added). Respondents each filed their motions pursuant to this rule because the appeals in this case were both affirmed. Appellants filed nothing in opposition to the petitions for costs. It has been my experience that the Court routinely grants these motions. Because the Court expressed no reason for varying from prior practice (*i.e.*, did not give a reason for "otherwise ordering" no costs), I wondered if the Court's denial might be in error.

This letter is not intended to be a request for rehearing. I am merely requesting that you check with the members to make sure that the Court's orders were not an oversight.

Thank you in advance for your attention.

Sincerely,



John S. Nichols  
BLUESTEIN, NICHOLS,  
THOMPSON & DELGADO, LLC

JSN

cc: Jarrel L. Wigger, Esquire  
Margaret M. Urbanic, Esquire