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STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT **OCT 15 2015**

John D. McLeod, Administrative Law Judge **SC Court of Appeals**

ALC Case No. 11-ALJ-17-0299-CC  
Appellate Case No. 2013-002550

Cherokee County Assessor's Office .....Appellant,

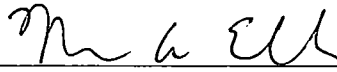
v.

Tilbros, Inc. ....Respondent.

**MOTION/MEMORANDUM FOR COSTS**

By Order filed on July 1, 2015, the South Carolina Court of Appeals affirmed the South Carolina Administrative Law Court decision referenced above. On September 30, 2015, the South Carolina Court of Appeals issued a Remittitur to the South Carolina Administrative Law Court remitting the above-referenced matter. Pursuant to South Carolina Appellate Court Rule 222, Respondent Tilbros, Inc. hereby moves for an assessment of costs against Appellant Cherokee County Assessor's Office. A sworn, Itemized Statement of Costs incurred in this matter is attached hereto as Exhibit "A" and is incorporated herein by reference.

Respectfully submitted,



Morris A. Ellison (S.C. Bar No. 1881)  
William T. Dawson III (S.C. Bar No. 74739)  
Womble Carlyle Sandridge & Rice, LLP  
5 Exchange Street  
P. O. Box 999  
Charleston, South Carolina 29402  
(843) 722-3400  
*Attorneys for Respondent Tilbros, Inc.*

October 14, 2015

Counsel of Record for Appellant:

William G. Rhoden, Esq.  
Winter & Rhoden, LLC  
221 E. Floyd Baker Blvd.  
Gaffney, South Carolina 29340

Joseph L.V. Johnson, Esq.  
Saint-Amand, Thompson & Mathis  
2510 South Limestone Street, Suite 1  
First Piedmont Federal Building  
Gaffney, South Carolina 29340

Exhibit "A"

Itemized Statement of Costs

STATE OF SOUTH CAROLINA  
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Cherokee County Assessor's Office .....Appellant,

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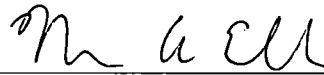
Tilbros, Inc. ....Respondent.

**ITEMIZED STATEMENT OF COSTS**

The South Carolina Court of Appeals is requested to tax the following costs and fees against Petitioner Cherokee County Assessor's Office. This Itemized Statement of Costs is respectfully submitted for consideration in connection with the Respondent Tilbros, Inc.'s Motion for Costs pursuant to South Carolina Appellate Court Rule 222.

<u>Costs Taxable Under Rule 222, SCACR</u>	<u>No. of Pages</u>	<u>Rate</u>	<u>Requested</u>	<u>Allowed</u> (For Court use only)
Cost of printing or copying Final Brief	345	\$0.10 per page	\$34.50	
Costs of Court Reporter's Transcript	N/A	N/A	\$763.00	
Attorney's fee provided by Rule 222(b), SCACR	N/A	N/A	\$1,000.00	
Total:			\$1,797.50	

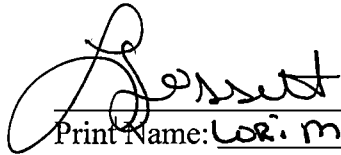
I, Morris A. Ellison, Esq., do swear and affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon opposing counsel via U.S. Mail.



Morris A. Ellison (S.C. Bar No. 1881)  
Womble Carlyle Sandridge & Rice, LLP  
5 Exchange Street  
P. O. Box 999  
Charleston, South Carolina 29402  
(843) 722-3400  
*Attorney for Respondent Tilbros, Inc.*

October 14, 2015  
Charleston, South Carolina

Subscribed and sworn to before me this 14<sup>th</sup> day of October, 2015.



Print Name: Lori M. Gossett  
Notary Public for the State of South Carolina  
My Commission Expires: 11-29-21

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Tilbros, Inc. .... Respondent,

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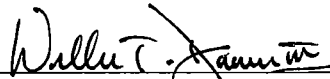
Cherokee County Assessor's Office ..... Appellant.

CERTIFICATE OF SERVICE

I certify that I have served a copy of RESPONDENT'S MOTION/MEMORANDUM OF COSTS AND ITEMIZED STATEMENT OF COSTS by depositing a copy in the United States Mail, postage prepaid on October 14, 2015 to the following:

William G. Rhoden, Esq.  
Winter & Rhoden, LLC  
221 E. Floyd Baker Blvd.  
Gaffney, South Carolina 29340

Joseph L.V. Johnson, Esq.  
Saint-Amand, Thompson & Mathis  
2510 South Limestone Street, Suite 1  
First Piedmont Federal Building  
Gaffney, South Carolina 29340



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5 Exchange Street  
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Charleston, South Carolina 29402  
(843) 722-3400

*Attorneys for Respondent Tilbros, Inc.*

October 14, 2015  
Charleston, South Carolina

WOMBLE  
CARLYLE  
SANDRIDGE  
& RICE  
A LIMITED LIABILITY  
PARTNERSHIP

October 14, 2015

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SC Court of Appeals

MORRIS A. ELLISON  
ATTORNEY AT LAW  
E-Mail: mellison@wcsr.com  
DIRECT DIAL: 843-720-4614  
FAX: 843-723-7398

**Via Federal Express**

Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1015 Sumter Street  
John C. Calhoun Building  
P.O. Box 11629  
Columbia, South Carolina 29201

RE: Cherokee County Assessor v. Tilbros, Inc.  
Appellate Case Number 2013-002550  
ALC Case No. 11-ALJ-17-0299-CC  
WCSR File No. 84849.0000.0

Dear Ms. Kitchings:

Enclosed please find an original and seven (7) copies of Respondent's *Motion/Memorandum for Costs and Itemized Statement of Costs* along with a check in the amount of \$25 for the filing fee. By copy of this letter, I am serving a copy of the *Motion/Memorandum for Costs and Itemized Statement of Costs* to all counsel of record.

Please date stamp the additional copy of the enclosed and return a clocked-in copy of the *Motion/Memorandum for Costs and Itemized Statement of Costs* in the enclosed, self-addressed envelope. If you need any additional information, please do not hesitate to contact me.

Yours very truly,

WOMBLE CARLYLE SANDRIDGE & RICE, LLP



Morris A. Ellison

MAE/wtd

cc: William G. Rhoden, Esq. (via US Mail)  
Joseph L.V. Johnson, Esq. (via US Mail)  
Tilbros, Inc. (via email)

ORIGIN ID: CHSA (843) 722-3400  
MORRIS ELLISON  
WOMBLE CARLYLE, LLP  
5 EXCHANGE STREET

CHARLESTON, SC 29401  
UNITED STATES US

SHIP DATE: 14OCT15  
ACTWGT: 0.50 LB  
CAD: 103494906/WVSX12500

BILL SENDER

TO HONORABEL JENNY ABBOTT KITCHINGS  
SOUTH CAROLINA COURT OF APPEALS  
1015 SUMTER ST

COLUMBIA SC 29201

(843) 720-4646

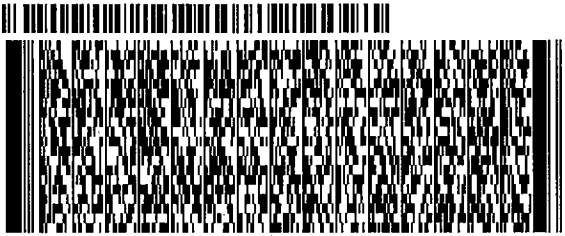
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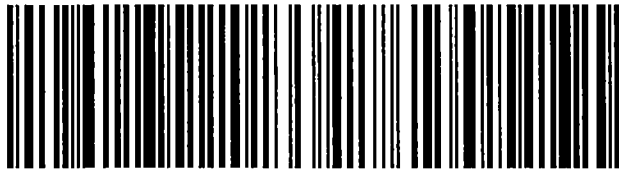
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SC Court of Appeals

FOLD on this line and place in shipping pouch with bar code and delivery address visible

1. Fold the first printed page in half and use as the shipping label.
2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.