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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

APR 18 2017

SC Court of Appeals

Edgar W. Dickson, Circuit Court Judge

Case No. 2011-CP-38-1397

William Breland, ..... Respondent,

v.

South Carolina Department of Transportation, ..... Appellant.

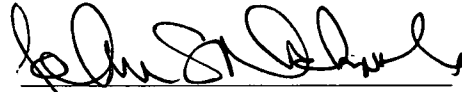
**MOTION FOR COSTS**

Pursuant to Rule 222 of the South Carolina Appellate Court Rules, Respondent, requests that the costs of this appeal be taxed against South Carolina Department of Transportation, who was the appellant.

Rule 222(a) provides that unless the court orders otherwise or the parties agree otherwise, costs shall be taxed against the appellant when the appeal is dismissed or the judgment is affirmed. This Court's opinion affirmed the judgment of the circuit court on February 24, 2016, and issued the remittitur April 4, 2017. Because the Court has not ordered otherwise and the parties have not agreed otherwise, the rule provides the Court should award costs to Respondent.

In accordance with the instructions of Rule 222(d), an itemized statement of costs is attached to this motion.

Respectfully Submitted,



John S. Nichols, SC Bar # 4210

Blake A. Hewitt, SC Bar # 73674

BLUESTEIN NICHOLS

THOMPSON & DELGADO

Post Office Box 7965

Columbia, South Carolina 29202

(803) 779-7599

(803) 779-8995 (facsimile)

Attorneys for Respondent

April 18, 2017

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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

William Breland, )  
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Respondent, )  
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v. )  
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South Carolina Department of )  
Transportation, )  
Appellant. )  
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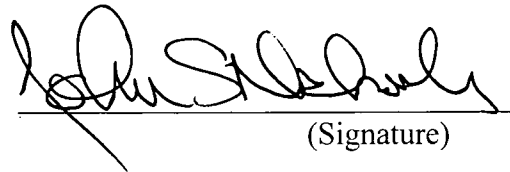
SC Court of Appeals

The appellate court is requested to tax the following costs against

South Carolina Department of Transportation (Appellant)				
COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	561	\$59.90(plus \$4.79 in taxes)	\$64.69	
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 - Motion for Summary Judgment	44	\$33.00 (plus \$5.05 in postage)	\$38.05	
Cost of Court Reporter's Transcript - - Trial Transcript	546	\$0.75 per page	\$409.50	
Cost of Court Reporter's Transcript - Post-Trial Motions	52	\$39.00 (plus \$2.25 postage)	\$41.25	

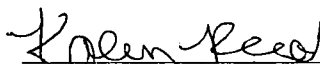
Attorney's Fee Provided By Rule 222(b), SCACR			\$1,000.00	
Other (specify and explain):				
COSTS TAXABLE UNDER RULE 242(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing and Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing fee paid under Rule 242(c), SCACR				
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$1,553.49	

I, John S. Nichols, do swear or affirm that the forgoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.

  
(Signature)

Attorney for Respondent

Subscribed and sworn before me this 18 day of April, 2019.

  
Notary Public for South Carolina  
My Commission Expires: 2/21/24

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William Breland, ..... Respondent,

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South Carolina Department of Transportation, ..... Appellant.

**PROOF OF SERVICE**

The undersigned hereby certifies that on the date indicated below she served counsel for the Appellant with a copy of the *Motion for Costs and Itemized Statement of Costs* by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

Richard B. Ness  
Alison D. Hood  
Norma Anne Turner Jett  
Adam C. Ness  
NESS & JETT, LLC  
P.O. Box 909  
Bamberg, SC 29003



Erin Bridges

April 18, 2017



BLUESTEIN · NICHOLS · THOMPSON · DELGADO LLC  
ATTORNEYS AT LAW

April 18, 2017

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SC Court of Appeals

**VIA HAND DELIVERY**

Honorable Jenny Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

RE: William Breland v. South Carolina Department of Transportation  
Case Tracking No.: 2014-000168

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a *Motion for Costs and Itemized Statement of Costs* in reference to the above matter. I have also enclosed a proof of service of this document on counsel for the Appellant and a \$25.00 check for filing this motion. Please return the additional filed copy to me via our courier.

Thank you for your attention to this matter. If you need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges  
Paralegal to John S. Nichols  
BLUESTEIN, NICHOLS, THOMPSON &  
DELGADO, LLC

/emb

Enclosures

cc: J. Christopher Wilson, Esquire  
Richard B. Ness, Esquire  
Alison D. Hood, Esquire  
Norma Anne Turner Jett, Esquire  
Adam C. Ness, Esquire