

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DILLON COUNTY
Alison Renee Lee, Circuit Court Judge

RECEIVED

SEP 20 2017

SC Court of Appeals

Case No: 2016-001959
Opinion No.: 5398
(S.C. Ct. App. filed March 30, 2016)

Claude W. Graham, Respondent,

v.

Town of Latta, South Carolina, Appellant.

AND

Vickie B. Graham, Respondent,

v.

Town of Latta, South Carolina, Appellant.

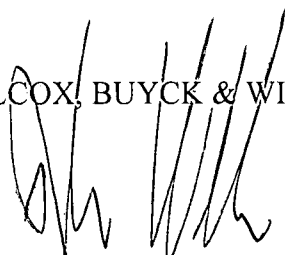
MOTION FOR COSTS ON APPEAL

The Respondents, Claude W. Graham and Vickie B. Graham, move this Court pursuant to Rule 222(d) SCACR, to tax costs on appeal in the amount of \$1,241.93 against Appellant.

The requested costs on appeal are set forth in the Statement of Costs on Appeal which is filed herewith.

WILCOX, BUYCK & WILLIAMS, P.A.

By:



Reynolds Williams
Post Office Box 1909
Florence, South Carolina 29503
843-662-3258
Attorney for Respondents
Claude W. Graham and Vickie B. Graham

Florence, South Carolina

September 18, 2017

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Claude W. Graham,)
)
 Respondent,)
)
 v.)
)
 Town of Latta, South Carolina,)
)
 Petitioner,)
)
 AND)
)
 Vickie B. Graham,)
)
 Respondent,)
)
 v.)
)
 Town of Latta, South Carolina,)
)
 Petitioner,)
)
)

Opinion No.: 5398
 (Filed March 30, 2016)

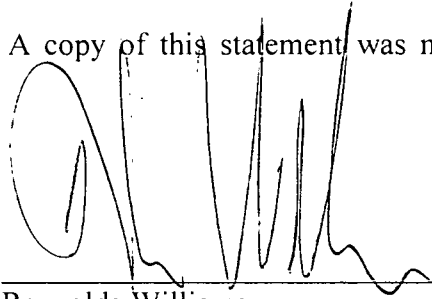
STATEMENT OF COSTS ON APPEAL

RECEIVED
 SEP 20 2017
 SC Court of Appeals

The Clerk of the South Carolina Court of Appeals is requested to tax the following costs against the Petitioner:


COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing Final Brief	380	\$ 241.93	
Attorney's Fee Provided By Rule 222(b), SCACR		\$1,000.00	
	TOTAL	\$ 1,241.93	

I, Reynolds Williams, do swear that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was mailed to opposing counsel by first class mail.



Reynolds Williams
Attorney for Claude W. and Vickie B. Graham,
Respondents

Subscribed and sworn to before me this 18 day of September, 2017.



Notary Public for South Carolina
My Commission Expires: 10/17/2017

TRUDY P. HUMPHRIES
Type or Print Name of Notary

(SEAL)



THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DILLON COUNTY
Alison Renee Lee, Circuit Court Judge

Case No: 2016-001959
Opinion No.: 5398
(S.C. Ct. App. filed March 30, 2016)

RECEIVED

SEP 20 2017

SC Court of Appeals

Claude W. Graham, Respondent,

v.

Town of Latta, South Carolina, Appellant.

AND

Vickie B. Graham, Respondent,

v.

Town of Latta, South Carolina, Appellant.

**MEMORANDUM IN SUPPORT OF
MOTION FOR COSTS ON APPEAL**

On March 30, 2016, the South Carolina Court of Appeals issued an unpublished decision affirming the Circuit Court’s order denying Appellant’s motions for directed verdict and judgment notwithstanding the verdict (JNOV). The Appellant filed a Petition for Writ of Certiorari, which was denied by Order of the South Carolina Supreme Court issued on September 8, 2017. The Remittitur was subsequently issued by this Court on September 15, 2017.

Rule 222(a), SCACR, provides that “costs shall be taxed against appellant when the appeal is dismissed or judgment on appeal is affirmed.” See, Rule 222(a), SCACR. Therefore, as a prevailing party in this appeal, the Respondents, Claude W. Graham and Vickie B. Graham, are entitled to an award of costs on appeal in accordance with Rule 222(b), SCACR, which includes the costs of the printing of the final brief. The Respondents are also entitled to attorneys’ fees in the amount of \$1,000.00, which is an amount set by order of the Supreme Court.

As a result, the Respondents move this Court, pursuant to Rule 222(d), SCACR, for costs on appeal in the amount of \$1,241.93. The requested costs on appeal are set forth in the Statement of Costs on Appeal, which is also filed herewith.

WILLCOX, BUYCK & WILLIAMS, P.A.

By: 

Reynolds Williams
Post Office Box 1909
Florence, South Carolina 29503
843-662-3258

*Attorney for Respondents
Claude W. Graham and Vickie B.
Graham*

Florence, South Carolina

September 18, 2017

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DILLON COUNTY
Alison Renee Lee, Circuit Court Judge

RECEIVED

SEP 20 2017

SC Court of Appeals

Case No: 2016-001959
Opinion No.: 5398
(S.C. Ct. App. filed March 30, 2016)

Claude W. Graham, Respondent,

v.

Town of Latta, South Carolina, Appellant.

AND

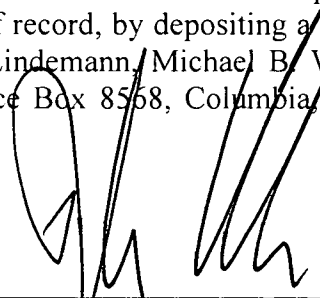
Vickie B. Graham, Respondent,

v.

Town of Latta, South Carolina, Appellant.

PROOF OF SERVICE

I certify that a copy of Respondents' Motion For Costs On Appeal, Memorandum in Support of Motion for Costs on Appeal, and Statement of Costs on Appeal have been served on the Appellant, through its attorneys of record, by depositing a copy of same in the US Mail, postage prepaid, to: Andrew F. Lindemann, Michael B. Wren, Daniel C. Plyler, Davidson & Lindemann, PA, Post Office Box 8558, Columbia, South Carolina 29202



September 18, 2017

Reynolds Williams
Post Office Box 1909
Florence, South Carolina 29503
843-662-3258
Attorney for Respondents

Mark W. Buyck, Jr.
Hugh L. Willcox, Jr.
Wm. Reynolds Williams♦
Mark W. Buyck, III
E. Lloyd Willcox, II
John H. Muench † GA & KY
Tracy L. Wright
J. Scott Kozacki
Walker H. Willcox
Paula A. Sartor
Katherine M. Ryan † AL

LAW OFFICES
WILLCOX, BUYCK, & WILLIAMS
PROFESSIONAL ASSOCIATION
WWW.WILLCOXLAW.COM
248 WEST EVANS STREET (29501)
POST OFFICE BOX 1909
FLORENCE, SOUTH CAROLINA 29503-1909

2050 Corporate Center Dr
Suite 230
Myrtle Beach, SC 29577
Telephone (843) 650-6777
Fax (843) 650-6767

† Additionally Licensed
♦ Certified Mediator

ESTABLISHED 1895

Reply To: Florence

Telephone (843) 662-3258
Fax (843) 662-1342

September 18, 2017

THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF COURT
SC COURT OF APPEALS
PO BOX 11629
COLUMBIA SC 29211

RE: Claude W. Graham v. Town of Latta, South Carolina
Vickie B. Graham vs. Town of Latta, South Carolina
Appellate Case No. 2013-000752
Lower Court Case Nos.: 2008CP1700376 and 208CP1700377
Our File: 15410.15281

RECEIVED
SEP 20 2017
SC Court of Appeals

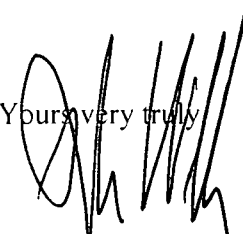
Dear Ms. Kitchings:

Please find enclosed for filing the originals and seven copies each of the Respondents' **Motion For Costs on Appeal, Memorandum in Support of Motion for Costs on Appeal**, and the **Statement of Costs on Appeal** in connection with the above case. Please file the originals and return a clocked-in copy of each document in the self-addressed pre-stamped envelope. Also enclosed, please find our firm's check in the amount of \$25.00 as payment of the filing fees.

By copy of this correspondence, we are serving a copy of each document on Andrew F. Lindemann, Michael B. Wren, and Daniel C. Plyler, counsel of record for Appellant.

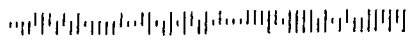
The Honorable Jenny Abbott Kitchings
September 18, 2017
Page 2

Yours very truly


Reynolds Williams
Email: reynolds@willcoxlaw.com

WRW/tph
Enclosures

cc: Andrew F. Lindemann, Esquire
Michael B. Wren, Esquire
Daniel C. Plyler, Esquire
Claude and Vickie Graham



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 003.08⁰
0000833436 SEP 18 2017
MAILED FROM ZIP CODE 29501

Willcox, Buyck &
Williams, P.A. Since 1895

Post Office Box 1909
Florence, SC 29503

To:
THE HONORABLE JENNY ABBOTT
KITCHINGS
CLERK OF COURT
SC COURT OF APPEALS
PO BOX 11629
COLUMBIA SC 29211

RECEIVED
SEP 20 2017
SC Court of Appeals