

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity and
Special Circuit Court Judge for Beaufort County
Case No.: 2013-CP-07-01491

RECEIVED
SEP 25 2017
SC Court of Appeals

Appellate Case No.: 2014-002249

IN RE: Estate of Valerie D'Agostino

Nicholls & Campton, P.A. Appellant

-vs.-

Estate of Valerie D'Agostino..... Respondent

**RESPONDENTS'
MOTION FOR COSTS ON APPEAL**

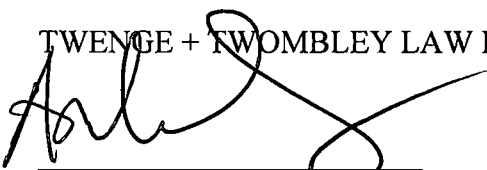
Pursuant to Rule 222 of the Appellate Court Rules of Civil Procedure, Respondent hereby motions the Court for costs and fees to be taxed against Appellant, which shall be taxed when an appeal is dismissed or judgment on the appeal is affirmed. The South Carolina Court of Appeals affirmed the judgment on appeal on July 20, 2016.¹ The South Carolina Court of Appeals denied Appellant's Petition for Rehearing on September 23, 2016. The Supreme Court of South Carolina denied Petitioner's Petition

¹ This motion for a portion of the fees and costs incurred by Respondent on appeal pursuant to Rule 222 of the Appellate Court Rules of Civil Procedure is made without prejudice to Respondent's right to pursue all other fees and costs that may be recoverable through Respondent's pending Motion for violation of the South Carolina Frivolous Civil Proceedings Sanctions Act and through other proceedings.

for a writ of certiorari to on September 8, 2017. The remittitur was issued by the South Carolina Court of Appeals on September 18, 2017.

Respondents incurred costs in the amount of \$329.98, as detailed in the Itemized Statement of Costs. Respondents are also entitled to \$1,000.00 in attorney's fees pursuant to Rule 222, SCACR, for a total of \$1,329.98.

Respectfully submitted,

TWENGE + TWOMBLEY LAW FIRM
BY: 

J. ASHLEY TWOMBLEY
311 Carteret Street
Beaufort, SC 29902
Telephone: (843) 982-0100
Facsimile: (843) 982-0103
www.twlawfirm.com
ATTORNEYS FOR RESPONDENT

Beaufort, South Carolina

September 22, 2017

THE STATE OF SOUTH CAROLINA
Beaufort County of Common Pleas

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master in Equity and Circuit Court Judge for Beaufort County
Case No.: 2014-CP-07-01491

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IN RE: Estate of Valerie D'Agostino

Nicholls & Crampton, P.A.Appellant

-vs.-

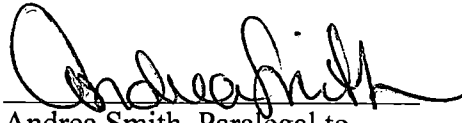
Estate of Valerie D'Agostino.....Respondent

CERTIFICATE OF SERVICE

The undersigned, Andrea Smith, hereby avers that she is a Paralegal with TWENGE + TWOMBLEY LAW FIRM, Attorneys for Respondents, and that on the 22nd day of September 2017 a true and accurate copy of the attached Respondents' Motion for Costs on Appeal and Itemized Statement of Costs was placed in an envelope with first class postage thereon prepaid through the United States Postal Service and mailed to the following:

Jay A. Mullinax, Esquire
Law Office of Jay A. Mullinax, LLC
2 Park Lane, Ste 303
Hilton Head, SC 29928
Attorney for Appellant

BY:



Andrea Smith, Paralegal to
TWENGE + TWOMBLEY LAW FIRM

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SEP 25 2011

SC Court of Appeals

TWENGE + TWOMBLEY LAW FIRM LLC

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BEAUFORT, SOUTH CAROLINA 29902
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J. ASHLEY TWOMBLEY*
KARL D. TWENGE
JENNIFER I. CAMPBELL+

**: LICENSED IN SC + GA
+: OF COUNSEL

September 22, 2016

Via U.S. Mail

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29211

RECEIVED

SEP 25 2017
SC Court of Appeals

**Re: In RE: Estate of Valerie D'Agostino
Nichols & Crampton, P.A. v. Estate of Valerie D'Agostino
Appellate Case No.: 2014-002249**

Dear Ms. Kitchings:

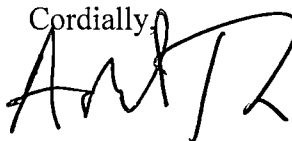
Please find enclosed an unbound original and seven (7) copies of Respondents' Motion for Costs on Appeal, Itemized Statement of Costs and Certificate of Service regarding the referenced matter. I would appreciate it if you would file the original and six copies and return one clocked copy to me in the enclosed self-addressed, stamped envelope. Enclosed is my firm's check in the amount of \$25.00, which represents the required filing fee.

By copy of this letter, I am serving the same upon counsel for Appellant.

Thank you for your consideration in this matter. If you have any questions, please do not hesitate to contact me.

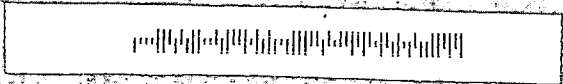
With kindest regards, I remain,

Cordially,



J. Ashley Twombley

cc: Jay A. Mullinax, Esquire



COLUMBIA SC 29204
FRI 22 SEP 2017 PM

Twenge + Twombly Law Firm
311 Carteret Street
Beaufort, SC 29902

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29211

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