

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Charles B. Simmons, Master-in-Equity

2017-001379
Case No. 2013-CP-23-01810

RECEIVED

JAN 03 2018

SC Court of Appeals

John D. Hatcher, Rachel Shaluly, James F. Gilbert,
Molly A. Miller, and Michael Stheney, individually
and as members of the Architectural Committee of
Mill Creek Estates,

Respondents,

v.

Ronald J Ferguson, Ronald E. Ferguson and
Susan M. Ferguson,

Appellants.

RESPONSE TO PLAINTIFFS' MOTION FOR COSTS

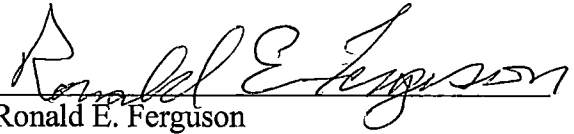
APPELLANTS, herein submit their response to the Respondents' Motion for Costs pursuant to Rule 222 of the Appellate Court Rules.

Contrary to Respondents assertions the judgment was not affirmed but the Court declined to address the matters raised at the current time alleging them to be interlocutory in nature. Based on the precedent of *Black v. B.B. Kirkland Seed Co.*, 163 S.C. 222, 161 S.E.2d 489 (1931), which held that costs should not be taxed until an appeal that resolves the case is adjudicated, the movants are not entitled to the relief sought.

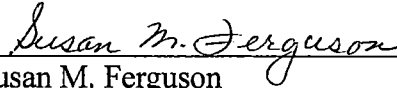
Wherefore, premises considered, Appellants would respectfully submit that the relief requested by Movant be denied.

Respectfully submitted,

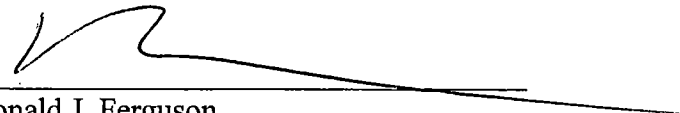
December 29, 2017



Ronald E. Ferguson
103 Mill Creek Road
Piedmont, South Carolina 29673
864-509-0169
Pro-se



Susan M. Ferguson
103 Mill Creek Road
Piedmont, South Carolina 29673
864-509-0169
Pro-se



Ronald J. Ferguson
103 Mill Creek Road
Piedmont, South Carolina 29673
864-509-0169
Pro-se

Other Counsel of Record:
Rodney M. Brown
210 South Main Street
Fountain Inn, South Carolina 29644
864-862-2528
Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Charles B. Simmons, Master-in-Equity

2017-001379
Case No. 2013-CP-23-01810

RECEIVED

JAN 03 2018

SC Court of Appeals

John D. Hatcher, Rachel Shaluly, James F. Gilbert,
Molly A. Miller, and Michael Stheney, individually
and as members of the Architectural Committee of
Mill Creek Estates,

Respondents,

v.

Ronald J Ferguson, Ronald E. Ferguson and
Susan M. Ferguson,

Appellants.

I certify, that on this date, I served a copy of the Appellants Response to Plaintiffs' Motion, dated 12/29/2017 on Plaintiff's Attorney of record by


_____ delivering it to him/her personally; or,

_____ mailing it to him/her, at his/her last known address, by depositing it in the U.S. Mail, in an envelope with sufficient postage affixed, addressed as follows; or,

X mailing it to the address indicted by their counsel of record in the Summons as follows:

Rodney M. Brown
210 S Main St
Fountain Inn, SC 29644

This the 29th day of December, 2017.

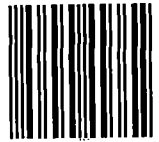


Ronald Ferguson

Ronald Ferguson
103 Mill Creek Road
Piedmont, SC 29673



1000



29211

U.S. POSTAGE
PAID
SIMPSONVILLE, SC
29681
DEC 29 17
AMOUNT
\$1.82
R2305M148536-08

RECEIVED

JAN 03 2018

SC Court of Appeals

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