

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Terry A. Finger, Special Referee

Appellate Case No. 2017-001680

RECEIVED
JAN 08 2018
SC Court of Appeals

William M. Rhett, Nancy R.
Rhett, and William M. Rhett
III,

Appellants,

v.

Jonathan H. Gray,

Respondent.

MOTION FOR COSTS

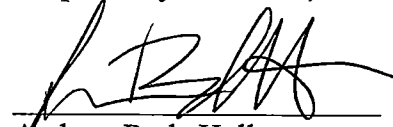
Pursuant to Rule 222, SCACR, Respondent Jonathan Gray moves for an order taxing costs against the appellants. The Court dismissed this appeal on December 8, 2017 and issued the remittitur on December 28. Unless the Court orders otherwise or the parties agree otherwise, "costs shall be taxed against the appellant when the appeal is dismissed." Rule 222(a), SCACR. The Court has not ordered otherwise, and the parties have not made any agreement regarding the taxing of costs. Thus, the dismissal has the effect of entitling Gray to an award of certain costs.

Pursuant to Rule 222(d), Gray is attaching to this motion a sworn, itemized statement of costs from his appellate counsel.

[A signature page follows.]

January 2, 2018

Respectfully submitted,



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Attorneys for Respondent

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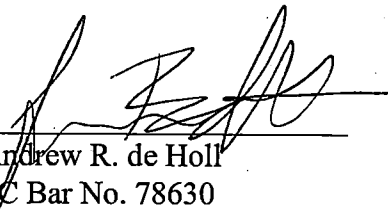
Jonathan H. Gray,

Respondent.

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of Respondent's Motion for Costs and his Itemized Statement of Costs has been served upon the following counsel of record by mailing one copy by United States Mail, addressed as shown below, this 2nd day of January 2018:

H. Fred Kuhn, Jr.
MOSS, KUHN & FLEMING, P.A.
1501 North Street
Beaufort, SC 29902



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Attorney for Respondent

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January 2, 2018

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SC Court of Appeals

VIA U.S. MAIL

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

RE: William M. Rhett, Nancy R. Rhett, and William M. Rhett, III v.
Jonathan H. Gray
Appellate Case No.: 2017-001680
ELG File No.: 314-00168

Dear Ms. Kitchings:

Enclosed for filing please find the original and six copies of Respondent's Motion for Costs in the above-referenced appeal. I am also enclosing the original certificate of service and a \$25.00 check for the motion fee.

By copy of this letter, I am serving Appellants' counsel with a copy of the motion.

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

Sincerely,

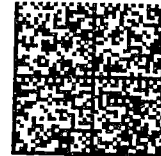



Andrew R. de Holl

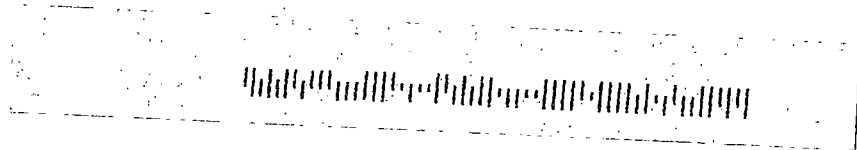
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Enclosures

Cc: H. Fred Kuhn, Jr., Esquire
James J. Wegmann, Esquire



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South Carolina Court of Appeals
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