

The South Carolina Court of Appeals

Frank Melton and Mary Frances Holder, Appellants,

v.

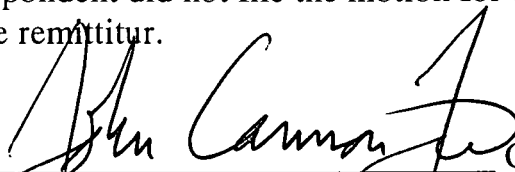
John C. Tibbs, Respondent.

And Big Oak Hunt Club and Jimmie E. Nunnery,
Intervenors.


Appellate Case No. 2011-192667

ORDER

On September 12, 2012, this court affirmed the order of the lower court. The case was remitted on September 28, 2012. Respondent John Tibbs had fifteen days from the date of the remittitur to file a motion for costs. *See* Rule 222(d), SCACR ("A party desiring costs to be taxed shall, within fifteen (15) days of the issuance of the remittitur, serve and file a motion requesting that costs be assessed under this Rule."). On November 5, 2012, Respondent filed a motion for costs and a motion for this court to consider his untimely motion for costs. Respondent's motion for this court to consider his untimely motion for costs and Respondent's motion for costs are denied because Respondent did not file the motion for costs within fifteen days of the issuance of the remittitur.



C.J.



J.



J.

Columbia, South Carolina

cc:

Randall M. Eason

Bruce M. Poore

Sue K. Carpenter

FILED

December 21, 2012