

STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM KERSHAW COUNTY  
Court of Common Pleas

**RECEIVED**

FEB 15 2018

Lower Court Case No. 2013-CP-28-00876

Appellate Case No. 2015-00155

SC Court of Appeals

Jimmy Boykin, Sammy Boykin a/k/a Sandy H. Boykin, Sr. And  
Kenny Boykin, Plaintiffs

v.

Zady R. Burton, Individually and as Personal Representative of  
the Estate of Helen L. Burton, and Sandy Boykin a/k/a Sandy H. Boykin, Jr., Defendants

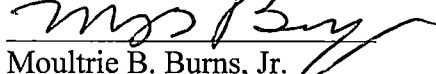
Of Whom Zady R. Burton, Individually and as Personal Representative of the Estate of  
Helen L. Burton is the Appellant and Jimmy Boykin is the Respondent.

**MOTION TO RECOVER COSTS AND ATTORNEYS FEES**

The Respondent, Jimmy Boykin, respectfully moves pursuant to Rule 222(b), SCACR, for  
an Order allowing the Respondents to recover costs and attorney fees. The motion is based  
upon the following:

- 1) This motion is timely, as the remittitur was issued February 5, 2018.
- 2) Rule 222(b), SCACR, allows for the recovery of attorney fees in the amount of One  
Thousand and 00/100 (\$1,000.00) Dollars.
- 3) Cost paid to UPS Store for Appeal "binding" in the amount of Fifty and 83/100 (\$50.83)  
Dollars.

WE SO MOVE:



Moultrie B. Burns, Jr.  
Attorney for Respondent  
1111 Church Street  
Camden, SC 29020  
Telephone: (803) 432-4391  
Facsimile: (803) 425-4816

February 15, 2018

STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM KERSHAW COUNTY  
Court of Common Pleas

Lower Court Case No. 2013-CP-28-00876  
Appellate Case No. 2015-001556

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SC Court of Appeals

Jimmy Boykin, Sammy Boykin a/k/a Sandy H. Boykin, Sr. And  
Kenny Boykin, Plaintiffs

v.

Zady R. Burton, Individually and as Personal Representative of  
the Estate of Helen L. Burton, and Sandy Boykin a/k/a Sandy H. Boykin, Jr., Defendants

Of Whom Zady R. Burton, Individually and as Personal Representative of the Estate of Helen L.  
Burton is the Appellant and Jimmy Boykin is the Respondent.

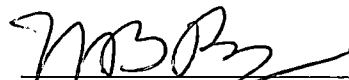
**AFFIDAVIT OF COSTS**

PERSONALLY appeared before me, Moultrie B. Burns, Jr., attorney for the Respondent, who first  
being sworn, deposes and says as following:

- 1) Rule 222 (a) and (e) allow for the attorney fee of One Thousand and 00/100 (\$1,000.00) Dollars  
when the appeal is affirmed and a writ of certiorari is denied, as in this case.
- 2) The costs for printing and bind the Respondents' final brief was Fifty and 83/100 (\$50.83)  
Dollars.

Total - \$1,050.83

AFFIANT FURTHER SAYETH NOT.



Moultrie B. Burns, Jr.  
Attorney for Respondent  
1111 Church Street  
Camden, SC 29020  
Telephone: (803) 432-4391  
Facsimile: (803) 425-4816  
Email: [Mburns@thesavagefirm.com](mailto:Mburns@thesavagefirm.com)

SWORN to before me this 15<sup>th</sup> day of  
February, 2018.

Nancy M. Richbourg  
Notary Public for South Carolina  
My Commission Expires: 9/22/18

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Of Whom Zady R. Burton, Individually and as Personal Representative of the Estate of Helen L.  
Burton is the Appellant and Jimmy Boykin is the Respondent.

**CERTIFICATE OF SERVICE**

I, the undersigned, an employee of Savage, Royall & Sheheen, L.L.P., do hereby certify that I have served Respondents' Motion to Recover Costs and Attorney Fees and Affidavit of Costs by depositing a copy of same in a United States Postal Mailbox, first class mail, postage prepaid, addressed to the attorney below on the 15th day of February, 2018.

Roger B. Jellenik, Esquire  
1106 Little Street  
Camden, South Carolina 29020

*Nancy M. Richbourg*  
Nancy M. Richbourg  
Secretary for  
Moultrie B. Burns, Jr.  
Camden, SC 29021  
(803) 432-4391

SWORN TO and subscribed before me this  
15th day of February, 2018.

*Pamela A. Mc...*  
Notary Public for South Carolina  
My Commission expires: 2-2-2022