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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

D. Garrison Hill, Circuit Court Judge

RECEIVED
APR 02 2018
SC Court of Appeals

Appellate Case No. 2015-000778
C/A No. 2013-CP-23-01792

Frank A. Landgraff,

Respondent,

v.

Carol Simpson,

Appellant.

Motion for Attorney Fee on Appeal Pursuant to Rule 222, SCACR

Frank A. Landgraff (“Respondent”), seeks an order recovering the attorney’s fee as allowed by Rule 222(b), SCACR, in the above-captioned appeal.

Carol Simpson (“Appellant”) appealed the circuit court’s entry of summary judgment against her in the underlying case. This Court affirmed the judgment on appeal by opinion dated February 21, 2018.

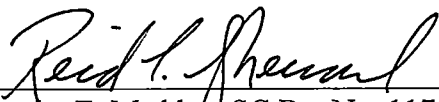
This Court remitted this matter to the circuit court on March 19, 2018.

Since this Court affirmed the judgment on appeal, Respondent moves to have fees and costs taxed against Appellant. See Rule 222(a), SCACR (“Unless otherwise ordered by the appellate court . . . costs *shall* be taxed against the appellant when . . . judgment on appeal is affirmed”) (emphasis added). Further, “the party shall be entitled to recover an attorney’s fee in

an amount which shall be set by order of the Supreme Court,” which is presently \$2,500.00.
Rule 222(b), SCACR.

Respondent seeks the attorney’s fees and costs owed to him since the judgment on appeal was affirmed. A sworn, itemized statement of fees and costs incurred by Respondent is attached to this Motion as required by Rule 222(d), SCACR.

NELSON MULLINS RILEY & SCARBOROUGH LLP

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Attorneys for Respondent Frank A. Landgraff

Greenville, South Carolina
March 30, 2018

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

D. Garrison Hill, Family Court Judge

Appellate Case No. 2015-000778
C/A No. 2013-CP-23-01792

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SC Court of Appeals

Carol Simpson,

Appellant,

v.

Frank A. Landgraff,

Respondent.

PROOF OF SERVICE

I certify that on March 30, 2018, I served Respondent's Motion for Attorney Fee on Appeal Pursuant to Rule 222, SCACR on Bill Mayer, Attorney for Appellant, by mailing a true and correct copy of the same, to the following address:

Bill Mayer
118 West Main Street
Laurens, SC 29360

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

Reid T. Sherard

Greenville, South Carolina

3/30, 2018

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March 30, 2018

The Honorable Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

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APR 02 2018

SC Court of Appeals

Re: Frank A. Landgraff v. Carol Simpson
C.A. No. 2013-CP-23-01792
Appellate Case No. 2015-000778
N.M.R.S. No. 035353.01502

Dear Ms. Kitchings:

In connection with the above captioned matter, enclosed please find an original and six (6) copies of Respondent's Motion for Attorney Fee on Appeal Pursuant to Rule 222, SCACR, and an original and three (3) copies of a Proof of Service. Kindly file and return the filed copies to this office. I have enclosed a self-addressed, stamped envelope for your convenience.

Additionally, enclosed please find our check in the amount of \$25.00 which represents your filing fee.

By copy of this letter, I am serving Appellant's counsel with copies of these filings.

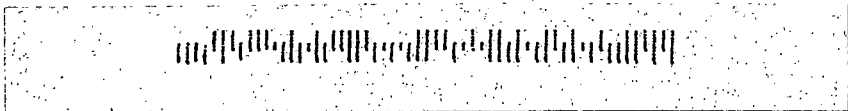
With best personal regards, I remain

Very truly yours,



Reid T. Sherard

RTS:jdg
Enclosures
cc: Bill Mayer, w/ enclosures



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03/30/2018

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 **NELSON MULLINS**

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The Honorable Jenny Abbott Kitchings
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