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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

The Honorable Larry B. Hyman, Circuit Court Judge
Fifteenth Judicial Circuit

Case No. 2015-CP-26-3173
Appellate Case No. 2017-002642

RECEIVED

APR 25 2018

SC Court of Appeals

Condo-World Development, LLC
and Heron Point Golf Club Limited PartnershipRespondent

vs.

Myrtle Beach Golf & Yacht Club Association, Inc.Appellant

AND

Myrtle Beach Golf & Yacht Club Association, Inc.Appellant

vs.

South State BankRespondent

MOTION TO TAX COSTS

Pursuant to Rule 222(a), SCACR, Respondents Condo-World Development, LLC and Heron Point Golf Club Limited Partnership (“Respondents”), by and through their undersigned counsel, respectfully move this Court to tax costs against the Appellant.

This motion is based on the following:

On December 19, 2017, the Appellant, Myrtle Beach Golf & Yacht Club Association, Inc. appealed the Order of the Honorable Larry B. Hyman dated November 27, 2017. The Respondents filed a Motion to Dismiss the appeal on December 21, 2017. The Appellant filed its Response to the Motion to Dismiss on February 1, 2018. Respondents filed their Reply to Appellant's Response on February 20, 2018 and filed an Amended Reply on February 21, 2018. On March 23, 2018, this Court entered an Order Granting Respondents' Motion to Dismiss. The Remittitur was served on April 10, 2018.

Respondents are the prevailing party and they are entitled to tax costs against Appellant in accordance with the rules of this Court. Pursuant to Rule 222(d), SCACR, accompanying this motion is a sworn itemized statement of costs incurred in the form prescribed by the appendix to the South Carolina Appellate Court Rules.

Respectfully submitted,



Howell V. Bellamy, III
Howell V. Bellamy, Jr.
Bellamy, Rutenberg, Copeland, Epps, Gravely &
Bowers, PA
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***Attorneys for Respondents Condo-World
Development, LLC and Heron Point Golf
Club Limited Partnership***



Demetri K. Koutrakos
Callison Tighe & Robinson, LLC
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P. O. Box 1390
Columbia, SC 29202-1390
Telephone: 803-404-6900
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Email: jimkoutrakos@callisontighe.com
***Attorneys for Respondent Heron Point Golf
Club Limited Partnership***

April 24, 2018

Form 17
ITEMIZED STATEMENT OF COSTS

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Condo-World Development, LLC, *et al.*)
)
 vs.)
)
 Myrtle Beach Golf & Yacht Club)
 Association, Inc., *et al.*)
)

Case No. 2015-CP-26-03173
Appellate Case No. 2017-002642

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SC Court of Appeals

The Appellate Court is requested to tax the following costs against:

Myrtle Beach Golf & Yacht Club Association, Inc.
(Name of Party)

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief				
Cost of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 203(d), SCACR				
Cost of Court Reporter's Transcript				
Attorney's Fee Provided By Rule 222(b), SCACR			\$ 2,500.00	
Other (specify and explain):				

COSTS TAXABLE UNDER RULE 226(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing or Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing Fee Paid Under Rule 226(c), SCACR				
Attorney's Fee Provided By Rule 216(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$ 2,500.00	

I, Demetri K. Koutrakos, Esq., do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) counsel for the Appellant.



(Signature)

Demetri K. Koutrakos, Esquire
Attorney for Respondents

Subscribed and sworn to before me this 24th day of April, 2018.

Kathleen Romero
Notary Public for South Carolina
My Commission Expires: 3/13/22

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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vs.

Myrtle Beach Golf & Yacht Club Association, Inc.Appellant

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vs.

South State BankRespondent

CERTIFICATE OF SERVICE

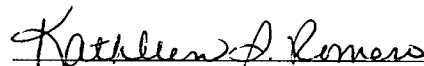
I, Kathleen S. Romero, an employee of Callison Tighe & Robinson, LLC, do hereby certify that, on this date, I served the foregoing **Motion to Tax Costs** upon counsel of record, by depositing a copy of the same in the United States mail with proper first-class postage affixed thereon, addressed as follows:

Christopher H. Pearce, Esquire
Kerry K. Jardine, Esquire
Charles B. Jordan, Jr., Esquire
The Pearce Law Group, PC
1314 Professional Drive
Myrtle Beach, SC 29577
*(Attorneys for Appellant Myrtle Beach Golf & Yacht
Club Association, Inc.)*

Audra M. Byrd, Esquire
Turner Padgett Graham & Laney, PA
2411 N. Oak Street
P. O. Box 2116
Myrtle Beach, SC 29578
(Attorneys for Respondent South State Bank)

April 25, 2018

5320.134\Appeal2\COS-MotionTaxCosts


Kathleen S. Romero

Demetri "Jim" K. Koutrakos

803.404.6900

JimKoutrakos@callisontighe.com

April 24, 2018

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APR 25 2018

SC Court of Appeals

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1220 Senate Street
P. O. Box 11629
Columbia, SC 29211

RE: Condo-World Development, LLC and Heron Point Golf Club Limited
Partnership vs. Myrtle Beach Golf & Yacht Club Association, Inc.
Case No. 2015-CP-26-3173
Appellate Case No. 2017-002642

Dear Ms. Kitchings:

Enclosed herewith please find an original and seven (7) copies of a Motion to Tax Costs in the above-referenced matter. Kindly file the same and return a clocked-in copy to the courier. This firm's check in the amount of \$25 is enclosed in payment of the required filing fee.

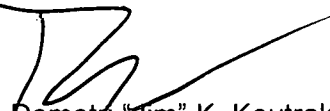
By copy of this letter, the enclosed Motion is being served upon counsel of record.

Please feel free to contact my office with any questions.

With kind regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC



Demetri "Jim" K. Koutrakos

DKK:ksr

Enclosures

cc: Christopher H. Pearce, Esquire
Kerry K. Jardine, Esquire
Charles B. Jordan, Jr., Esquire
Audra M. Byrd, Esquire
Howell V. Bellamy, III, Esquire
Howell V. Bellamy, Jr., Esquire

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