

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas

Olin Davie Burgdorf, Master-in-Equity

Court of Appeals Case Tracking No. 2011195267
Case No. 2009-CP-38-1696

RECEIVED
JAN 08 2013
SC Court of Appeals

Willie Riley,.....Respondent,

v.

Ulysses Green, individually and as Personal Representative of the Estate of Daniel Green, and Estate of Daniel Green, Pearlie Mae Graves, Sarah Lee Green, Daniel Green, III, Mildred Ann Green, Larry B. Green, Thomas Price, John Doe, and Richard Roe, fictitious persons designated to represent all the unknown heirs and distributees of Ernestine Green and Daniel Green, Jr. deceased, and all other unknown person or persons claiming through them or any infant or person under disability or in the Armed Forces of the United States of America and Mary Roe, fictitious person designated to represent the surviving spouse of the parties herein claiming a spousal interest in the herein described real property and John Doe, Richard Roe and Mary Roe, fictitious persons designated as a class to represent all other persons unknown claiming any right, title, interest or lien upon the real estate described herein, and TO WHOM IT MAY CONCERN, Defendants,

Of Whom Ulysses Green isAppellant.

RETURN TO MOTION


Plaintiff respectfully responds to Defendant's Motion for Costs on Appeal as follows:

- 1) That Appellant cites justification of assessing costs due to reversal of the lower court's judgment; however, the ruling by the Court of Appeals was not

determinative as to provide a result in favor of the Appellant. The Court of Appeals simply held that Master went beyond the relief prayed for by Respondent which was an action quiet title. It did not provide specific instructions in favor of Appellant. Instead it was remanded to Master for clarification as to his ruling. Respondent will likely still prevail in the original case.

2) The Respondent has also incurred substantial costs in litigation but does not seek reimbursement.

Respectfully submitted,



Dennis Wayne Catoe
Attorney for Respondent
Law Office of Dennis Wayne Catoe
P.O. Box 601
Irmo, South Carolina 29063

January 8, 2013

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Of Whom Ulysses Green isAppellant.

PROOF OF SERVICE

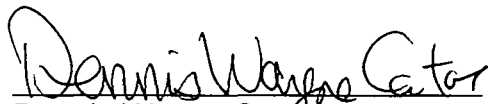
I certify that I served the foregoing document on counsel for the Appellant by depositing a copy in the mail on the date shown in the United sates Mail, postage

prepaid, addressed as follows:

Andrew S. Radeker
Harrison & Radeker, P.A.
P.O. Box 50143
Columbia, South Carolina 29250

January 8, 2013

Respectfully submitted,

A handwritten signature in black ink that reads "Dennis Wayne Catoe". The signature is written in a cursive style with a large initial "D" and "C".

Dennis Wayne Catoe
Attorney for Respondent
Law Office of Dennis Wayne Catoe
P.O. Box 601
Irmo, South Carolina 29063