

STATE OF SOUTH CAROLINA
IN THE
SUPREME COURT

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MAR 04 2019

Appeal from the Court of Common Pleas
for Charleston County

Honorable J. C. Nicholson, Jr., Circuit Judge

S.C. SUPREME COURT

Civil Action Nos.: 2010-CP-10-9096 and 2011-CP-10-8840

**419 S.C. 48, 795 S.E.2d 857 (Ct.App. 2016), rehearing denied
16 February 2017), certiorari granted in part (13 December 2017),
reversed, ___ S.C. ___, ___ S.E.2d ___ (2018)
(2018 WL 6072352), rehearing denied (20 February 2019)**

Frank Gordon, Jr., Individually and as Trustee
of the Dorothy S. Gordon (Deceased) Trust,

Respondent,

v.

Donald W. Lancaster,

Petitioner.

**Motion for Assessment of Appellate Costs
Pursuant to Rule 242(j), SCACR**

Stephen P. Groves, Sr., Esquire (S.C. Bar No. 007854)
NEXSEN PRUET, LLC
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Attorneys for the Petitioner

TO: THE HONORABLE JUSTICES OF THE SOUTH CAROLINA SUPREME COURT:

COMES NOW the Petitioner, Donald W. Lancaster ("Mr. Lancaster"), pursuant to Rule 242(j) of the South Carolina Appellate Court Rules, and respectfully requests this Supreme Court to assess the appropriate appellate costs against the Respondent, Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust ("Mr. Gordon"), in this appellate matter. The requested appellate costs sought are set forth in the attached Itemized Statement of Costs on Appeal Pursuant to Rule 242(j), SCACR.

Respectfully submitted:

NEXSEN PRUET, LLC

By: 

Stephen P. Groves, Sr., Esquire
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Attorneys for the Petitioner

Charleston, South Carolina

27 February 2019

NPCHAR1:2580850.1-APL-(SPG) 053211-00001

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ITEMIZED STATEMENT OF COSTS ON APPEAL
PURSUANT TO RULE 242(j), SCACR

The South Carolina Supreme Court (in conjunction with the South Carolina Court of Appeals) is requested to tax the following costs against the Respondent, Frank Gordon, Jr., Individually and as Trustee of the Dorothy S. Gordon (Deceased) Trust, as follows:

COSTS TAXABLE UNDER RULE 222, <u>SCACR</u>	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	50 pages (17 copies) 850 pages	\$0.15 per page	\$127.50	
Cost of Printing or Copying Final Reply Brief	27 pages (17 copies) 459 pages	\$0.15 per page	\$74.25	
Cost of Printing or Copying Record on Appeal	1203 pages (17 copies) 20,451 pgs.	\$0.15 per page	\$3,067.65	
Filing Fee Paid Under Rule 203(d), <u>SCACR</u>		\$100.00	\$100.00	
Cost of Court Reporter's Transcript	Trial – 296 pages, Post-Trial - 39 pages	\$945.00	\$945.00	
Attorney's Fee Provided By Rule 222(b), <u>SCACR</u>		\$2,500.00	\$2,500.00	
Other (specify and explain):				
COSTS TAXABLE UNDER RULE 242(j), <u>SCACR</u> (SC Court of Appeals)			\$6,814.40	

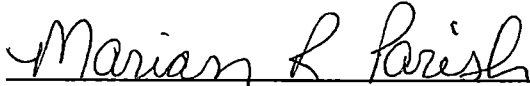
Cost of Printing or Copying Brief	27 pages (17 copies) 459 pages	\$0.15	\$74.25	
Cost of Printing or Copying Reply Brief	27 pages (17 copies) 459 pages	\$0.15	\$74.25	
Cost of Printing or Copying Appendix	1362 pages (17 copies) 23,154 pages	\$0.15	\$3,473.10	
Filing fee paid under Rule 242(c), <u>SCACR</u>		\$100.00	\$100.00	
Attorney's fee provided by Rule 242(j)(2), <u>SCACR</u>		\$2,500.00	\$2,500.00	
Other (specify and explain):				
COSTS TAXABLE UNDER RULE 242(j), <u>SCACR</u> (SC Supreme Court)			\$6,221.60	
COSTS TAXABLE UNDER RULE 242(j), <u>SCACR</u> (All Appellate Courts)		TOTAL	\$13,036.00	

I, Stephen P. Groves, Sr., Esquire, do swear and/or affirm this 27th day of February 2019, that the foregoing costs are correct and were necessarily incurred in this appellate action on behalf of the Petitioner, Donald W. Lancaster. A copy of this Itemized Statement of Costs Pursuant to Rule 242(j), SCACR was mailed to opposing counsel (and e-mailed) as demonstrated by the accompanying *Motion for Assessment of Appellate Costs and Certificate of Service*.



Stephen P. Groves, Sr., Esquire
Attorney for the Petitioner,
Donald W. Lancaster

Subscribed and sworn to before me
this 27th day of February 2019.



Notary Public for the State of South Carolina

My Commission Expires: 3/8/22
NPCHAR1:2580322.1-APL-(SPG) 053211-00001

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Proof of Service

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Attorneys for the Petitioner

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 27 February 2019, I served a copy of the **Motion for Assessment of Appellate Costs Pursuant to Rule 242(j), SCACR** submitted by the Petitioner, Donald W. Lancaster, on counsel for the Respondent via the United States Mail, postage pre-paid, and addressed as follows, as well as by e-mail:

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Stephanie L. Drawdy, Esquire
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sdrawdy@lucey-law.com

Attorneys for the Respondent

Signed: 
Stephen P. Groves, Sr.

Charleston, South Carolina

27 February 2019

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