

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

L. Casey Manning

Case No.: 2016-CP -40-06320

RECEIVED

APR 16 2019

Stephen D. Kelly,

Appellant, SC Court of Appeals

v.

Nancy Jones, Robert J. Kelly, Patricia Murphy
and Donald Kelly, Defendants

Of Whom Donald Kelly is the

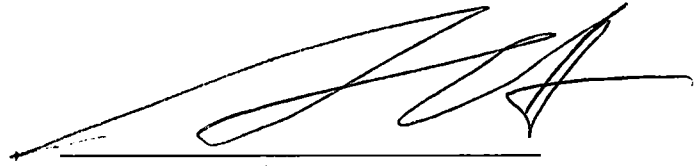
Respondent.

RETURN TO MOTION FOR COSTS

This court dismissed the above-referenced appeal in favor of the Respondent, Donald Kelly by order dated March 14, 2019. Counsel for the Respondent, Donald Kelly filed a Motion for Costs and an Itemized Statement of Costs. In the Itemized Statement of Costs, Counsel for the Respondent requested an Attorney's Fee in the amount of \$2,500.00. Furthermore, Counsel's affidavit sworn that attorney's fees of \$2,500.00 were "correct and necessarily incurred in this action". This appeal was filed and summarily dismissed. Counsel for Respondent could not have spent more than one-hour in reviewing any of the correspondence generated. The award of a fee of \$2,500.00 is grossly out-of-proportion for any work performed by Counsel for Respondent. Counsel for Respondent would concede that

a fee of \$250.00 would be appropriate and if the court is inclined to award a fee, reduce it to that amount.

April 12, 2019

A handwritten signature in black ink, appearing to read 'S. Hucks', written over a horizontal line.

Stephen C. Hucks, Esquire
HUCKS & FELKER, LLC
9610 Two Notch Road, Suite 5
Columbia, South Carolina 29223
(803) 865-6370; Facsimile (803) 865-6332
ATTORNEY FOR APPELLANT

THE STATE OF SOUTH CAROLINA
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PROOF OF SERVICE

I, the undersigned, do hereby certify that I am employed by the LAW OFFICES OF HUCKS & FELKER and that on the 12th day of April, 2019, pursuant the South Carolina Appellate Court Rules, I served the **Return to Motion for Costs** upon the Respondent, by depositing the same in the U.S. Mail, with proper postage affixed thereto, and addressed to his attorney of record, Harvey M. Watson, III, Esquire, as follows:

Harvey M. Watson, III, Esquire
PO Box 6338
West Columbia SC 29171-6338

April 12, 2019



Stephen C. Hucks, Esquire
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ATTORNEY FOR APPELLANT

HUCKS & FELKER, L.L.C.

Attorneys and Counselors at Law

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April 12, 2019

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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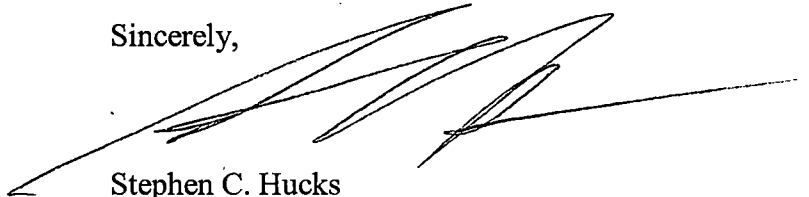
RE: Stephen D. Kelly vs. Donald Kelly
Case No.: 2016-CP-40-06320
Appellate Case No.: 2019-000324

Dear Clerk Kitchings:

Enclosed please find the original and six (6) copies each of the Appellant's Return to Motion for Costs in the above referenced case along with Proof of Service on the Respondent by way of opposing counsel, Harvey M. Watson, III. Please file the originals, clock the copies, and return them to me in the envelope provided.

Thank you for your considerate attention to this matter. If you have any questions or concerns, please feel free to contact me.

Sincerely,

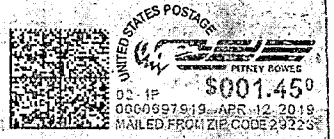


Stephen C. Hucks

/sch

Enclosures: as stated

cc: -Harvey M. Watson, III, Esquire
Post Office Box 6338
West Columbia, South Carolina 29171-6338
-client



Stephen C. Hucks, Esquire
Hucks and Felker, LLC
9610 Two Notch Road, Suite 5
Columbia, SC 29223

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