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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Jocelyn Newman, Circuit Court Judge

Appellate Case No. 2016-002503
Opinion No. 2019-UP-171
(filed May 8, 2019)

RECEIVED
JUN 18 2019
SC Court of Appeals

Valeria Farr, Appellant,

v.


Leon Lott in his capacity as Richland County Sheriff
and the Richland County Sheriff's Office, Respondents.

MOTION FOR COSTS ON APPEAL

The Respondents Leon Lott in his capacity as Richland County Sheriff and the Richland County Sheriff's Office move this Court, pursuant to Rule 222(d), SCACR, to tax costs on appeal in the amount of \$2,626.84 against the Appellant Valeria Farr.

The requested costs on appeal are set forth in the Statement of Costs on Appeal which is filed herewith.

LINDEMANN, DAVIS & HUGHES P.A.

BY: 
ANDREW F. LINDEMANN #13030
5 Calendar Court, Suite 202
Post Office Box 6923
Columbia, South Carolina 29260
(803) 881-8920

-and-

ROBERT D. GARFIELD #6557
CROWE LAFAYE, LLC
500 Taylor Street, Suite 401
Post Office Box 1149
Columbia, South Carolina 29202
(803) 724-5729

Counsel for Respondents

June 12, 2019

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Jocelyn Newman, Circuit Court Judge

Appellate Case No. 2016-002503
Opinion No. 2019-UP-171
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Valeria Farr, Appellant,

v.

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**MEMORANDUM IN SUPPORT OF
MOTION FOR COSTS ON APPEAL**

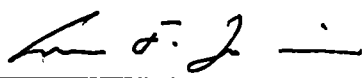
By unpublished opinion filed May 8, 2019, the South Carolina Court of Appeals affirmed the lower court's granting of summary judgment in favor for the Respondents Leon Lott in his capacity as Richland County Sheriff and the Richland County Sheriff's Office.

Rule 222(a), SCACR, provides that "costs shall be taxed against appellant when the appeal is dismissed or judgment on appeal is affirmed." *See*, Rule 222(a);

SCACR. The Respondents submit that they qualify as the prevailing party in this appeal. Therefore, as prevailing parties on appeal, the Respondents are entitled to an award of costs on appeal in accordance with Rule 222(b), SCACR, which includes the costs of printing their Final Brief and the costs of the motion for summary judgment hearing transcript. The Respondents are also entitled to attorneys' fees in the amount of \$2,500.00, which is an amount set by order of the Supreme Court.

As a result, the Respondents move this Court, pursuant to Rule 222(d), SCACR, for costs on appeal in the amount of \$2,624.84. The requested costs on appeal are set forth in the Statement of Costs on Appeal, which is also filed herewith.

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June 12, 2019

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Valeria Farr,)
)
 Appellant,)
)
 v.)
)
 Leon Lott in his capacity as Richland)
 County Sheriff and the)
 Richland County Sheriffs Office,)
)
 Respondents.)
 _____)

Opinion No. 2019-UP-171
(filed May 8, 2019)

STATEMENT OF COSTS ON APPEAL

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SC Court of Appeals

The Clerk of the South Carolina Court of Appeals is requested to tax the following costs against the Appellant Valeria Farr:

COSTS AND FEES TAXABLE UNDER RULE 222(d), SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court use only)
Cost of Printing Final Brief of Respondent:				\$ 92.34
Attorney's Fee Provided By Rule 222(b), SCACR:				\$2,500.00
Other (specify and explain): Motion Hearing Transcript	46	\$.75/page		\$ 34.50
			TOTAL	\$2,626.84

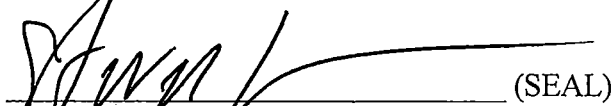
I, Andrew F. Lindemann, do swear that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon the Appellant's counsel by first class mail.



ANDREW F. LINDEMANN

Counsel for Respondents

Sworn to and subscribed before me this
the 12th day of June 2019.



Notary Public for South Carolina (SEAL)
Commission Expires: 9/5/24

Approved: _____
CLERK

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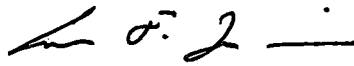
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and the Richland County Sheriff's Office, Respondents.

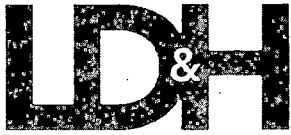
CERTIFICATE OF SERVICE

The undersigned employee of Lindemann, Davis & Hughes, P.A., counsel for the Respondents, does hereby certify that service of the **Motion for Costs on Appeal, Memorandum in Support of Motion for Costs on Appeal**, and the **Statement of Costs on Appeal** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 13th day of June 2019:

Mark W. Hardee, Esquire
2231 Devine Street, Suite 202
Columbia, South Carolina 29205

Robert D. Garfield, Esquire
Crowe LaFave, LLC
Post Office Box 1149
Columbia, South Carolina 29202





**LINDEMANN
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HUGHES**

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June 13, 2019

ANDREW F. LINDEMANN*
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**Also Admitted in North Carolina
†Certified Mediator*

Of Counsel

STEVEN R. SPREEUWERS
Direct Dial: (803) 373-2268
Email: steve@ldh-law.com

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Valeria Farr v. Leon Lott in his capacity as Richland County Sheriff and the Richland County Sheriff's Office
Appellate Case Number: 2016-002503
Civil Action Number: 2015-CP-40-2679
Our File Number: 314.9694

Dear Ms. Kitchings:

Please find enclosed for filing the originals and seven copies each of the **Motion for Costs on Appeal, Memorandum in Support of Motion for Costs on Appeal**, and the **Statement of Costs on Appeal** in the above referenced matter. Please file the originals and return a clocked-in copy of each document to me by way of my courier. I have also enclosed my firm's \$50.00 for the filing fee.

By copy of this letter, I am serving copies on all counsel of record. Thank you for your assistance in this matter. If you have any questions, please advise.

Sincerely,

LINDEMANN, DAVIS & HUGHES, P.A.

Andrew F. Lindemann

AFL/jmb
Enclosures

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JUN 13 2019

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
June 13, 2019
Page Two

cc: (w/ Enclosures)

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