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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master-in-Equity

Civil Action No. 2000-CP-00-0000
Appellate Case No. 2018-002188

RECEIVED
JUL 18 2019
SC Court of Appeals

Ron Orlosky in his capacity as Personal Representative
of the Estate of Debora L. Orlosky, and in his capacity as
Trustee of the Debora Laura Orlosky Revocable Trust,

Respondent,

v.

The Law Office of Jay A. Mullinax, LLC,

Appellant.

RESPONDENT'S MOTION FOR COSTS

COMES NOW, the Respondent in the above-captioned matter seeking taxation of costs incurred on appeal.

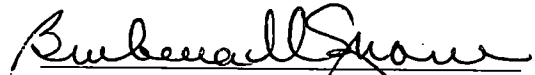
Appellant filed the Notice of Appeal in this matter on December 10, 2018, and thereafter took no action to prosecute the appeal. After continuances granted at the request of Jay A. Mullinax, counsel for Appellant, this matter was ultimately dismissed for Appellant's failure to comply with instructions from the Court. Respondent incurred significant expense in responding to the Court's request for memoranda on appealability and other required tasks, as set forth in detail in the attached Itemized Statement of Costs. Therefore, Respondent requests taxation of costs pursuant to Rule 222(a), SCACR.

Further, Appellant requests that costs be taxed against the named Appellant, The Law Office of Jay A. Mullinax, LLC, as well as Estate Planning Firm of Hilton Head, LLC, and Jay A. Mullinax individually. Estate Planning Firm of Hilton Head, LLC, has been adjudicated an amalgamation of Appellant The Law Office of Jay A. Mullinax, LLC, by order of Beaufort County Master-in-Equity Marvin H. Dukes. That Order was the subject of this appeal, which has now been dismissed. In addition, Jay A. Mullinax is the sole member and owner of both entities. He also served as the attorney for Appellant in this matter and is responsible for the failure to respond and dismissal

Further, Appellant requests that the costs taxed, if any, be entered as a separate judgment from that of the underlying civil action. That prior judgment is now seven years old and at risk of possible statutory expiration.

SO MOVED.

Respectfully submitted,



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Attorneys for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master-in-Equity

Civil Action No. 2010-CP-07-04146
Appellate Case No. 2018-002188

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SC Court of Appeals

Ron Orlosky in his capacity as Personal Representative
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v.

The Law Office of Jay A. Mullinax, LLC,

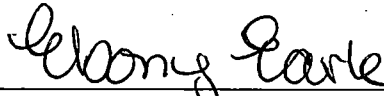
Appellant.

CERTIFICATE OF SERVICE

I certify that I have served Respondent's Motion for Costs on Appellant by depositing copies of it
in the United States Mail, postage prepaid, on July 18, 2019, addressed as follows:

Jay A. Mullinax, Registered Agent
2 Park Lane, Suite 303
Hilton Head Island, SC 29928

July 18, 2019


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July 18, 2019

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211-1629

RECEIVED
JUL 18 2019
SC Court of Appeals

Re: Ron Orlosky v. Law Office of Jay A. Mullinax
Appellate Case #: 2018-002188
Civil Action #: 2010-CP-07-04146
C&S File #: 20172832.000

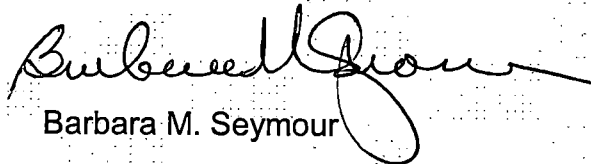
Dear Ms. Kitchings:

Enclosed please find the original and six copies of Respondent's Motion for Costs in the above-referenced matter. Also enclosed is the Rule 222(d) itemized statement of costs, the required filing fee, and proof of service on Appellant and the Receiver for Appellant's counsel.

Should you have any questions, please do not hesitate to contact me.

Sincerely

CLAWSON and STAUBES, LLC



Barbara M. Seymour

BMS/

Enclosures

cc(w/encl): Jay A. Mullinax
Peyre T. Lumpkin, Receiver

ec(w/encl): John R.C. Bowen, Esquire
Stephen A. Spitz, Esquire
Ron Orlosky