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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Doyet A. Early, Circuit Court Judge

Appellate Case No. 2016-000713
Opinion No. 2019-UP-286
(filed August 7, 2019)

RECEIVED
SEP 06 2019
SC Court of Appeals

Do Yeon Kim, Appellant,

v.


County of Richland, Richland County Sheriff's
Department, and Leon Lott in his Official Capacity as
Sheriff of Richland County..... Respondents.

MOTION FOR COSTS ON APPEAL

The Respondents move this Court, pursuant to Rule 222(d), SCACR, to tax costs on appeal in the amount of \$2,914.64 against the Appellant Do Yeon Kim.

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

September 6, 2019

Counsel for Respondents

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


By unpublished opinion filed August 7, 2019, the South Carolina Court of Appeals affirmed the lower court's rulings on post-trial motions and the final judgments entered.

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 parties in this appeal. Therefore, as the 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 for the trial transcript and the hearing on post-trial motions. 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 \$2,914.64. The requested costs on appeal are set forth in the Statement of Costs on Appeal, which is also filed herewith.

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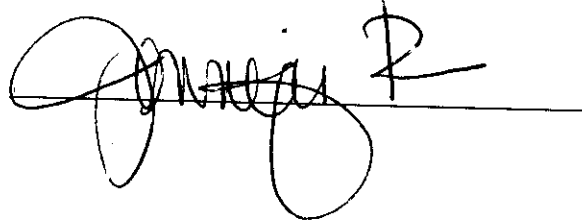
CERTIFICATE OF SERVICE

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 6th day of September 2019:

Robert D. Dodson, Esquire
Law Offices of Robert Dodson, P.A.
1722 Main Street - Suite 200
Columbia, South Carolina 29201

Thomas F. Dougall, Esquire
Dougall & Collins
1700 Woodcreek Farms Road - Suite 100
Elgin, South Carolina 29042

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

A handwritten signature in black ink, appearing to read "Robert D. Garfield", is written over a horizontal line. The signature is stylized with large loops and a prominent initial "R".



Telephone (803) 881-8920
Facsimile (803) 862-1181

5 Calendar Court, Suite 202 (29206)
Post Office Box 6923
Columbia, South Carolina 29260

September 6, 2019

ANDREW F. LINDEMANN*
Direct Dial: (803) 881-8921
Email: andrew@ldh-law.com

JAMES M. DAVIS, JR.†
Direct Dial: (803) 881-8922
Email: jim@ldh-law.com

JOEL S. HUGHES†
Direct Dial: (803) 881-8923
Email: joel@ldh-law.com

*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

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RE: Do Yeon Kim v. County of Richland, Richland County Sheriff's Department, and Leon Lott in his Official Capacity as Sheriff of Richland County
Appellate Case Number: 2016-000713
Civil Action Number: 2014-CP-40-6297
Our File Number: 314.9563

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

The Honorable Jenny Abbott Kitchings
September 6, 2019
Page Two

cc: (w/ Enclosures)

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