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SEP 16 2019

SC Court of Appeals

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

**APPEAL FROM HORRY COUNTY
Court of Common Pleas**

Benjamin H. Culbertson, Circuit Court Judge

**CASE NO. 2009-CP-26-05915
APPEAL NO. 2019-001119**

Plantation Federal BankRespondent,

v.

Chester A. Crocket Appellant

and

C&C Development, LLC; Michael Chaffin; Bruce J. Ahmes;
S&D General Contractors, LLC; Col-Cor Industries, Inc.
d/b/a Active Glass and Mirror; First Electric, Inc.; Wallcraft
Construction, Inc. and Carolina Dirt Works, LLC..... Other Defendants.

MOTION FOR COSTS UNDER RULE 222, SCACR

J. René Josey, Esq.
Jeffrey L. Payne, Esq.
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ATTORNEYS FOR RESPONDENT

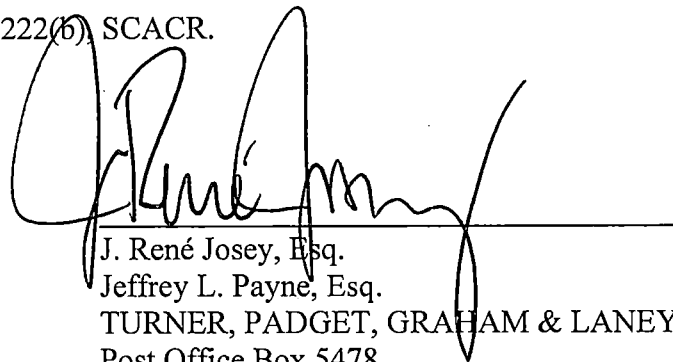
Other Counsel:

Robert S. Shelton, Esq.
BELLAMY, RUTENBERG, COPELAND,
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P.O. Box 357
Myrtle Beach, SC 29578
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Attorneys for the Appellant

Respondent moves, pursuant to Rule 222, SCACR, for an award of costs and attorney's fees incurred in defending this appeal. Rule 222(a) provides that, unless otherwise ordered or agreed upon by the parties, costs shall be taxed against the Appellant when the appeal is dismissed. Rule 222(b), SCACR, entitles the prevailing party on appeal to recover costs actually incurred in responding to an appeal including an attorney's fee award of Two Thousand Five Hundred and 00/100 (\$2,500.00) Dollars. Accordingly, Respondents ask the Court to award them Two Thousand Six Hundred Fifty and no/100 (\$2,650.00) Dollars in costs and attorney's fees under Rule 222(b), SCACR. In support of our motion, we have attached an Itemized Statement of Costs, pursuant to Rule 222(b), SCACR.

September 12th, 2019



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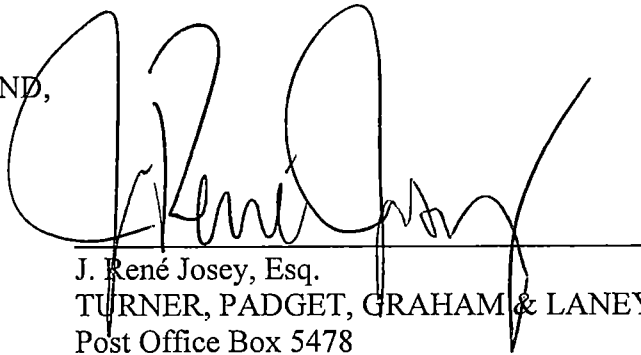
and

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S&D General Contractors, LLC; Col-Cor Industries, Inc.
d/b/a Active Glass and Mirror; First Electric, Inc.; Wallcraft
Construction, Inc. and Carolina Dirt Works, LLC..... Other Defendants.

PROOF OF SERVICE

I certify that I have served a copy of the Motion for Costs and Itemized Statements of Costs by depositing copies of the same in the United States mail, postage prepaid, on September 12th, 2019, to all counsel of record at the following addresses:

Robert S. Shelton, Esq.
BELLAMY, RUTENBERG, COPELAND,
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September 12, 2019

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SEP 16 2019
SC Court of Appeals

Re: Plantation Federal Bank vs. C&C Development LLC
Case No.: 2009-CP-26-05915
Tracking No.: 2019-001119
TPGL File No.: 05930.00465

Dear Ms. Kitchings:

Enclosed for filing is a **Motion for Costs and an Itemized Statement of Costs** in this matter recently dismissed. In accordance with SCACR 240, I am enclosing the original (unbound) and 7 copies of our motion and statement of costs; I ask that one copy be stamped as filed and returned to us in the self-addressed, stamped envelope.

Also enclosed you will find an original Certificate of Service and one additional copy; again I ask that the copy be stamped as filed and returned to us in the self-addressed, stamped envelope. By copy of this letter to attorney Robert S. Shelton, we are serving Appellant's counsel with this motion, the exhibits, and the certificate of service.

Finally, I am also enclosing our firm's check for the filing fee with regard to this motion.

Thank you for your assistance in this matter.

Sincerely,

TURNER, PADGET, GRAHAM & LANEY, P.A.

J. René Josey

JRJ/lap

Enclosures

cc: Robert S. Shelton, Esquire (w/enclosures)

