

9/26/20

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

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

SC Court of Appeals

The Honorable Doyet A. Early, III, Circuit Judge

Appellate Case No. 2016-001727

Adele J. Pope.....Appellant,

v.

Alan Wilson, in his capacity as Attorney General of South Carolina, and
James Brown Legacy Trust, by Russell Bauknight, its Trustee.....Respondents,

APPELLANT'S MOTION FOR COSTS

Pursuant to Rule 222, South Carolina Rules of Appellate Procedure, Appellant Adele J. Pope respectfully moves this Court for an Order taxing the costs of this appeal to the Respondents who filed a brief herein. The grounds of this motion are as follows:

1. The Notice of Appeal herein was filed on August 19, 2016.
2. Certain attorneys' fees and costs were incurred in preparing the Appellants' Brief, the Appellants' Reply Briefs and Record on Appeal herein.¹
3. This Court issued its final opinion on August 27, 2019, which reversed the Orders appealed from. In doing so, the Court granted the relief sought by Appellant.

¹ The fees and costs incurred in this appeal exceed those allowed by Rule 222, and Appellant reserves her right to recover all attorneys' fees and costs incurred in both the lower court and this Court on remand.

4. Under Rule 222, therefore, Appellant should be awarded the costs incurred in filing and perfecting this appeal.
5. The total amount Appellant requests is \$4,191.55, as set out in the attached Itemized Statement of Costs.

For the foregoing reasons, Appellant respectfully requests that the Court tax the costs of this appeal in the amount of \$4,191.55 against Respondents.

Respectfully submitted,

s/Adam T. Silvernail
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Attorney for Appellant

April 20, 2020

STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

Appeal from Richland County
Court of Common Pleas

The Honorable Doyet A. Early, III, Circuit Judge

Appellate Case No. 2016-1727

Adele J. Pope..... Appellant,

v.


Alan Wilson, in his capacity as Attorney General of South Carolina, and
James Brown Legacy Trust, by Russell Bauknight, its Trustee..... Respondents.

PROOF OF SERVICE

I certify that I have served the Motion for Costs with Statement of Costs on all Respondents by emailing a copy of same on April 20, 2020, addressed to his attorney of record as follows:

J. Emory Smith, Jr., Esquire
esmith@scag.gov
Counsel for Respondent Attorney General

Keith M. Babcock, Esquire
Ariail E. King, Esquire
David L. Paavola
aek@lewisbabcock.com
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Counsel for Respondent James Brown Legacy Trust



Adam T. Silvernail



Adam Silvernail <adam@silvernaillawfirm.com>

Pope v. Wilson (James Brown Legacy Trust), Appellate Case No. 2016-1727

1 message

Adam Silvernail <adam@silvernaillawfirm.com>

Mon, Apr 20, 2020 at 12:46 PM

To: Emory Smith <ESmith@scag.gov>, "Ariail E. King" <aek@lewisbabcock.com>, "Keith M. Babcock"

<kmb@lewisbabcock.com>, "David L. Paavola" <DLP@lewisbabcock.com>

Cc: Adele Pope <adele@popelawfirm.com>

Counsel:

Attached and served in accordance with the current Order of the Supreme Court is a PDF containing the Motion for Costs, Statement of Costs and Proof of Service. A copy of this email will be submitted to the Court of Appeals along with the POS.

Best,
Adam

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SC Court of Appeals

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