

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2016-CP-40-00910

Appellate Case No. 2017-001750

RECEIVED

Aug 21 2020

SC Court of Appeals

Darris Hassell,Respondent,

V.


The City of Columbia,Appellant.

MOTION FOR COSTS

Respondent Darris Hassell moves this Court for an Order assessing costs against the Appellate, The City of Columbia. granting to him costs. Respondent seeks this relief pursuant to SCACR 222. Respondent seeks those costs outlined in the accompanying Affidavit and Attorney’s Fees as allowed by SCACR 222(b) in the amount of Two thousand five hundred and 00/100 (\$2,500.00) dollars.

This Court affirmed the trial court’s rulings and a jury verdict in favor of Respondent for \$200,075.00 in a decision captioned *Darris Hassell Respondent v. The City of Columbia, Appellate, 2017-001750*, on July 1, 2020. Remittiter was issued by the Court on August 10, 2020

Respondent prays this Court award to him the cost set forth in the attached Affidavit and cost for attorney's fees in the amount Two thousand five hundred and 00/100 (\$2,500.00) dollars.



Paul L. Reeves (S.C. Bar # 4674)
REEVES AND LYLE, LLC
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MEMORANDUM IN SUPPORT OF RESPONDENT’S MOTION FOR COSTS

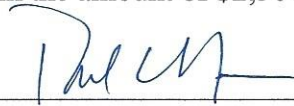
Respondent, Darius Hassell, sued the City of Columbia for damages arising from an arrest of him by officers of The City of Columbia Police Department. He prevailed at trial. The City appealed the verdict. This Court affirmed the verdict for Respondent on July 1, 2020. This Court issued the Remittitur on August 10, 2020.

Respondent has prevailed in the appeal and now seeks his costs, including attorney’s fees in the amount of \$2,500.00. (See SCARC 222(b)).

“It is within this Court’s discretion whether to award fees and costs under Rule 222. See Rule 222(a), (e), SCACR (identifying circumstances for which an appellate court may tax costs on

appeal). *Austin v. Stokes-Craven Holding Corp.*, 750 S.E.2d 78, 84 (S.C. 2013). “Rule 222(a) states that unless otherwise ordered by the appellate court or agreed by the parties, costs shall be taxed against the appellant when the judgment on appeal is affirmed. Rule 222(b) states that the prevailing party shall be entitled to recover, among other things, the cost of printing the party's final brief and an attorney's fee in an amount which shall be set by order of this Court. That amount is currently set at \$2,500.00.” *Taylor v. Medenica*, 504 S.E.2d 590, 591 (S.C. 1998).

Respondent would respectfully move this Court to grant to him the costs outlined in the attached Affidavit and costs of attorney's fees in the amount of \$2,500.00.



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Appellant.

The Appellate Court is requested to tax the following costs against The City of Columbia.

COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED
Cost of Printing or Copying Final Brief	390	\$.24	\$95.21	
Cost of Court Reporter's Transcript	259	\$1.00	\$259.00	
Attorney's Fee Provided By Rule222 (b), SCACR			\$2,500.00	
		TOTAL	\$2,854.21	

I, Paul L. Reeves, do swear or affirm that the foregoing costs are correct and were necessarily incurred in this action. A copy of this statement was served upon opposing counsel.



Paul L. Reeves
Attorney for Respondent

Subscribed and sworn to before me this
21 day of August, 2020



Notary Public for South Carolina
My Commission Expires: 05-05-27

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PROOF OF SERVICE

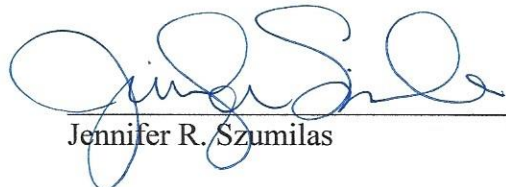
The undersigned hereby certified that on the date indicated below, she served counsel for Appellant with a copy of the *Motion For Costs, Memorandum in Support of Respondent's Motion for Costs, and Affidavit of Costs* by mailing copies of the same by United States Mail with first class postage prepaid to the following addresses:

Teresa A. Knox, Esquire
W. Michael Hemlepp, Esquire
Office of the City Attorney
PO Box 667
Columbia, SC 29202

Chad Nicholas Johnston, Esquire
PO Box 8416
Columbia, SC 29202-8416

Robert Walker Humphrey, II, Esquire
133 River Landing Drive
Suite 200
Charleston, SC 29492

August 21, 2020


Jennifer R. Szumilas

Reeves & Lyle

ATTORNEYS AT LAW

August 21, 2020

VIA U.S. Mail and email: ctappfilings@sccourts.org

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

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Aug 21 2020

SC Court of Appeals

Re: Darris Hassell v. City of Columbia
Appellate Case No.: 2017-001750

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the Motion for Costs, Memorandum in Support of Respondent's Motion for Costs, Affidavit of Costs and Proof of Service along with a check in the amount of \$50.00 which represents the filing fee.

Thank you for your assistance. Please do not hesitate to contact me should you have any questions or require anything additional. I am,

Very truly yours,



Paul L. Reeves
Attorney at Law

PLR:jrs
Enclosures

Cc: Chad Johnston, Esquire
Teresa A. Knox, Esquire
W. Michael Hemlepp, Esquire
Robert Walker Humphrey, II, Esquire