

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

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**Sep 08 2020**

**S.C. SUPREME COURT**

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

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Trial Court Case Nos. 2013-CP-02-02849 and 2013-CP-02-02850  
Appellate Case No. 2015-002417 (Court of Appeals)  
Appellate Case No. 2018-001990 (Supreme Court)

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In Re: The Estate of James Brown a/k/a James Joseph Brown,

Tommie Rae Brown .....Respondent,

v.

David C. Sojourner, Jr., in his capacity as Limited  
Special Administrator and Limited Special Trustee,  
Deanna Brown-Thomas, Yamma Brown, Venisha Brown,  
Larry Brown, Terry Brown and Daryl Brown ..... Respondents below,

Of whom Deanna Brown-Thomas, Yamma Brown, and Venisha Brown  
are the ..... Petitioners.

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**PETITIONERS' MOTION FOR COSTS**

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YOU WILL PLEASE TAKE NOTICE that the Petitioners, Deanna Brown-Thomas, Yamma Brown, and Venisha Brown<sup>1</sup>, by and through their undersigned counsel, hereby move the Court, pursuant to Rule 242(j), SCACR, to tax the Respondent for the recoverable fees and costs incurred by Petitioners in this appeal. This Motion is made upon the grounds that the judgment entered by the trial court, which was appealed to and affirmed by the Court of Appeals,

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<sup>1</sup> Petitioner Venisha Brown passed away in 2018.

was ultimately reversed by the Supreme Court, thereby allowing Petitioners to recover their fees and costs in both appellate courts, in accordance with Rules 222(e) and 242(j), SCACR. See also Jean Hoefler Toal, et al., Appellate Practice in South Carolina 397 (3<sup>rd</sup> ed. 2016) (referencing *Re: Attorney's Fees under Rules 222 and 226, SCACR*, S.C. Sup.Ct. Order dated July 24, 1997 (Davis Adv. Sh. No. 22 at p. 43)). The undersigned counsel include with this Motion, and in support thereof, the attached Itemized Statement of Costs in accordance with Rule 242(j)(4), SCARC.

Respectfully submitted,

s/ Robert C. Byrd

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September 8, 2020