

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Charleston County  
Court of Common Pleas  
J.C. Nicholson, Jr., Circuit Court Judge

Mar 17 2021  
S.C. SUPREME COURT

S.C. Supreme Court Appellate Case No.: 2019-0002046  
Common Pleas Case No.: 2013-CP-10-3251

Rosemary Connelly,.....Respondent,

v.

Winsor Custom Homes, LLC, ..... Petitioner.

RESPONDENT’S MOTION FOR COSTS

Respondent, Rosemary Connelly, hereby moves pursuant to Rule 242(j) and Rule 222 of the South Carolina Appellate Court Rules, for the taxation of costs on appeal against Petitioner Winsor Custom Homes, LLC. The Itemization Statement of Costs is attached hereto.

On August 28, 2015, Respondent Rosemary Connelly obtained a jury verdict against Winsor Homes in the amount of \$325,000.00. Winsor Homes sought to deposit the disputed funds with the lower court pursuant to SCRCF, Rule 67. Post-judgment interest was calculated, and on November 12, 2015, the lower court issued an Order Granting Defendant Leave to Deposit Disputed Funds with The Court. Winsor Homes deposited \$329,518.84 with the Clerk of Court.

Winsor Homes appealed the jury verdict. The South Carolina Court of Appeals affirmed the jury verdict on August 7, 2019. That decision triggered the attorney’s fee under Rule 222(b) in the amount of \$2,500. See Supreme Court Order on Attorney’s Fees Under Rule 222 and 242 of the South Carolina Appellate Court Rules dated January 17, 2018.

This Court granted Winsor's Writ of Certiorari on August 10, 2020. The issues being considered on certiorari were briefed and oral argument was held on February 2, 2021. This Court issued its decision that certiorari had been improvidently granted on March 10, 2021, having the effect of affirming the jury verdict. The decision triggered the attorneys' fee under Rule 242(j) in the amount of \$2,500. See Supreme Court Order on Attorney's Fees Under Rule 222 and 242 of the South Carolina Appellate Court Rules dated January 17, 2018.

The party entitled to recover costs may also recover all those costs specified in Rule 222(b), to include the attorney's fee provided by that rule. Additionally, the party may, to the extent the party actually incurred these costs, recover: (1) the filing fee paid under Rule 242(c); (2) the cost of printing the Appendix under Rule 242(e) and (i); and (3) the cost of printing the party's brief(s) under Rule 242(i).

Respondent submits that this motion is timely made, and the Respondent respectfully requests an Order directing that the total amount set forth on the Itemization attached hereto, Five Thousand Two Hundred and Ten & 16/100 US Dollars (\$5,210.16), be added to the Judgment.

s/Christy Ford Allen  
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ATTORNEYS FOR RESPONDENT

CHARLESTON, SC

March 17, 2021