

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
The Honorable Charles B. Simmons, Jr.

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APR 02 2021
SC Court of Appeals

Appellate Case No. 2018-000340

Joseph Edward McMullen, Appellant,

v.

Terra Oaks Architectural Committee, Paola Rogers, Dwain Cook and John Simpson as putative members of the Terra Oaks Architectural Committee..... Respondents

Motion for Costs

Pursuant to Rule 222, SCACR, Respondents, request the costs of this appeal be taxed against Appellant. Rule 222(a) provides that, unless the Court orders otherwise, “costs shall be taxed against the appellant when the . . . judgment on appeal is affirmed.” Rule 222(a), SCACR. This Court issue an opinion on February 24, 2021, and the Remittitur was issued on March 24, 2021. Because the Court has not ordered otherwise and because the parties have not agreed otherwise, Rule 222 provides the Court should award costs to Respondents.

In accordance with the instructions of Rule 222(d) an itemized statement of costs is attached to this motion.

Signature Line to Follow

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Whitney B. Harrison", with a long horizontal line extending to the right.

MCGOWAN, HOOD & FELDER, LLC

Whitney B. Harrison

1517 Hampton Street

Columbia, South Carolina 29201

Tel: 803) 779-0100

March 30, 2021

Columbia, South Carolina

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Respondents.

PROOF OF SERVICE

The undersigned certifies that a copy of *the Motion for Costs for Respondent Terra Oaks Architectural Committee, Paola Rogers, Dwain Cook and John Simpson as putative members of the Terra Oaks Architectural Committee*, has been served upon counsel listed below by emailing a copy of the same by using their primary electronic mail addresses pursuant to the Supreme Court of South Carolina's March 20, 2020 Order:

Ralph Gleaton
935 South Main Street; Suite 203
Greenville, SC 29601
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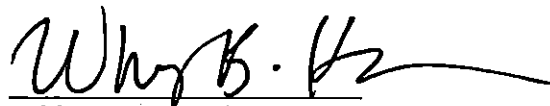
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Allison Paige Sullivan
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allison@bluesteinattorneys.com

March 30, 2021

Respectfully submitted,



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March 30, 2021

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SC Court of Appeals

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


RE: *Joseph Edward McMullen v. Terra Oaks Architectural Committee, Paola Rogers,
Dwain Cook and John Simpson as putative members of the Terra Oaks
Architectural Committee*
Case No. 2019-000340

Dear Ms. Kitchings,

Enclosed for filing please find Respondents' Motion for Costs, along with a proof of service. Additionally, a copy of these materials and the corresponding \$ 50 filing fee have been placed in the mail.

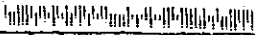
Please let me know if you have any questions or concerns.

Sincerely,


Whitney B. Harrison

Enclosure

cc: Robert Clyde Childs, III
J. Falkner Wilkes
Ralph Gleaton
Allison Paige Sullivan



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