



# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
29211  
1231 GERVAIS STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1080  
FAX: (803) 734-1499  
[www.sccourts.org](http://www.sccourts.org)

May 21, 2021

H. Fred Kuhn, Jr., Esquire  
PO Drawer 507  
Beaufort SC 29901

Re: Burton Fire District v. City of Beaufort (Port Royal)  
Appellate Case No. 2020-001094

Dear Mr. Kuhn:

This Court has received your motion for costs under Rule 222 of the South Carolina Appellate Court Rules. Since this Court denied the petition for a writ of certiorari to review the decision of the South Carolina Court of Appeals in this case,<sup>1</sup> I am forwarding your motion, along with the return to that motion, to the Court of Appeals for its consideration. Rule 222(e), SCACR ("If a petition for a writ of certiorari is sought under Rule 242, the Court of Appeals shall tax costs only in those cases in which the petition for a writ of certiorari is denied. In all cases in which a writ of certiorari is granted, costs shall be awarded in the manner provided by Rule 242(j).").

Very truly yours,

CLERK

cc: Mary Bass Lohr, Esquire  
The Honorable Jenny Abbott Kitchings (with copy of motion and return)

---

<sup>1</sup> Before the Court of Appeals, the Appellate Case Number was 2017-000620.