

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas
Honorable Marvin H. Dukes, III

Appellate Case No.: 2020-001094

BURTON FIRE DISTRICT.....Respondent,
vs.
CITY OF BEAUFORT.....Petitioner.

And

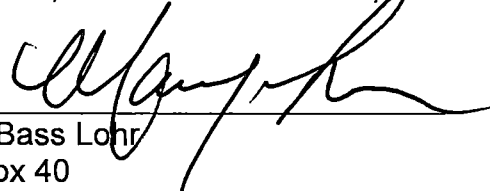
BURTON FIRE DISTRICT.....Respondent,
vs.
TOWN OF PORT ROYAL.....Petitioner.

RETURN TO RESPONDENTS ITEMIZED STATEMENT OF COSTS

The Petitioner has received the Respondent's Itemized Statement of Cost requesting Costs taxable under Rule 222, SCAR. The Petitioner has requested cost of Printing or Copying Final Brief, 777 pages at \$.50 per page for a total of \$388.50. The Respondent in this matter never submitted a final brief as evidenced by the attached letter dated February 13, 2018, therefore Petitioner should not be taxed that cost.

Based on the foregoing, it is respectfully submitted that the cost of printing final briefs that were never submitted to the court should not be taxed pursuant to Rule 222.

HOWELL, GIBSON & HUGHES, P.A.

By: 
Mary Bass Lohr
PO Box 40
Beaufort, SC 29901-0040
(843) 522-2400
Attorney for Petitioners

RECEIVED

MAY 21 2021

S.C. SUPREME COURT

Beaufort, South Carolina
May 18, 2021



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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February 13, 2018

Mrs. Mary Bass Lohr, Esquire
PO Box 40
Beaufort SC 29901

Re: Burton Fire District v. City of Beaufort (Port Royal)
Appellate Case No. 2017-000620

Dear Counsel:

Please be advised our records indicate that the respondent has not served and filed a final brief. Therefore, the Court will only consider the record on appeal and the appellants' final brief.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jenny Abbott Kitchings".

CLERK

cc: H. Fred Kuhn, Jr., Esquire

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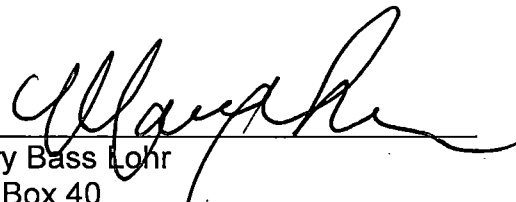
BURTON FIRE DISTRICT.....Respondent,
vs.
TOWN OF PORT ROYAL.....Petitioner.

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that she has served the foregoing Petitioners Return to Respondents Itemized Statement of Costs upon all counsel of record by affixing same with proper postage and placing same with the United States Postal Service on 15 day of May, 2021 addressed to the following:

H. Fred Kuhn, Jr., Esquire
Moss, Kuhn & Fleming, P.A.
Post Office Drawer 507
Beaufort, SC 29901-0507

HOWELL, GIBSON & HUGHES, P.A.

By: 
Mary Bass Lohr
PO Box 40
Beaufort, SC 29901-0040
(843) 522-2400
Attorney for Petitioners

Beaufort, South Carolina

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S.C. SUPREME COURT

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* Certified Mediator

Catherine L. Floeder (Of Counsel)

May 18, 2021

The Honorable Daniel E. Shearouse
South Carolina Supreme Court
Post Office Box 11330
Columbia, SC 29211

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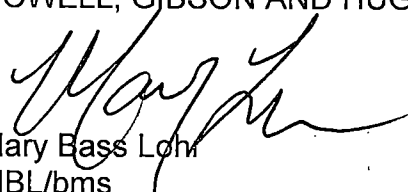
Re: Burton Fire District vs. Town of Port Royal and City of Beaufort
Civil Action No.: Appellate Case No.: 2020-001094
Our File No: 11279 MBL

Dear Mr. Shearouse:

Please find enclosed the original and one (1) copy of the Petitioners Return to Respondent Itemized Statement of Costs, an attached letter from the Court of Appeals, and a Certificate of Service regarding the above referenced matter. Please return the filed copy to me in the enclosed self-addressed stamped envelope.

Yours truly,

HOWELL, GIBSON AND HUGHES, P.A.


Mary Bass Lohr
MBL/bms
Enclosure