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**Aug 18 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas  
Perry H. Gravely, Circuit Judge

Appellate Case No. 2018-002070

Wells Fargo Bank, N.A.,.....Respondent,

v.

D. Bruce Wolff,.....Appellant.

APPELLANT’S REPLY TO RETURN TO MOTION FOR COSTS

Appellant’s motion for costs is proper and may be granted under Rule 222(a), SCACR, which authorizes awards of costs in the event of a partial victory on appeal. Appellant was definitely the victor in this appeal, even though he did not achieve all of the results he sought. The circuit court granted Respondent’s motion for summary judgment and rendered judgment for Respondent in the amount of \$70,473.34. (R. pp. 1-9.) This court reversed that judgment. The amount to which Respondent is entitled in a judgment is now an issue for trial, and the briefs and record in this case reveal it is an issue with which Respondent is likely to struggle. Appellant won this appeal.

Further, what the line of credit documents involved in this case state about who gets to recover attorneys’ fees is irrelevant to this costs motion. The authority for this court to award Appellant costs, including the \$2,500 attorney’s fee, is Rule 222, SCACR.

WHEREFORE Appellant prays for an order awarding the said costs.

Respectfully submitted,

/s/ Andrew S. Radeker  
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PROOF OF SERVICE

I certify that I served the foregoing reply to return to motion for costs in this case on the date given below by emailing it to opposing counsel at the addresses noted below.

Theodore von Keller, Esq., at ted@crawfordvk.com

Respectfully submitted,

/s/ Andrew S. Radeker  
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