

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA
WORKERS' COMPENSATION COMMISSION
T. Scott Beck, Commissioner

W.C.C. 1012533
Appellate Case No. 2017-001764

Chisolm Frampton, Employee,.....Appellant,

v.

SC Department of Natural Resources, Employer, and
South Carolina State Accident Fund, Carrier,.....Respondents.

MOTION FOR COSTS

The Respondents, the South Carolina Department of Natural Resources, and the South Carolina State Accident Fund, hereby respectfully request that the Court of Appeals assess costs against the Appellant, Chisolm Frampton, pursuant to Rule 222, S.C.A.C.R., based upon the following:

1. The Court of Appeals affirmed the South Carolina Workers' Compensation Commission's denial of benefits by Opinion No. 5726 on May 13, 2020.
2. The Supreme Court denied the Appellant's Petition for Writ of Certiorari by Order dated September 21, 2021. (*See attached Ex.1*).

3. Pursuant to Rule 222(e), S.C.A.C.R., the Court of Appeals “shall” tax costs “in those cases in which the petition for writ of certiorari is denied.”
4. The Respondents respectfully request that an attorney’s fee in the amount of \$2,500.00 be assessed against the Appellant pursuant to Rule 222(b), S.C.A.C.R., and the Supreme Court’s Order dated January 17, 2018.
5. In addition, the Respondents seek additional costs allowed under Rule 222(b), S.C.A.C.R., as set forth on the attached Itemized Statement of Costs. (*See attached Ex.2*).

Respectfully submitted,



Kirsten Leslie Barr
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Attorneys for Respondents

September 22, 2021

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PROOF OF SERVICE

The undersigned hereby certifies that the above-referenced Appellant, Chisolm Frampton, was served with a copy of the attached Respondents' Motion for Costs, Itemized Statement of Costs, and exhibits, this 22nd day of September 2021 by emailing and depositing a copy of the same in the United States Mail, first class postage prepaid, addressed to each of the attorneys of record, as follows:

Stephen B. Samuels, Esq.
1320 Richland Street
Columbia, SC 29201
stephen@samuelsreynolds.com

John C. Land, III, Esq.
P.O. Box 138
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September 22, 2021

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SC Court of Appeals

Reply to
Kirsten L. Barr
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September 22, 2021

Via Email to: ctappfilings@sccourts.org and Regular Mail

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

Re: Chisolm Frampton v. SC Department of Natural Resources
W.C.C. File No.: 1012533
Appellate Case No.: 2017-001764
Carrier File No.: 2010-3478

Dear Ms. Kitchings:

Enclosed herewith for filing, please find the following:

1. The Respondents' Motion for Costs;
2. The Supreme Court's Order denying the Petition for Writ of Certiorari dated September 21, 2021;
3. The Respondents' sworn, Itemized Statement of Costs; and
4. Our Proof of Service.

Pursuant to Rule 240(d), no filing fee is required, as the Respondents are agencies and departments of the State of South Carolina. Thank you in advance for your time and attention to this matter.

Yours very truly,



Kirsten L. Barr

KLB/cfa/les
Enc.

cc: Lindsay Sadler, South Carolina State Accident Fund (w/enc.) (email only)
Stephanie Welch, SC Department of Natural Resources (w/enc.) (email only)
John C. Land, III, Esq. (w/enc.) (email/mail)
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