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Nov 22 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
Case No.: 2021-000914

APPEAL FROM HORRY COUNTY
Court of Common Pleas
Cynthia Graham Howe, Master-in-Equity
Case No. 2019-CP-26-05750

Maria Shonte' Creel-Jordan and Joel B. Jordan Appellants/ Plaintiffs

vs.

Gary G. Roberts Respondent/ Defendant

MOTION FOR COSTS AND ATTORNEY'S FEES ON APPEAL ON BEHALF OF
RESPONDENT

Pursuant to Rule 222, SCACR, the Respondent moves for an order taxing Appellants/ Plaintiffs with Respondent/Defendant's attorney's fees pursuant to Rule 222(b), SCACR, as well as costs pursuant to Rule 222(b), SCACR.

Respondent respectfully requests attorney's fees be assessed against Appellants/ Plaintiffs in the amount of \$2,500.00 as prescribed by order of the Supreme Court dated January 17, 2018. Respondent respectfully requests costs be assessed against Appellants/ Plaintiffs in the amount of \$1,006.20 which is reflected in the sworn, itemized statement of costs incurred which accompanies Respondent's Motion.

Respondent respectfully requests attorney's fees and costs be assessed against Appellants/ Plaintiffs in the amount of \$3,506.20.

November 22, 2021

s/ Kathryn H. Sligh

Kathryn H. Sligh (SC Bar #77542)

Post Box 1244

Conway, SC 29526

(843) 248-4229

Attorney for Respondent

Other Counsel of Record:

Daniel J. MacDonald, Esquire
MacDonald & Hicks, PA
1107 – 48th Avenue North, Suite 210
Myrtle Beach, SC 29577
(843) 449-4493
Attorney for Appellants/ Plaintiffs

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MEMORANDUM WITH CITATION OF AUTHORITIES IN SUPPORT OF MOTION FOR
COSTS AND ATTORNEY'S FEES ON APPEAL ON BEHALF OF RESPONDENT

The Appellants filed a Notice of Appeal dated August 24, 2021, and filed a Voluntary Withdrawal of Appeal dated October 18, 2021. This matter was dismissed by Order filed October 19, 2021.

Pursuant to Rule 222(a) and (b), SCACR Respondent may seek costs and attorney's fees and costs shall be taxed against the appellants when an appeal is dismissed. Pursuant to Order dated January 17, 2018, the amount of attorney's fee is set at \$2,500.00 (Sup. Ct. Order, Jan 17, 2018).

As reflected in the Itemized Statement of Costs, Respondent has incurred costs in connection with Appellants' appeal. The transcript of the trial before Honorable Cynthia Graham Howe, Master-in-Equity for Horry County was ordered by Respondent on March 5, 2021 in connection with Appellants' Motion to Alter or Amend, filed October 2, 2020. Respondent believed an appeal was imminent and ordered this transcript and incurred the associated cost based upon the imminent appeal. The fees incurred in connection with this filing are also requested.

November 22, 2021

s/ Kathryn H. Sligh

Kathryn H. Sligh (SC Bar #77542)

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Attorney for Respondent

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Gary G. Roberts Respondent/ Defendant

PROOF OF SERVICE

I certify that I have served the original and one copy of the *Motion for Costs and Attorney's Fees on Appeal on Behalf of Respondent, Memorandum With Citation of Authorities in Support of Motion for Costs and Attorney's Fees on Behalf of Respondent, Itemized Statement of Costs, and Proof of Service* upon the South Carolina Court of Appeals at South Carolina Court of Appeals, and upon Appellants, Maria Shonte' Creel-Jordan and Joel B. Jordan by and through their attorney of record as follows:

Email: ctappfilings@sccourts.org
South Carolina Court of Appeals
1220 Senate Street, Suite 200
Columbia, South Carolina 29201

Email: DMacDonald@MacHicksLaw.com
Daniel J. MacDonald,
MacDonald & Hicks, PA
1107 – 48th Avenue North, Suite 210
Myrtle Beach, South Carolina 29577

November 22, 2021

s/ Kathryn H. Sligh
Kathryn H. Sligh (SC Bar #77542)
Post Box 1244
Conway, SC 29526
(843) 248-4229
Attorney for Respondent



SLIGH
LAW FIRM, PA

November 22, 2021

www.horrylaw.com

Email: ctappfilings@sccourts.org
Honorable Jenny Abbott Kitchings, Clerk of SC Court of Appeals
South Carolina Court of Appeals
1220 Senate Street, Suite 200
Columbia, South Carolina 29201

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Nov 22 2021

SC Court of Appeals

RE: Maria Shonte Creel-Jordan and Joel B. Jordan v. Gary G. Roberts
Case No.: 2019-CP-26-5750
Appellate Case No. 2021-000914

Dear Sir or Madam:

Enclosed herewith please find an original and one copy of Motion for Costs and Attorney's Fees on Appeal on Behalf of Respondent; Memorandum with Citation of Authorities in Support of Motion for Costs and Attorney's Fees on Behalf of Respondent; Itemized Statement of Costs; and Proof of Service.

These documents are being filed via email to ctappfilings@sccourts.org as instructed. By copy of this correspondence, a copy of the enclosed documents are being served upon counsel for the Appellants/ Plaintiffs.

Though excluded from the electronic filing, I have also mailed check in the amount of \$50.00 for the filing fee.

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

With kind regards, I remain

Yours truly,

SLIGH LAW FIRM, PA

Kathryn H. Sligh
ksligh@horrylaw.com

Enclosures

Cc: Daniel J. MacDonald (with enclosures)
Gary G. Roberts (with enclosures)