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**Dec 08 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM THE SOUTH CAROLINA  
WORKERS' COMPENSATION COMMISSION

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Appeal No. 2021-000932

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Sherry L. Floyd, Employee..... Respondent,

v.

McLeod Health, Employer, and  
McLeod Health Self Insured c/o Antum Risk, Carrier ..... Appellants.

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**APPELLANTS' OPPOSITION TO  
MOTION FOR COSTS**

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Pursuant to Rules 222 and 240, SCACR, Appellants McLeod Health and McLeod Health Self Insured c/o Antum Risk oppose Respondent Sherry L. Floyd's Motion for Costs ("Motion"). Respondent's Motion is premature, as Appellants have 30 days from the date of this Court's December 2, 2021 Order denying Appellants' Petition for Rehearing to petition the South Carolina Supreme Court for further review. Pursuant to Rule 222(d), a motion for costs must be filed within fifteen days of the remittitur. This Court has not issued the remittitur. Further, pursuant to Rule 221(b), "[w]here a petition for rehearing has been denied, the Court of Appeals shall not send the remittitur to the lower court or administrative tribunal until the time to petition for a writ of certiorari under Rule 242(c) has expired. If a petition for writ of certiorari is filed, the Court of Appeals shall not send the remittitur until notified that the petition has been denied. If

the writ is granted by the Supreme Court, the Court of Appeals shall not send the remittitur.” Thus, by filing her Motion before the remittitur has been issued and, in fact, before Appellants’ time to petition the Supreme Court for further review has expired, Respondent’s Motion is premature and should be denied.

In addition, although Respondent’s counsel only filed a four-page memorandum on appealability, with the fourth page containing only a signature block, he is seeking \$1,000.00 in attorney’s fees. Given that the maximum amount set by Rule 222 for attorney’s fees after a full appeal is \$2,500.00, Appellants believe the amount sought is excessive in this case. Further, no final briefs were filed in this case, so Respondent is not entitled to any printing costs, all of which should be denied.

CONCLUSION

For the reasons stated herein, this Court should deny Respondent’s Motion for Costs.

December 8, 2021

Respectfully submitted,

MCANGUS GOUDELOCK & COURIE, LLC

*s/Helen F. Hiser*

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*Attorneys for Appellants McLeod Health and  
McLeod Health Self Insured c/o Antum Risk*

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McLeod Health, Employer, and  
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**PROOF OF SERVICE**

I certify that I have served **Appellants' Opposition to Motion for Costs** on the attorney of record for Respondent Sherry L. Floyd by emailing a copy of it on the 8th day of December, 2021, addressed as follows:

William Ceth Land, Esq.  
Land, Parker & Welch, P.A.  
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s/Helen F. Hiser  
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**Reply To**

HELEN F. HISER  
Direct Dial: (843) 576-2930  
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SC Court of Appeals

**Via S.C. Courts E-Filing**

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

RE: Sherry L. Floyd vs. McLeod Physicians Association and McLeod Health Self  
Insured c/o Antum Risk  
Date of Accident: December 31, 2018  
WCC File No.: 1821956  
Our File No.: 2021.21002  
Claim No.: MCLH-09431  
Appeal No.: 2021-000932

Dear Ms. Kitchings:

Enclosed please find the original of Appellants' Opposition to Motion for Costs, and the Proof of Service in the above-referenced matter. We are serving counsel of record via email.

If you have any questions, please do not hesitate to contact me.

Sincerely,  
McAngus Goudelock & Courie, LLC

Helen F. Hiser

Enclosures

cc: William Ceth Land, Esq. (via Email)