

The South Carolina Court of Appeals

Aequicap Insurance Company, Appellant,

v.

Eddie Reese Best, Travis Scott d/b/a Fiscal Transport,
F.I.S.C.A.L. Transportation, LLC; Estate of James
Buchanan, and Roger Pelote, Defendants,

Of whom Estate of James Buchanan and Roger Pelote are
Respondents.

Appellate Case No. 2010-180986

The Honorable Doyet A. Early, III
Bamberg County
Trial Court Case No. 2008CP0500127

ORDER

Pursuant to Rule 222 of the South Carolina Appellate Court Rules, the motion for costs filed by the Respondents is granted in the amount of \$1,083.50 against the Appellant. The Clerk of Court for Bamberg County is directed to add this award of costs to the remittitur.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina
cc: Casper Fredric Marcinak, III
John S. Nichols
Robert Daniel Moseley, Jr.
Daniel W. Luginbill
Joseph William Rohe
James B. Hiers

FILED

J. May 2013

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BAMBERG COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2008-CP-10-127

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SC Court of Appeals

AequiCap Insurance Company, Appellant,

v.

Eddie Reese Best, Travis Scott d/b/a FISCAL
Transportation, LLC, Estate of James Buchanan
and Roger Pelote, Defendants,

of whom Estate of James Buchanan and Roger Pelote are, Respondents.

MOTION FOR COSTS

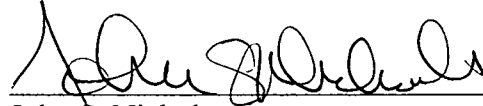
Pursuant to Rule 222 of the South Carolina Appellate Court Rules, Respondents, request that the costs of this appeal be taxed against AequiCap Insurance Company, who was the appellant.

Rule 222(a) provides that unless the court orders otherwise or the parties agree otherwise, costs shall be taxed against the appellant when the appeal is dismissed or the judgment is affirmed. This Court's opinion affirmed the judgment of the circuit court, and issued the remittitur April 7, 2013. Because the Court has not ordered otherwise and the parties have not agreed otherwise, the rule provides the Court should award costs to Respondents.

In accordance with the instructions of Rule 222(d), an itemized statement of costs
is attached to this motion.

April 18, 2013

Respectfully Submitted,



John S. Nichols

SC Bar No. 004210

BLUESTEIN, NICHOLS

THOMPSON & DELGADO

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Columbia, South Carolina 29202

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(803) 245-7799

dan@wlklawfirm.com

Attorneys for the Estate of
James Buchanan

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

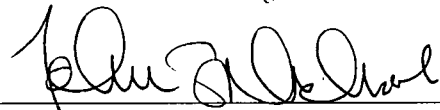
AequiCap Insurance Company,)	
)	
Appellant,)	
)	
v.)	
)	
Eddie Reese Best, Travis Scott d/b/a)	
FISCAL Transportation, LLC, Estate of)	
James Buchanan and Roger Pelote,)	
)	
Defendants,)	
)	
of whom)	
)	
Estate of James Buchanan and Roger Pelote)	
are,)	
Respondents.)	
)	

The appellate court is requested to tax the following costs against

AequiCap Insurance Company (Appellant)				
COSTS TAXABLE UNDER RULE 222, SCACR	NO. OF PAGES	RATE	REQUESTED	ALLOWED (For Court Use Only)
Cost of Printing or Copying Final Brief	663	\$78.04(plus \$5.46 in taxes)	\$83.50	APPROVED
Cost of Printing or Copying Final Reply Brief				
Cost of Printing or Copying Record on Appeal				
Filing Fee Paid Under Rule 203(d), SCACR				
Cost of Court Reporter's Transcript				

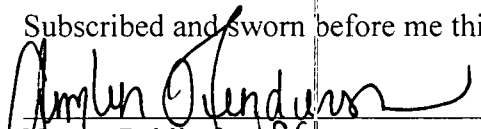
Attorney's Fee Provided By Rule 222(b), SCACR			\$1,000.00	APPROVED
Other (specify and explain):				
COSTS TAXABLE UNDER RULE 242(j), SCACR				
Cost of Printing or Copying Brief				
Cost of Printing and Copying Reply Brief				
Cost of Printing or Copying Appendix				
Filing fee paid under Rule 242(c), SCACR				
Attorney's fee provided by Rule 242(j)(2), SCACR				
Other (specify and explain):				
		TOTAL	\$1,083.50	APPROVED

I, John S. Nichols, do swear or affirm that the forgoing costs are correct and were necessarily incurred in this action. A copy of this statement was (mailed to/served upon) opposing counsel.


 (Signature)

Attorney for RESPONDENT JAMES BUCKHART

Subscribed and sworn before me this 19 day of April, 2013.


 Notary Public for SC
 My Commission Expires: 04/01/2021

68106

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BAMBERG COUNTY
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

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Eddie Reese Best, Travis Scott d/b/a FISCAL
Transportation, LLC, Estate of James Buchanan
and Roger Pelote, Defendants,

of whom Estate of James Buchanan and Roger Pelote are, Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below she served
counsel for the Appellant with a copy of the *Motion for Costs* by mailing copies of the
same by United States Mail with first class postage prepaid to the following address:

Robert D. Moseley, Jr., Esquire
C. Fredric Marcinak, Esquire
Smith Moore Leatherwood, LLP
Post Office Box 87
Greenville, South Carolina 29602

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APR 19 2013

SC Court of Appeals

April 19, 2013
Columbia, South Carolina

Erin Bridges

Erin Bridges
BLUESTEIN, NICHOLS, THOMPSON
& DELGADO, LLC



Margaret Miles Bluestein
John Shannon Nichols
Stacy Elizabeth Thompson
John Dennis Delgado
Allison Paige Sullivan
Ashley Trout Thompson
Blake Alexander Hewitt
Kenneth Henry Dojaquez

OF COUNSEL
Osborne Eugene Powell, Jr

April 19, 2013

VIA HAND DELIVERY

The Honorable Jenny Kitchings
Clerk of Court
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Aequicap Insurance Company v. Eddie Reese Best, Travis Scott, d/b/a Fiscal Transport; F.I.S.C.A.L. Transportation, LLC; Estate of James Buchanan, and Roger Pelote
Case Tracking No.: 2010-180986

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a *Motion for Costs* along with an itemized statement of costs in this case. I have also enclosed a proof of service on counsel for the Appellant and our firm check in the amount of \$25.00 for filing this motion. Please return the additional filed copy to me via our courier.

Thank you for your attention to this matter. If you need any additional information, please to not hesitate to contact me.

Sincerely,

Erin Bridges
Paralegal to John S. Nichols
BLUESTEIN, NICHOLS, THOMPSON &
DELGADO, LLC

/emb

Enclosure

cc: Daniel W. Luginbill, Esquire
J. Curt Thomas, Esquire
Robert D. Moseley, Jr., Esquire
C. Fredric Marcinkak, Esquire

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