

The South Carolina Court of Appeals

Zeb Portanova, Respondent,

v.

GinJoint, LLC d/b/a BarVision, Appellant.

Appellate Case No. 2022-000010

ORDER

This appeal was filed on January 4, 2022. On March 2, 2022, this court granted Respondent's motion to dismiss because Appellant failed to timely file the notice of appeal. The remittitur was sent on March 29, 2022. Respondent has now filed a motion for costs, pursuant to Rule 222, SCACR, seeking to recover \$2,500 in attorney's fees. Appellant did not file a return.

We grant the motion in part. Because this appeal was dismissed so early in the appellate process, Respondent is not entitled to the recovery of \$2,500.00 in attorney's fees. *See* Rule 222, SCACR (providing costs shall be taxed against the appellant when the appeal is dismissed and costs may include attorney's fees *up to* \$2,500). Accordingly, Respondent is awarded \$1,000 in attorney's fees. The Aiken County Clerk of Court is directed to add this award to the remittitur.



FOR THE COURT

Columbia, South Carolina

cc:

FILED
May 04 2022

Kyle Aaron Brannon, Esquire
S. Jahue Moore, Esquire
Robert J. Harte