

The Supreme Court of South Carolina

CarMax Auto Superstores West Coast, Inc.,
Respondent/Petitioner,

v.

South Carolina Department of Revenue,
Petitioner/Respondent.

Appellate Case No. 2012-212203


ORDER

Petitioner/Respondent (Department of Revenue) and Respondent/Petitioner (CarMax) each seek a petition for a writ of certiorari to review the Court of Appeals' decision in *CarMax Auto Superstores West Coast, Inc. v. S.C. Dep't of Rev.*, 397 S.C. 604, 725 S.E.2d 711 (Ct. App. 2012). We grant the Department of Revenue's petition as to its Questions I and II, and deny the petition as to the Department's remaining questions. We also grant CarMax's petition as to its Questions II, III, and IV, and deny the petition as to the remaining questions.

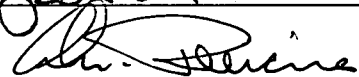
Additionally, we order the parties to brief the following question:

Is the Court of Appeals' decision in the instant case appealable in light of this Court's decisions in *Charlotte-Mecklenberg Hosp. Auth. v. S.C. Dep't of Health & Envtl Ctrl.*, 387 S.C. 365, 692 S.E.2d 894 (2012), and *Bone v. U.S. Food Serv.*, 404 S.C. 67, 744 S.E.2d 552 (2013)?


The parties shall proceed to serve and file the appendix and briefs as provided by Rule 242(i), SCACR.

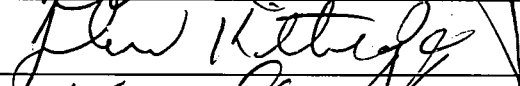


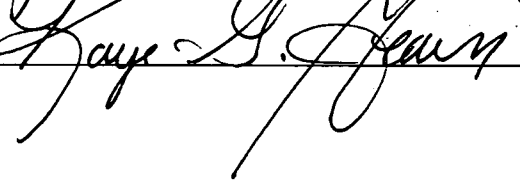
C.J.



J.







J.

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Columbia, South Carolina

August 29, 2013

cc:

The Honorable Jenny Abbot Kitchings

John C. Von Lehe, Jr.

Bryson Moore Geer

Harry A. Hancock

Milton Gary Kimpson

Robert L. Widener

Erik P. Doerring

Burnet Rhett Maybank, III

Alexandra Eikner Sampson