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**Sep 20 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable H. W. Funderburk, Jr., Administrative Law Judge

Case No. 17-ALJ-17-0060-CC

Appellate Case No. 2023-000973

McEntire Produce, Inc.....Petitioner,

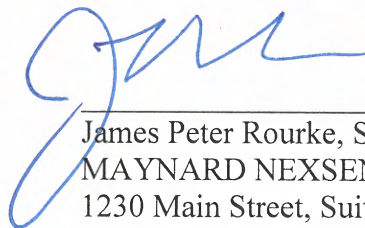
v.

South Carolina Department of Revenue..... Respondent.

**MOTION TO WITHDRAW PETITION**

Pursuant to Rule 260, SCACR, Petitioner McEntire Produce, Inc. hereby moves to withdraw its Petition for Writ of Certiorari filed on June 19, 2023.

Respectfully submitted,



James Peter Rourke, SC Bar No. 79879  
MAYNARD NEXSEN, PC  
1230 Main Street, Suite 700 (29201)  
Post Office Drawer 2426  
Columbia, South Carolina 29202  
Telephone: (803) 771-8900  
jrouke@maynardnexsen.com

September 19, 2024  
Columbia, South Carolina

*Attorney for Petitioner*

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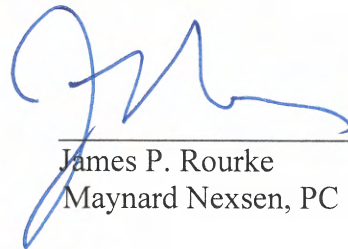
v.

South Carolina Department of Revenue..... Respondent.

**PROOF OF SERVICE**

I certify that I have served the Motion to Withdraw Petition on September 19, 2024 on the above-named Respondent by depositing a copy in the United States Mail, postage prepaid, on September 19, 2024, and via email, addressed to counsel of record for Respondent as follows:

Jason P. Luther  
Dare P. Bailey  
South Carolina Department of Revenue  
Post Office Box 12265  
Columbia, South Carolina 29211  
jason.luther@dor.sc.gov  
dare.bailey@dor.sc.gov

  
James P. Rourke  
Maynard Nexsen, PC

**From:** [Sarah L. Plouff](#)  
**To:** ["suptcfilings@sccourts.org"](mailto:suptcfilings@sccourts.org)  
**Cc:** [Jim Rourke](#); ["Jason.luther@dor.sc.gov"](mailto:Jason.luther@dor.sc.gov); ["dare.bailey@dor.sc.gov"](mailto:dare.bailey@dor.sc.gov)  
**Bcc:** ["McEntire Produce Inc 015382 00034 Sales Tax Dispute E Mails"](#)  
**Subject:** McEntire Produce, Inc. v. South Carolina Department of Revenue - Appellate Case 2023-000973 - Opinion No. 5972 [IMAN-NPDOCUMENTS.FID16137706]  
**Date:** Thursday, September 19, 2024 2:14:08 PM  
**Attachments:** [2024-9-19- Signed Motion to Withdraw Petition with Proof of Service.pdf](#)

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Good afternoon,

Please see attached for filing Petitioner McEntire Produce, Inc.'s Motion to Withdraw Petition. A check in the amount of \$50.00 for the filing fee associated with this Motion has been placed in the mail.

All counsel of record has been copied by this email.

Sincerely,

**Sarah L. Plouff**

Legal Practice Assistant

P: (803) 540-2003

[SPlouff@maynardnexsen.com](mailto:SPlouff@maynardnexsen.com)

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