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Dec 06 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Appellate Case No. 2024-001558

CarMax Auto Superstores, Inc., Appellant,

v.

South Carolina Department of Revenue, Respondent.

MOTION FOR SECOND EXTENSION OF TIME TO FILE
APPELLANT'S INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED
IN RECORD ON APPEAL

Pursuant to Rules 208(a)(3), 240, and 263 of the South Carolina Appellate Court Rules, Appellant CarMax Auto Superstores, Inc. ("CarMax") requests a thirty-day extension of time to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal ("Designation") in the above-captioned matter. This is the second request for an extension of this deadline.

This request is necessitated because counsels' other case demands and scheduling deadlines will not allow them to complete the Initial Brief and Designation within the current deadline. Currently, these filings are due on December 18, 2024. By our calculations, with the additional thirty-day extension, they would be due on January 17, 2025. Counsel for Respondent South Carolina Department of Revenue consents to this extension.

Therefore, CarMax respectfully moves this Court for a thirty-day extension of time to file its Initial Brief and Designation in the above-captioned matter until January 17, 2025.

Respectfully submitted,

By: s/ Bryson M. Geer

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(843) 853-5200

Counsel for Appellant CarMax Auto Superstores, Inc.

December 6, 2024

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Ralph King Anderson, III, Chief Administrative Law Judge

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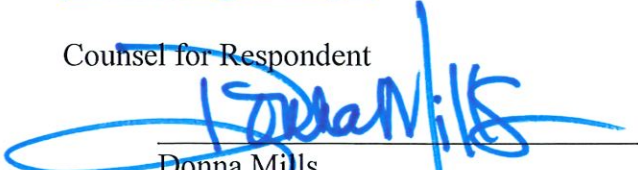
PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant, hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified, pursuant to the Supreme Court Order 2022-05-06-04:

Pleadings: MOTION FOR SECOND EXTENSION OF TIME TO FILE APPELLANT'S INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN RECORD ON APPEAL

Counsel Served: Via E-Mail
Marcus D. Antley, Esq.
Jason P. Luther, Esq.
South Carolina Department of Revenue
300A Outlet Pointe Blvd.
Columbia, SC 29210
marcus.antley@dor.sc.gov
jason.luther@dor.sc.gov

Counsel for Respondent


Donna Mills
Administrative Assistant

December 6, 2024

Donna Mills

From: Donna Mills
Sent: Friday, December 6, 2024 11:14 AM
To: 'marcus.antley@dor.sc.gov'; Jason.Luther@dor.sc.gov
Cc: Mitch Brown; John Von Lehe; Bryson Geer; Bobby Streisel
Subject: CarMax Auto Superstores, Inc. v. S.C. Department of Revenue; Case No. 2024-001558
Attachments: 2024.12.06 CarMax - LtrT SCCA encl 2nd Extension Request re Initial Brief & DOM.pdf; 2024.12.06 CarMax - 2nd Extension Request re Initial Brief & DOM.pdf; 2024.12.06 CarMax - (POS) 2nd Extension Request re Initial Brief & DOM.pdf

Good morning,

Attached for service upon you in the above matter is CarMax Auto Superstores, Inc.'s Motion for Second Extension of Time to File Appellant's Initial Brief and Designation of Matter to be Included in Record On Appeal as well as a Proof of Service. We will e-file this Motion momentarily.

Thank you,



DONNA MILLS ADMINISTRATIVE ASSISTANT
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ATTORNEYS AND COUNSELORS AT LAW

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December 6, 2024

Via Electronic Filing by Email and Hand Delivery

The Honorable Jenny Abbott Kitchings
SC Court of Appeals
Clerk of Court
1220 Senate Street
Columbia, South Carolina 29201

RE: CarMax Auto Superstores Inc. v. S.C. Department of Revenue
Appellate Case No. 2024-001558
Our File No. 061342/09000

Dear Ms. Kitchings:

Enclosed please find CarMax Auto Superstores Inc.'s ("CarMax East") Motion for Second Extension of Time to File Appellant's Initial Brief and Designation of Matter to be Included in Record on Appeal in the above-referenced matter for electronic filing. We also enclose our firm check in the amount of \$50.00 as the required filing fee.

By copy of this letter to counsel of record, we are serving them with a copy of this motion.

Thank you for your assistance.

With kind regards,

Bryson M. Geer

BMG:dfm

Enclosures

cc: Marcus D. Antley, III, Esq.
Jason P. Luther, Esq. (*Both via email*)

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Dec 06 2024

SC Court of Appeals

NELSON MULLINS RILEY & SCARBOROUGH LLP

ATTORNEYS AND COUNSELORS AT LAW

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COLUMBIA, SC 29211-1070

SYNOVUS BANK
COLUMBIA, SC

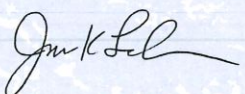
67-119
539

Date: December 3, 2024

Pay: Fifty and 00/100 ***** \$ ***50.00***

PAY TO THE ORDER OF: South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

NELSON MULLINS RILEY & SCARBOROUGH LLP
ORIGINAL SIGNATURE REQUIRED IF OVER \$500
VOID AFTER 180 DAYS



Memo: _____

⑈0 1086870⑈ ⑆06 1 100606⑆ 100 27 206 1 1⑈

Payee: South Carolina Court of Appeals

Check #: 1086870

Vendor ID: 07264

Vendor Assigned Customer #:

Check Date: Dec 03/24

Inv #	Inv Date	G/L Acct	Client	Matter	Narrative	Amount	Inv Total
12032024	Dec 03/24		061342	09000		\$50.00	\$50.00

Vendor: Clerk, SC Court of Appeals Invoice#: 12032024 Date: 12/3/2024
- CRINV - - 12/03/24 - Motion Filing Fee - 2nd Request for Extension to
File Initial Brief / DOM (2nd NOA)

Invoice Totals: \$50.00 \$50.00