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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable Crystal M. Rookard, Administrative Law Judge

Appellate Case No. 2026-000734

MPC Harden, LLC d/b/a 5 Points Saloon, Respondent,
v.
South Carolina Department of Revenue, Respondent,
and
Coley Frank Adams, Intervenor-Appellant.

**CONSENT MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF BY RESPONDENT,
SOUTH CAROLINA DEPARTMENT OF REVENUE**

Respondent, the South Carolina Department of Revenue ("Department") hereby respectfully requests an enlargement of time by thirty (30) days in which to file its Initial Brief in this matter.

The basis for this motion is as follows:

The undersigned counsel states that he has conferred with the Co-Respondent regarding the possibility of submitting a joint initial brief on one or more issues raised by the Appellant in its Initial Brief.

Co-Respondent's counsel, as this Court has been made aware, has recently undergone substantial medical treatment which has made communications on the matter delayed.

In addition, the Department's undersigned counsel's workload has hampered his ability to complete Respondent's Initial Brief in this matter.

Respondent therefore requests additional time in which to complete and submit that brief.

The undersigned counsel has conferred with counsel for both the Appellant and the Co-Respondent concerning this request.

Both Appellant, Coley Frank Adams and the Respondent, MPC Harden, LLC consent to the relief requested herein.

WHEREFORE, Respondent, South Carolina Department of Revenue, respectfully requests an additional thirty (30) days, up to and including October 12, 2026, in which to file its Initial Brief in this matter.

Respectfully submitted,

s/ Dana R. Krajack

Dana R. Krajack (Bar No. 3608)

Senior Counsel, Regulatory

South Carolina Department of Revenue

Office of General Counsel

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PROOF OF SERVICE

I, the undersigned employee with the South Carolina Department of Revenue, attorneys for the Respondent, hereby certify that I have served counsel listed below with a copy of the South Carolina Department of Revenue's Consent Motion for Extension of Time to File Initial Brief by Respondent, South Carolina Department of Revenue via U.S. mail, postage prepaid and via electronic mail at the address listed in the Attorney Information System:

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<Continued on following page>

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Geneva J. McIntosh, Legal Assistant

Columbia, South Carolina
September 3, 2026



**SOUTH CAROLINA
DEPARTMENT OF REVENUE**

Office of General Counsel

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SC Court of Appeals

VIA ELECTRONIC MAIL - ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings

Court of Appeals

P.O. Box 11629

Columbia, SC 29211

**Re: MPC Harden, LLC d/b/a 5 Points Saloon, Respondent, v. South Carolina
Department of Revenue, Respondent, and Coley Frank Adams, Intervenor,
Appellant**
Appellate Case No. 2026-000734

Dear Ms. Kitchings:

Attached please find the Consent Motion for Extension of Time to File Initial Brief by Respondent, South Carolina Department of Revenue.

Should you have any questions, please do not hesitate to contact me at 803-898-5172 or Dana.Krajaek@dor.sc.gov. If I am not available, you can reach my paralegal, Geneva McIntosh, at 803-898-5663 or geneva.mcintosh@dor.sc.gov.

With my regards, I am

Sincerely,


Dana R. Krajaek, Esquire
Senior Counsel, Regulatory

Attachments

DRK/gjm

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