

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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APPEAL FROM STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

SC Court of Appeals

Shirley C. Robinson, Administrative Law Judge

Case No. 11-ALJ-17-0546-CC

Be Mi, inc., d/b/a St. Clements Beach Bar & Grill,
Respondent.

v.

South Carolina Department of Revenue,

And St. Clements Homeowners Association, Intervenor,

Of whom St. Clements Homeowners Association is the
Appellant

And South Carolina Department of Revenue is the
Respondent.

Appellate Case No. 2012-212861

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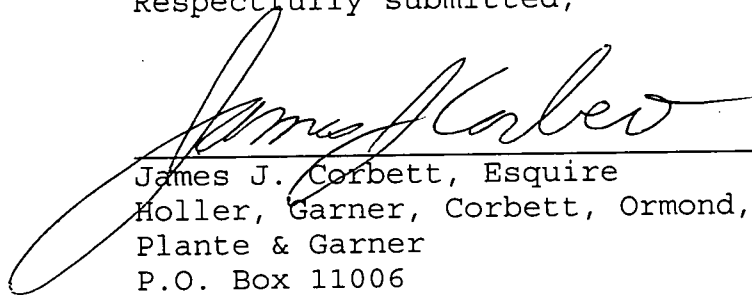
SC Court of Appeals

APPELLANT'S OPPOSITION TO RESPONDENT'S
MOTION TO SUPPLEMENT THE RECORD

Appellant objects to Respondent's request to supplement the record with the unreported decision in St. Clements Homeowners Association, Inc., Appellant v. Be Mi, Inc., Respondent, 2013-UP-466 (S.C. Ct. App. Filed December 18, 2013). This unreported decision has no precedential value and cannot be cited in any proceeding except as provided by Rule 268 (D) (2) S.C.A.C.R. The Order was filed December 18, 2013 and the Motion to Supplement

was filed March 20, 2014, twenty (20) days before oral argument. The underlying Order of the Honorable Cynthia Graham Howe, Master-in-Equity for Horry County, attached to the Motion should not be made a part of the record. Addressing any findings in that the Order would require a separate briefing.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James J. Corbett", is written over a horizontal line. The signature is fluid and extends to the left and right of the line.

James J. Corbett, Esquire
Holler, Garner, Corbett, Ormond,
Plante & Garner
P.O. Box 11006
Columbia, SC 29211
(803) 765-2968
Attorney for Appellant

March 28, 2014

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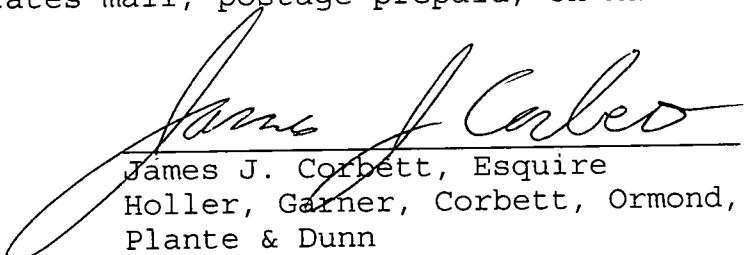
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I certify that I have served the Appellant's Opposition to Respondent's Motion to Supplement the Record on Respondent Be Mi, Inc., d/b/a St. Clements Beach Bar & Grill by depositing a copy of it in the United States mail, postage prepaid, on March 28, 2014 addressed to its attorney of record, Clifford L. Welsh, 457 Main Street, North Myrtle Beach, South Carolina 29582 and to South Carolina Department of Revenue addressed to its attorney of record, Kathryn Brown, Esquire, Law and Compliance Division, Post Office Box 12265, Columbia, South Carolina 29211 by depositing a copy of it in the United States mail, postage prepaid, on March 28, 2014.

March 28, 2014


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