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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Appellate Case No. 2015-000733

RECEIVED
OCT 14 2015
SC Court of Appeals

Kan Enterprises, Inc., d/b/a A 1 Food Stores,..... Appellant,

v.

South Carolina Department of Revenue, Ellen Fishburne Triplett,
Keith McIver, Samuel L. Munson, Jocelyn Munson, and Michael Hill, Respondents.

**MOTION TO FILE APPELLANT'S REPLY
TO RESPONDENTS' INITIAL BRIEF OUT OF TIME**

The undersigned, as counsel for Appellant Kan Enterprises, Inc., d/b/a A1 Food Stores, hereby respectfully moves this Court for permission to file its Reply to Respondents' Initial Brief out of time. This Motion is made on the grounds that, due to extreme weather conditions and resulting extended disruptions in business, Appellant was unable to file by the established deadline of October 5, 2015. During the course of re-establishing normal business operations and reviewing the Court's website on October 13, 2015, this oversight was brought to counsel's attention. The failure to file a Reply within ten days of Respondents' Initial Brief was inadvertent and due to extraordinary circumstances. This request is not intended for purposes of delay. Further, there would be no prejudice to the parties by allowing the Appellant to file his Reply Brief out of time.

WHEREFORE, Appellant respectfully prays that this Court allow the Reply to Respondents' Initial Brief be filed out of time.

Respectfully submitted,

By: 

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October 14, 2015

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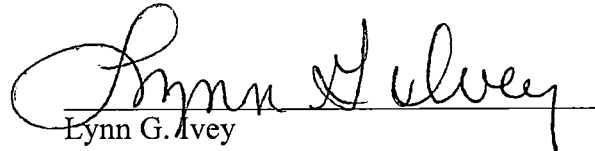
PROOF OF SERVICE

I, Lynn G. Ivey, an employee of Moore Taylor Law Firm, PA, certify that I have served the Appellant's Motion to File Reply To Respondents' Initial Brief Out of Time by mail, to the following parties by depositing a copy of same in the United States Mail, postage prepaid, on October 14, 2015, addressed as follows:

Justine M. Tate, Esquire
Sean Ryan, Esquire
Counsel for Litigation
SC Department of Revenue
P.O. Box 12265
Columbia, SC 29211

Kathleen McDaniel, Esquire
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Lynn G. Ivey

West Columbia, South Carolina
October 14, 2015

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SC Court of Appeals

October 14, 2015

The Honorable Jenny Abbott Kitchings
Court of Appeals Clerk of Court
P.O. Box 11629
Columbia, SC 2921

RE: Kan Enterprises, Inc., d/b/a A1 Food Stores v. SC Department of
Revenue, et al
Appellant No. 2015-000733

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James Edward Bradley*
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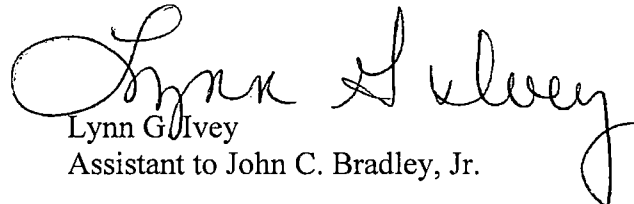
Dear Ms. Kitchings:

Please find attached to this letter the original and four copies of our Motion to File Out of Time in this matter. Please return the clocked copies via our courier. I also enclose our firm check for \$25.00.

By copy of this letter, we are serving opposing counsel with the same.

Thank you for your assistance with this matter.

Respectfully yours,


Lynn G. Ivey
Assistant to John C. Bradley, Jr.

Enclosures

cc: Justine M. Tate, Esquire
Sean Ryan, Esquire
Kathleen McDaniel, Esquire
Patrick C. Sharpe, Esquire