

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APPEAL FROM THE ADMINISTRATIVE LAW COURT

SC Court of Appeals

Shirley C. Robinson, Administrative Law Judge

Appellate Case No. 2016-002063

South Carolina Department
of Consumer Affairs,

Appellant,

v.

A Bargain Center, LLC,

Respondent.

MOTION FOR ORAL ARGUMENT

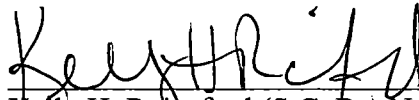
South Carolina Department of Consumer Affairs (Appellant) hereby moves for an order granting oral argument. Rule 215, SCACR, provides that “[u]nless otherwise ordered by the appellate court, all appeals in civil cases which do not involve a constitutional question and in which the amount involved is \$1,000 or less, and all appeals in civil cases where there has been no final judgment, shall be submitted to the appellate court without oral argument.” However, the instant case raises questions of state and federal law that are detailed and complex. Further, Appellant believes this Court’s ruling in the instant case will undoubtedly affect Appellant’s ability to enforce the applicable provisions of South Carolina law against future transgressors.

Respondent profited from unlicensed pawnbroking activity by charging and receiving illegal and exorbitant interest rates in violation of the South Carolina Pawnbrokers Act and the

Truth in Lending Act. Appellant asserts all monies received by Respondent in excess of the loan amount should be returned to affected borrowers as required by the South Carolina Pawnbrokers Act, the Truth in Lending Act, and the respective regulations promulgated thereunder. The Appellant is also asking this Court to assess a more appropriate fine in order to deter pawnbrokers across the state from thinking violations of South Carolina law will merely result in a slap on the wrist. Given the importance of the questions of law to the determination of this case, the impact to South Carolina consumers, and the impact on Appellant's ability to deter future exploitation of South Carolina consumers, Appellant believes the Court should not decide this case without the benefit of hearing oral arguments on the issues presented. Therefore, Appellant requests this motion be granted and the standard time be allotted for the arguments.

Respectfully submitted,

April 24, 2017



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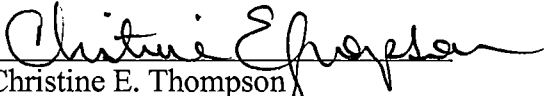
A Bargain Center, LLC,

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PROOF OF SERVICE

I certify that I have served the Motion for Oral Argument on Respondent, A Bargain Center, LLC, on April 24, 2017, by hand delivering a copy to their attorney of record, S. Jahue Moore, Esquire, Moore Taylor Law Firm, 1700 Sunset Boulevard, West Columbia, SC 29169.

April 24, 2017


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