

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

John D. McLeod, Administrative Law Judge

Case No. 16-ALJ-17-0113-CC

Books-A-Million, Inc.,.....Appellant,

v.

South Carolina Department of Revenue,Respondent.

NOTICE OF APPEAL

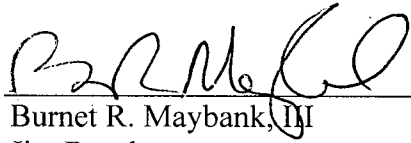
Books-A-Million, Inc. ("Appellant") appeals the Final Order and Decision of the Honorable John D. McLeod filed June 6, 2017 (the "Order") granting Respondent's Motion for Summary Judgment and denying Appellant's Motion for Summary Judgment. A copy of the Order is attached hereto as Exhibit A. Appellant received written notice of entry of the Order on June 6, 2017. Thereafter, on June 15, 2017, Appellant filed a Motion for Reconsideration with the Administrative Law Court. Judge McLeod denied that Motion on June 20, 2017, and Appellant received that Order on June 20, 2017, a copy which is attached hereto as Exhibit B. Thus, pursuant to Rule 203 of the South Carolina Appellate Court Rules, this Notice of Appeal is timely filed within 30 days of receipt of that Order. Appellant paid tax and interest due to Respondent on July 6, 2017.

[SIGNATURE PAGE FOLLOWS]

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SC Court of Appeals



Burnet R. Maybank, III

Jim Rourke

Nexsen Pruet, LLC

1230 Main Street, Suite 700

Columbia, South Carolina 29201

(803) 771-8900

Attorneys for Appellant

Books-A-Million, Inc.

July 11, 2017

Other Counsel of Record:

Lauren Acquaviva, Esq.

Sean G. Ryan, Esq.

South Carolina Department of Revenue

300A Outlet Pointe Blvd.

Columbia, SC 29210



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PROOF OF SERVICE

I, Sharon Dodgins, hereby certify that I have caused to be mailed a copy of Books-A-Million, Inc.'s Notice of Appeal regarding the above-referenced case, by depositing the same in the United States Mail, postage prepaid, on July 11, 2016, addressed to the attorneys of record, Lauren Acquaviva, Esq. and Sean G. Ryan, Esq., South Carolina Department of Revenue, 300A Outlet Pointe Blvd., Columbia, SC 29210, to The Honorable John D. McLeod, Administrative Law Judge, 1205 Pendleton Street, Columbia, SC 29201, and the Court Administration, 1015 Sumter Street, Ste. 200, Columbia, SC 29201.


Sharon Dodgins, Legal Assistant

July 11, 2017

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Burnet R. Maybank, III
Member
Admitted in SC

JUL 11 2017

SC Court of Appeals

July 11, 2017

VIA HAND DELIVERY

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

Re: Books-A-Million, Inc. vs. South Carolina Department of Revenue
Case No. 16-ALJ-17-0113-CC

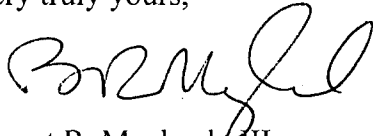
Dear Ms. Kitchings:

Enclosed for filing is an original and one copy of the Notice of Appeal in the above case. Also enclosed are the following:

1. Proof of Service of the Notice of Appeal on the Respondent.
2. A copy of the Order, which is being challenged on appeal.
3. A filing fee of \$100.00.

I would appreciate if you would please return a clock copy to our courier.
Your consideration of these documents is appreciated.

Very truly yours,



Burnet R. Maybank, III

BRM/mw

Enclosures

cc: Lauren Acquaviva, Esquire (w/enclosures)
Sean G. Ryan, Esquire (w/enclosures)