

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
H.W. Funderburk, Jr., Administrative Law Court Judge

---

Appellate Case No. 2017-002455  
Case No. 16-ALJ-30-0410-CC

---

RECEIVED  
DEC 04 2017  
SC Court of Appeals

Wayne's Automotive Center, Inc., ..... Appellant-Respondent,

v.

South Carolina Department of Public Safety, ..... Respondent-Appellant.

---


**NOTICE OF CROSS-APPEAL**

---

The Respondent-Appellant South Carolina Department of Public Safety appeals the Final Order issued by Administrative Law Judge H.W. Funderburk, Jr. filed September 19, 2017, and the Order Denying Motions for Reconsideration issued by Administrative Law Judge H.W. Funderburk, Jr. filed October 31, 2017.

Counsel for the Respondent-Appellant received the Notice of Appeal filed by counsel for the Appellant-Respondent Wayne's Automotive Center, Inc. on November 29, 2017.

DAVIDSON & LINDEMANN, P.A.

BY:   
\_\_\_\_\_  
ANDREW F. LINDEMANN #13030  
1611 Devonshire Drive  
Post Office Box 8568  
Columbia, South Carolina 29202  
(803) 806-8222

-and-

MARCUS K. GORE  
General Counsel  
South Carolina Department of Public Safety  
Post Office Box 1993  
Blythewood, South Carolina 29016  
(803) 896-7780

*Counsel for Respondent-Appellant  
South Carolina Department of Public Safety*

December 4, 2017

Other Counsel of Record:

Raymon E. Lark, Jr.  
Austin & Rogers, P.A.  
508 Hampton Street - Suite 300  
Post Office Box 11716  
Columbia, South Carolina 29211  
(803) 256-4000

*Counsel for Appellant-Respondent  
Wayne's Automotive Center, Inc.*

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
H.W. Funderburk, Jr., Administrative Law Court Judge

---

Appellate Case No. 2017-002455  
Case No. 16-ALJ-30-0410-CC

---

RECEIVED  
DEC 04 2017  
SC Court of Appeals

Wayne's Automotive Center, Inc., ..... Appellant-Respondent,

v.

South Carolina Department of Public Safety, ..... Respondent-Appellant.

---

**CERTIFICATE OF SERVICE**

---

The undersigned employee of Davidson & Lindemann, P.A., counsel for the Respondent-Appellant South Carolina Department of Public Safety, does hereby certify that service of the **Notice of Cross-Appeal** in the above-captioned matter was made upon all counsel of record by email and by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 4th day of December 2017:

**Via Email and U.S. Mail**

Marcus K. Gore, Esquire  
General Counsel

South Carolina Department of Public Safety

Post Office Box 1993

Blythewood, South Carolina 29016

Email: MarcusGore@SCDPS.GOV

**Via Email and U.S. Mail**

Raymon E. Lark, Jr., Esquire  
Austin & Rogers, P.A.  
Post Office Box 11716  
Columbia, South Carolina 29211  
Email: [relark@austinrogerspa.com](mailto:relark@austinrogerspa.com)

A handwritten signature in black ink, appearing to read "Raymon E. Lark, Jr.", is written over a horizontal line. The signature is stylized with large loops and a prominent initial "R".

DAVIDSON & LINDEMANN, P.A.

ATTORNEYS AND COUNSELORS AT LAW

William H. Davidson, II  
Andrew F. Lindemann\*  
James M. Davis, Jr.†  
Robert D. Garfield  
Michael B. Wren

1611 Devonshire Drive, Second Floor  
Post Office Box 8568  
Columbia, South Carolina 29202-8568  
Telephone: (803) 806-8222  
Facsimile: (803) 806-8855  
www.dml-law.com

December 4, 2017

Daniel C. Plyler  
Joel S. Hughes†  
David A. DeMasters  
Steven R. Spreetwiers  
Brandon M. Briggs  
Ryan J. Patane

Of Counsel  
Kenneth P. Woodington

\*Also Admitted In North Carolina  
†Certified Mediator

Writer's Email: [alindemann@dml-law.com](mailto:alindemann@dml-law.com)

**Hand Delivered**

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

RE: Wayne's Automotive Center, Inc. v. South Carolina Department of Public Safety  
Appellate Case Number: 2017-002455  
ALC Docket Number: 16-ALJ-30-0410-CC  
Our File Number: 107.10114

Dear Ms. Kitchings:

Please find enclosed for filing the original and one copy of the **Notice of Cross-Appeal** in the above referenced matter. Please file the original and return a clocked-in copy to me by way of my courier. I have not enclosed a filing fee since the South Carolina Department of Public Safety is exempt.

By copy of this letter, I am serving copies on all counsel of record by email and U.S Mail. Thank you for your assistance in this matter.

Sincerely,

DAVIDSON & LINDEMANN, P.A.



Andrew F. Lindemann

AFL/jmb  
Enclosures

RECEIVED  
DEC 04 2017  
SC Court of Appeals

The Honorable Jenny Abbott Kitchings  
December 4, 2017  
Page Two

---

cc: (w/ Enclosure)

**Via Email and U.S. Mail**

Marcus K. Gore, Esquire  
General Counsel  
South Carolina Department of Public Safety  
Post Office Box 1993  
Blythewood, South Carolina 29016  
Email: [MarcusGore@SCDPS.GOV](mailto:MarcusGore@SCDPS.GOV)

**Via Email and U.S. Mail**

Raymon E. Lark, Jr., Esquire  
Austin & Rogers, P.A.  
Post Office Box 11716  
Columbia, South Carolina 29211  
Email: [relark@austinrogerspa.com](mailto:relark@austinrogerspa.com)