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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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

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

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DEC 08 2017
SC Court of Appeals

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

v.

South Carolina Department of Public Safety, Respondent-Appellant.

MOTION FOR EXTENSION OF TIME TO ORDER TRANSCRIPT

Pursuant to Rules 207 (b) (1), 240, SCACR and related authorities, Appellant-Respondent (Appellant) hereby moves for an extension of time in which to order the transcript of the proceeding before the lower court until ten (10) days following receipt of the Court's Order as to its Motion (Petition) To Impose A Supersedeas To Stay Matters Decided in South Carolina Administrative Law Court (SCALC) Orders and any Order on rehearing for the following reasons.

1. Upon inquiry the Court's staff has advised the current deadline for ordering the transcript of the lower court proceeding herein is December 11, 2017.
2. Appellant's above-referenced Motion is currently pending before the Court. If the Court does not continue the stay currently still in effect, Appellant may not wish to pursue its appeal any longer, and, therefore, not order that transcript.
3. Prejudice to Appellant will be avoided by granting the instant Motion. *See, e.g.*

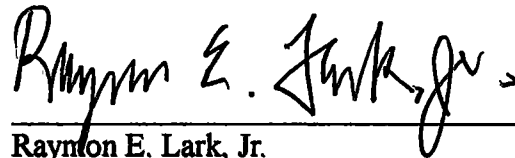
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Trotter v. Trane Coil Facility, 393 S.C. 637, 714 S.E.2d 289, 293 (2011) ("The granting or refusal of a request for a continuance rests in the sound discretion of the [Appellate Panel], whose ruling will not be disturbed unless a clear abuse of discretion is shown. For appellate purposes, an abuse of discretion occurs where the ruling is based on an error of law or, where the ruling is grounded upon factual findings, is without evidentiary support. . . . Where a party is not prejudiced by the denial of a motion for a continuance, reversal is not required. (*Wright v. Hiester Constr. Co.*, 389 S.C. 504, 698 S.E.2d 822 (Ct.App.2010).") The interests of justice and efficiency of resources will also be served.

WHEREFORE, Appellant respectfully requests this Honorable Court to grant its Motion in conjunction with ruling the stay currently in effect is continued during appeal to avoid contested issues from becoming moot and providing all available relief.

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December 8, 2017

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