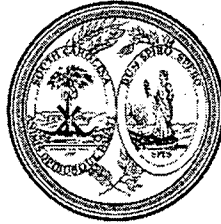


STATE OF SOUTH CAROLINA  
DEPARTMENT OF REVENUE  
OFFICE OF THE GENERAL COUNSEL

300A Outlet Pointe Blvd.  
Columbia, SC 29210



PO Box 12265  
Columbia, SC 29211-9979

January 18, 2018

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
Clerk of Court  
PO Box 11629  
Columbia, SC 29211

**RECEIVED**  
JAN 22 2018  
SC Court of Appeals

Re: Docket No. 2012-CP-38-00837; Appellant Case No. 2017-001790  
Jimmie Aiken vs. South Carolina Department of Revenue

Ms. Kitchings:

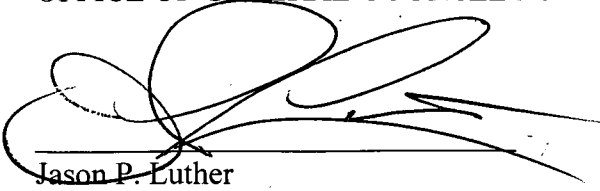
The Department is in receipt of your correspondence dated January 16, 2018, a copy of which is enclosed for your convenience. Enclosed please also find our requests for the transcript in the above referenced matter as well as the court reporter's invoice. The Department received the transcript on December 11, 2017.

Additionally, I have enclosed a copy of the clocked cover page our filing of our Initial Brief, which was filed on January 10, 2018.

Should your office have any further questions, please don't hesitate to contact me or Mr. Krajack at (803) 898-5172 or [Dana.Krajack@dor.sc.gov](mailto:Dana.Krajack@dor.sc.gov).

Yours truly,

OFFICE OF GENERAL COUNSEL FOR LITIGATION

  
Jason P. Luther  
General Counsel for Litigation

cc: Robert N. Hill, Esquire, PO Box 1323, Lexington, SC 29071-1323  
Mark B. Tinsley, Esquire, PO Box 1000, Allendale, SC 29810  
Charles H. Williams, Esquire, PO Box 1084, Orangeburg, SC 29115  
Daniel W. Williams, Esquire, PO Box 616, Barnwell, SC 29812



STATE OF SOUTH CAROLINA  
DEPARTMENT OF REVENUE

300A Outlet Pointe Blvd., Columbia, South Carolina 29210  
P.O. Box 12265, Columbia, South Carolina 29211-9979

August 22, 2017

Hilda M. Jordan  
Court Reporter  
P.O. Box 435  
Lexington, SC 29071

RECEIVED  
JAN 22 2018  
SC Court of Appeals

Re: Jimmie Aiken, Leila Brown, Vernonda Cohen, Carla David, Anthony Sabb, James Ginn, and Shirley Rice, as named Plaintiffs representing a class of South Carolina Citizens, Respondent vs. South Carolina Department of Revenue, Appellant  
Case Number: 2012-CP-38-00837

Dear Ms. Jordan:

On June 20, 2017, the above case was tried before the Honorable Diane S. Goodstein, Circuit Court Judge, in Orangeburg County. My records indicate that you were the court reporter for this case.

I request that you provide me with a transcript of the proceedings. Please transcribe the entire record.

I agree to pay the per page charge for this transcript as provided by Rule 607, SCACR. Should you have any questions, please do not hesitate to contact me at 803-898-5172 or [Dana.Krajack@dor.sc.gov](mailto:Dana.Krajack@dor.sc.gov).

Sincerely,

OFFICE OF GENERAL COUNSEL FOR LITIGATION

Dana R. Krajack  
Counsel for Litigation

c: S.C. Court Administration, Calhoun Building, 1220 Senate St., Suite 200, Columbia, SC 29201-3739

The Honorable Jenny Abbott Kitchings, Clerk, South Carolina Court of Appeals, P.O. Box 11629, Columbia, SC 29211

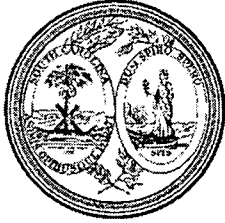
Robert N. Hill, Esquire, P.O. Box 1323, Lexington, SC, 29071-1323

Mark B. Tinsley, Esquire, Gooding and Gooding, P.O. Box 1000, Allendale, SC 29810

Charles H. Williams, Esquire, Williams & Williams, P.O. Box 1084, Orangeburg, SC 29115

Daniel W. Williams, Esquire, Bedingfield & Williams, P.O. Box 616, Barnwell, SC 29812

DRK: tm



STATE OF SOUTH CAROLINA  
DEPARTMENT OF REVENUE

300A Outlet Pointe Blvd., Columbia, South Carolina 29210  
P.O. Box 12265, Columbia, South Carolina 29211-9979

December 1, 2017

Hilda M. Jordan  
Court Reporter  
P.O. Box 435  
Lexington, SC 29071

**Re: Jimmie Aiken, Leila Brown, Vernonda Cohen, Carla David, Anthony Sabb, James Ginn, and Shirley Rice, as named Plaintiffs representing a class of South Carolina Citizens, Respondent vs. South Carolina Department of Revenue, Appellant**  
**Case Number: 2012-CP-38-00837**

Dear Ms. Jordan:

With reference to the above-captioned matter, would you please provide a status as to your ability to furnish the Transcript of Record for the entire record? The matter was appealed to the Court of Appeals, and my prior request for the transcript was made, on August 22, 2017.

By way of further information the above case was tried before the Honorable Diane S. Goodstein, Circuit Court Judge, in Orangeburg County. My records indicate that you were the court reporter for this case.

I agree to pay the per page charge for this transcript as provided by Rule 607, SCACR. Should you have any questions, please do not hesitate to contact me at 803-898-5172 or [Dana.Krajack@dor.sc.gov](mailto:Dana.Krajack@dor.sc.gov).

Sincerely,

OFFICE OF GENERAL COUNSEL FOR LITIGATION

Dana R. Krajack  
Counsel for Litigation

c: S.C. Court Administration, Calhoun Building, 1220 Senate St., Suite 200, Columbia, SC 29201-3739  
The Honorable Jenny Abbott Kitchings, Clerk, South Carolina Court of Appeals, P.O. Box 11629, Columbia, SC 29211  
Robert N. Hill, Esquire, P.O. Box 1323, Lexington, SC, 29071-1323  
Mark B. Tinsley, Esquire, Gooding and Gooding, P.O. Box 1000, Allendale, SC 29810  
Charles H. Williams, Esquire, Williams & Williams, P.O. Box 1084, Orangeburg, SC 29115  
Daniel W. Williams, Esquire, Bedingfield & Williams, P.O. Box 616, Barnwell, SC 29812

Hilda M. Jordan, CVR-M  
P.O. Box 435  
Lexington, SC 29071  
hjordan@sccourts.org

December 11, 2017

Dana R. Krajack Esquire  
South Carolina Department of Revenue  
P.O. Box 12265  
Columbia, SC 29211-9979

ATTN: Dana Krajack

Re: Jimmie Aiken, et al verses SCDOR  
2012-CP-38-00837

Invoice #17-0035  
Transcript of record  
August 22, 2017  
ORIGINAL 38 pages @ \$3.25 \$ 123.50

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TOTAL AMOUNT DUE: \$ 123.50

hmj

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Docket No. 2012-CP-38-00837  
Appellant Case No. 2017-001790

**RECEIVED**  
JAN 10 2018  
SC Court of Appeals

Jimmie Aiken, Leila Brown, Vernonda Cohen, Carla David, Anthony Sabb,  
James Ginn, and Shirley Rice, as named Plaintiffs representing a class  
of South Carolina Citizens.....Respondents,

v.

South Carolina Department of Revenue .....Appellant.

**INITIAL BRIEF OF APPELLANT**

Dana R. Krajack (Bar No. 3608)  
Counsel for Litigation  
Jason P. Luther (Bar No. 78021)  
General Counsel for Litigation  
P.O. Box 12265  
Columbia, SC 29211-9979  
803-898-5172  
Attorneys for Appellant  
Dana.krajack@dor.sc.gov



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

January 16, 2018

Mr. Dana Robert Krajack, Esquire  
PO Box 12265  
Columbia SC 29211-9979

Mr. Sean Gordon Ryan, Esquire  
PO Box 12265  
Columbia SC 29211

Mr. Jason Phillip Luther, Esquire  
PO Box 12265  
Columbia SC 29211-9979

Re: Jimmie Aiken v. South Carolina Department of Revenue  
Appellate Case No. 2017-001790



Dear Counsel:

Our records indicate that the transcript in the above matter should have been delivered. As of today's date, we have not received any information indicating that the court reporter has been granted an extension. Further, you have not notified us that you have failed to receive the transcript, nor have we received your initial brief.

If you have not yet received the transcript, Rule 207 of the South Carolina Appellate Court Rules requires you to contact the Office of Court Administration. The address for Court Administration is as follows:

South Carolina Office of Court Administration  
1220 Senate Street, Suite 201  
Columbia, SC 29201

Be sure to copy the Court and opposing counsel with all correspondence concerning the transcript.

Please advise the Court of the status of the transcript within ten (10) days of the date of this letter, or your appeal may be dismissed.

Very truly yours,

*V. Claire Allen, Deputy*

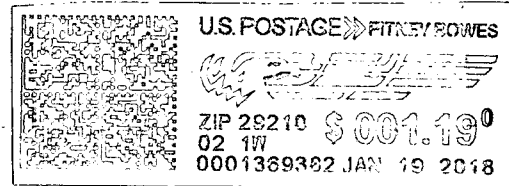
CLERK

cc: Robert Norris Hill, Esquire  
Mark Brandon Tinsley, Esquire  
Charles H. Williams, Esquire  
Daniel Webster Williams, Esquire



SOUTH CAROLINA  
DEPARTMENT OF REVENUE  
300 A OUTLET POINTE BLVD  
PO BOX 12265  
COLUMBIA SC 29211-9979

CE-6



**RECEIVED**  
JAN 22 2018  
SC Court of Appeals

THE HONORABLE JENNY ABBOTT KITCHINGS  
SOUTH CAROLINA COURT OF APPEALS  
CLERK OF COURT  
PO BOX 11629  
COLUMBIA SC 29211