

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable Ralph King Anderson, III
Administrative Law Judge

Case No. 12-ALJ-17-0221-CC
Appellate Case No. 2012-212844

John Ray and Sherry Ray, Appellants,

v.

South Carolina Department of Revenue, Respondent.

MOTION TO EXTEND TIME


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In accordance with Rules 240 and 263, SCACR, Respondent moves for a thirty-day extension of time to file its initial brief in this case on the following grounds:

1. Appellants served their initial brief on November 26, 2012. Under Rule 208, SCACR, Respondent's brief is due for filing and service by December 26, 2012 or thereabouts.
2. Due to recent and unforeseen circumstances in Respondent's business, Respondent's counsel have been preoccupied with pressing, unusual, and time-consuming matters.
3. Respondent has not previously moved for an extension of time, missed a procedural deadline, or otherwise been dilatory in this legal action.



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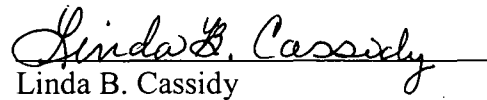
Fax: 803-898-5147

Attorneys for Department of Revenue

December 19, 2012
Columbia, South Carolina

PROOF OF SERVICE

I, Linda B. Cassidy, do hereby certify that I have caused to be mailed postage pre-paid, a copy of the Department of Revenue's Motion to Extend Time re: John Ray and Sherry Ray v. South Carolina Department of Revenue, Appellate Case No. 2012-212844 to J. William Ray, Esquire, PO Box 8535, Greenville, SC 29604-8535 this 19th day of December, 2012.


Linda B. Cassidy

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State of South Carolina
Department of Revenue
Office of General Counsel for Litigation
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December 19, 2012

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

Re: John Ray and Sherry Ray v. South Carolina Department of Revenue
Appellate Case No. 2012-212844

Dear Ms. Kitchings:

Enclosed please find the Department of Revenue's Motion to Extend Time in the above-referenced matter. Also enclosed is a Proof of Service.

Yours truly,

OFFICE OF GENERAL COUNSEL FOR LITIGATION



Benjamin John Tripp
Counsel for Litigation

Enclosures

c: J. William Ray, Esquire

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