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MAR 23 2018

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Deborah Brooks Durden, Administrative Law Judge

Docket No.: 13-ALJ-17-0523-CC
Appellate Case No. 2017-01548

Greenville Hospital SystemAppellant,

v.

South Carolina Department of RevenueRespondent.

**MOTION FOR LEAVE TO FILE AMENDED INITIAL BRIEF OF
RESPONDENT**

The Respondent, the South Carolina Department of Revenue, respectfully requests this Court for leave to file its Amended Initial Brief to correct non-substantive errors.

The Amended Initial Brief contains the following changes to the Initial Brief that was filed on January 8, 2018. The Table of Contents, which had been inadvertently omitted, was added. With respect to the Table of Authorities, one case (*Cunningham v. Scibana*) and two statutes (S.C. Code Ann. §§ 12-36-3130 and 33-56-170) were removed and one case (*City of Greenville v. Query*) was added. Finally, citations to the Initial Brief of Appellant were made uniform. No other changes were made.

WHEREFORE, Respondent, the South Carolina Department of Revenue, respectfully requests this Court to grant leave to the file Amended Initial Brief of Respondent.

Respectfully submitted,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above the typed name.

Jason P. Luther (Bar No. 78021),
General Counsel for Litigation

Jason.Luther@dor.sc.gov

P.O. Box 12265

Columbia, SC 29211-9979

803-898-5130

Attorney for Respondent

South Carolina Department of Revenue

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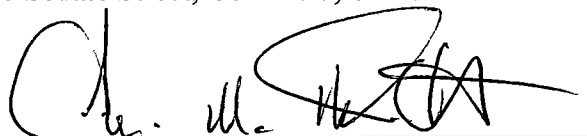
Greenville Hospital SystemAppellant,

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PROOF OF SERVICE

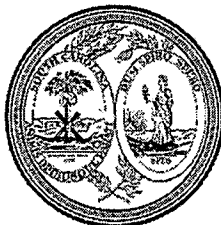
I, Tonie M. Miranda, hereby certify that I have caused to be mailed a copy of the South Carolina Department of Revenue’s Motion for Leave to File Amended Initial Brief of Respondent, Amended Initial Brief of Respondent, and Respondent’s Motion to Allow Renee I. Madden to Withdraw as Counsel of Record regarding the above-referenced case, by depositing the same in the United States Mail, postage prepaid, on March 23, 2018, addressed to the attorneys of record, Arthur F. McLean, III, Esquire, Frank W. Cureton, Esquire, and Charles M. Sprinkle, III, Esquire, Haynsworth Sinkler Boyd, P.A., One North Main Street, Second Floor, Greenville, SC 29601, and by hand delivery to the Court of Appeals, 1220 Senate Street, Columbia, SC 29201.



Tonie M. Miranda
Legal Assistant, Office of General Counsel
South Carolina Department of Revenue

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

Physical Address:
300A Outlet Pointe Blvd.
Columbia, SC 29210



Mailing Address:
PO Box 12265
Columbia, SC 29211-9979

March 23, 2018

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

Re: Greenville Hospital System v. South Carolina Department of Revenue
Appellate Case No. 2017-01548
ALC Docket No. 13-ALJ-17-0523-CC

Dear Ms. Kitchings:

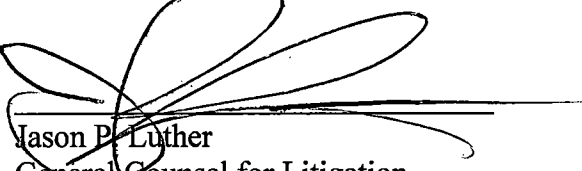
Enclosed please find a Motion for Leave to File Amended Initial Brief of Respondent, Amended Initial Brief of Respondent and Proof of Service in the above-referenced matter.

Counsel for Greenville Hospital System has indicated that they do not object to the Department amending its initial brief in the manner described in the Motion.

By copy of this letter, we are serving these documents on counsel for Greenville Hospital System. Should you have any questions, please do not hesitate to contact me at 803-898-5130 or Jason.Luther@dor.sc.gov.

Very truly yours,

OFFICE OF GENERAL COUNSEL FOR LITIGATION


Jason P. Luther
General Counsel for Litigation

c: Arthur F. McLean, III, Esquire
Frank W. Cureton, Esquire
Charles M. Sprinkle, III, Esquire

Enclosures

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