

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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

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

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**RECEIVED**  
JUN 01 2018  
SC Court of Appeals

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

v.

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

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**APPELLANT-RESPONDENT'S DESIGNATION  
OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL**

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The Appellant-Respondent South Carolina Department of Public Safety proposes that the following be included in the Record on Appeal:

1. Final Order of Administrative Law Court, filed September 19, 2017
2. Order Denying Motions for Reconsideration, filed October 31, 2017
3. SCPDS's Motion for Reconsideration filed October 2, 2017

4. Petition for Contested Case Hearing (with attachments)
5. Transcript of Administrative Hearing  
pp. 1-6, 33-256, 276-390. 403-407
6. Petitioner's Exhibits 6, 9, 13
7. Respondent's Exhibits 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, 13, 14, 20, 21, 22,  
23, 24, 25, 26, 27, 28

I certify that this designation contains no matter which is irrelevant to this appeal.

LINDEMANN, DAVIS & HUGHES P.A.

BY:   
ANDREW F. LINDEMANN #13030  
5 Calendar Court, Suite 202  
Post Office Box 6923  
Columbia, South Carolina 29260  
(803) 881-8920

-AND-

MARCUS K. GORE, #73647  
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*

May 30, 2018

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**CERTIFICATE OF SERVICE**

The undersigned employee of Lindemann, Davis & Hughes, P.A., counsel for the Respondent-Appellant South Carolina Department of Public Safety, does hereby certify that service of the **Motion to Accept Filing Out of Time, Initial Appellant's Brief of Respondent-Appellant and Respondent-Appellant's Designation of Matter to be Included in the Record on Appeal** in the above-captioned matter was made upon all counsel of record by placing copies in the United States Mail, first class postage prepaid, at the below listed addresses clearly indicated on said envelopes this the 30th day of May 2018:

Raymon E. Lark, Jr., Esquire  
Austin & Rogers, P.A.  
Post Office Box 11716  
Columbia, South Carolina 29211

Marcus K. Gore, Esquire  
General Counsel  
South Carolina Department of Public Safety  
Post Office Box 1993  
Blythewood, South Carolina 29016



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# LINDEMANN, DAVIS & HUGHES, P.A.

Attorneys at Law

Andrew F. Lindemann\*  
James M. Davis, Jr.†  
Joel S. Hughes†

5 Calendar Court, Suite 202  
Post Office Box 6923  
Columbia, South Carolina 29260

Telephone (803) 881-8920  
Facsimile (803) 862-1181

\*Also admitted in North Carolina  
†Certified Mediator

May 30, 2018

Direct Dial (803) 881-8921  
Email: [andrew@ldh-law.com](mailto:andrew@ldh-law.com)

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

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SC Court of Appeals

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 seven copies of the **Motion to File Out of Time**, along with my firm's \$25.00 check for the filing fee, as well as the originals and one copy each of the **Initial Appellant's Brief of Respondent-Appellant** and **Respondent-Appellant's Designation of Matter to be Included in the Record on Appeal** in the above referenced matter. Please file the originals and return a clocked-in copy of each document to me in the enclosed envelope. By copy of this letter, I am serving copies on all counsel of record.

Thank you for your assistance in this matter.

Sincerely,

LINDEMANN, DAVIS & HUGHES, P.A.



Andrew F. Lindemann

AFL/jmb  
Enclosures

The Honorable Jenny Abbott Kitchings  
May 30, 2018  
Page Two

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cc: (w/ Enclosures)

Raymon E. Lark, Jr., Esquire  
Austin & Rogers, P.A.  
Post Office Box 11716  
Columbia, South Carolina 29211

Marcus K. Gore, Esquire  
General Counsel  
South Carolina Department of Public Safety  
Post Office Box 1993  
Blythewood, South Carolina 29016

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JUN 01 2018

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