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THE STATE OF SOUTH CAROLINA
In the Supreme Court

S.C. SUPREME COURT

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable H.W. Funderburk, Jr., Administrative Law Judge

Appellate Case No. 2017-000545

Melissa Spalt..... Respondent,

v.

South Carolina Department of Motor Vehicles and
South Carolina Department of Public Safety..... Petitioner,

Of Whom the South Carolina Department of Motor Vehicles is the Petitioner.

**Motion Requesting Parties be Required to Serve All Remaining Pleadings
via Electronic Mail in Addition to Regular Mail**

Pursuant to Rule 240, SCACR, the South Carolina Department of Motor Vehicles (hereinafter, "SCDMV") requests an Order requiring all parties to this litigation to serve all remaining pleadings via electronic mail (e-mail) in addition to regular mail. The reasons for this request are:

1) SCDMV did not receive Respondent's Motion for Extension of time to file her Return to Petition for Writ of Certiorari until April 26, 2017. The copy received was contained in the envelope that also contained Respondent's Return to Writ of Certiorari. SCDMV never received the copy that Respondent states was mailed on April 4, 2017, despite SCDMV's letter to Respondent's counsel on April 17, 2017 requesting a copy of the Motion for Extension.

2) Although the Return to Petition for Writ of Certiorari (hereinafter, "Return") and Proof of Service for the same are dated April 18, 2017, the envelope containing these documents was post marked April 21, 2017 (Exhibit A).

3) Despite the April 21, 2017 post mark and the post mark stating these documents were mailed from zip code 29210 (which is the Irmo area), SCDMV did not receive the Return until today, Wednesday, April 26, 2017.

Due to the irregularities that appear to be occurring with Respondent's mailings, SCDMV requests that all parties be required to serve all remaining pleadings in this case via e-mail in addition to service through regular mail.¹ SCDMV requests that any pleadings served on SCDMV via e-mail be sent to the following e-mail addresses:

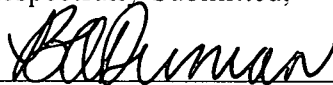
- 1) HearingsProcessingUnit@scdmv.net
- 2) Brandy.Duncan@scdmv.net
- 3) Jeannine.Moore@scdmv.net

For the reasons stated above, the SCDMV requests that this Court require all parties to this case serve all remaining pleadings in this case via e-mail in addition to service through regular mail and that e-mail service to SCDMV be to the three e-mail addresses listed above.

[SIGNATURE ON THE FOLLOWING PAGE]

¹ Please note that SCDMV is not implying any intentional wrong doing on the part of Respondent or Respondent's counsel. SCDMV is merely stating that there appears to be some significant irregularities occurring with Respondent's mailings.

Respectfully Submitted,



Brandy A. Duncan, SC Bar # 72052

Assistant General Counsel

Philip S. Porter, SC Bar # 4526

Deputy General Counsel

Frank L. Valenta, Jr., SC Bar # 5682

General Counsel

South Carolina Department of Motor Vehicles

10311 Wilson Boulevard

Post Office Box 1498

Blythewood, South Carolina 29016-0020

Telephone: (803) 896-9900

Facsimile: (803) 896-9901

Attorneys for the Respondents

April 26, 2017

EXHIBIT A


THE LAUBSHIRE LAW FIRM, LLC

455 St. Andrews Road, Suite E-1
Columbia, SC 29210-4487

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South Carolina Department of Motor Vehicles
10311 Wilson Boulevard
Post Office Box 1498
Blythewood, SC 29016



UNITED STATES POSTAGE

PITNEY BOWES
02 1P \$000.88⁰
0002961928 APR 21 2017
MAILED FROM ZIP CODE 29210

STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM ADMINISTRATIVE LAW COURT

The Honorable H.W. Funderburk, Jr., Administrative Law Judge

Case No. 2017-000545

Melissa Spalt.....Respondent,

v.

South Carolina Department of Motor Vehicles and
South Carolina Department of Public Safety.....Petitioner,

Of Whom the South Carolina Department of Motor Vehicles is the Petitioner,

PROOF OF SERVICE

I HEREBY CERTIFY that I have served the Respondent's Return to Writ of Certiorari by depositing a copy of it in the United States Mail, postage prepaid, on the 13th day of April, 2017, addressed to the attorney for the Petitioner as follows:

Frank L. Valenta, Jr.
General Counsel
Philip S. Porter
Deputy General Counsel
Brandy A. Duncan
South Carolina Department of Motor Vehicles
10311 Wilson Boulevard
Post Office Box 1498
Blythewood, SC 29016-0020

Victoria L. Ford, Paralegal
The Laubshire Law Firm

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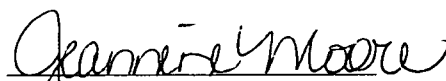
South Carolina Department of Motor Vehicles and
South Carolina Department of Public Safety.....Petitioner,

Of Whom the South Carolina Department of Motor Vehicles is the Petitioner.

PROOF OF SERVICE

I HEREBY CERTIFY that I have served *Petitioner's Motion Requesting Parties be Required to Serve All Remaining Pleadings via Electronic Mail in Addition to Regular Mail* by depositing a copy of it in the United States Mail, postage prepaid, on the 26th day of April, 2017, addressed to the attorney for the Respondent as follows:

Michael Laubshire, Esquire
455 Saint Andrews Road, Suite E-1
Columbia, South Carolina 29210


Jeannine Moore, Paralegal
S.C. Department Motor Vehicles