

87688

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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

Case No. 2015-ALJ-17-0253-CC  
Appellate Case No. 2018-000631

Home Depot U.S.A., Inc., d/b/a/ The Home Depot, .....Appellant,

v.

South Carolina Department of Revenue, .....Respondent.

**APPELLANT'S MOTION TO WITHDRAW APPEAL**

**RECEIVED**  
AUG 27 2018  
SC Court of Appeals

Madison Felder, SC Bar # 100606  
Richard Few, SC Bar # 2000  
Parker Poe Adams & Bernstein LLP  
110 East Court Street, Suite 200  
Greenville, South Carolina 29601  
Tel: 864-577-6362  
Fax: 864-242-9888  
madisonfelder@parkerpoe.com  
richardfew@parkerpoe.com

*Attorneys for Appellant  
Home Depot U.S.A., Inc., d/b/a/  
The Home Depot*

**FILED**

AUG 27 2018

SC ADMIN LAW COURT

Appellant Home Depot U.S.A., Inc., d/b/a/ The Home Depot (“Home Depot”), pursuant to 260(c), SCACR, moves to withdraw its appeal in the above-captioned matter. The basis for this Motion is that Home Depot no longer wishes to proceed with its appeal. Neither party to this appeal has filed an initial brief. There are no other outstanding motions and no cross-appeal was filed by the Respondent South Carolina Department of Revenue. Therefore, Home Depot respectfully requests that this appeal be dismissed and that no costs or fees be taxed to any party.

Respectfully submitted,

*Madison Felder* on behalf of *Madison Felder*

Madison Felder, SC Bar # 100606  
Richard Few, SC Bar # 2000  
Parker Poe Adams & Bernstein LLP  
110 East Court Street, Suite 200  
Greenville, South Carolina 29601  
Tel: 864-577-6362  
Fax: 864-242-9888  
madisonfelder@parkerpoe.com  
richardfew@parkerpoe.com

*Attorneys for Appellant*  
*Home Depot U.S.A., Inc., d/b/a/ The Home Depot*

August 27, 2018  
Greenville, SC

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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

**RECEIVED**

AUG 27 2018

**SC Court of Appeals**

Case No. 2015-ALJ-17-0253-CC  
Appellate Case No. 2018-000631

Home Depot U.S.A., Inc., d/b/a/ The Home Depot, .....Appellant,

v.

South Carolina Department of Revenue, .....Respondent.

**PROOF OF SERVICE**

The undersigned hereby certifies that on August 27, 2018, she served the foregoing **APPELLANT'S MOTION TO WITHDRAW APPEAL** on all parties listed below by placing a copy of it in the United States Mail, first class postage prepaid, addressed as follows:

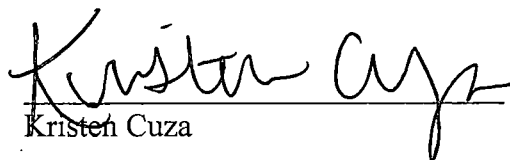
Nicole M. Wooten, Esquire  
Sean G. Ryan, Esquire  
Patrick A. McCabe, Esquire  
Jason P. Luther, Esquire  
South Carolina Department of Revenue  
Office of the General Counsel  
PO Box 12265  
Columbia, SC 29211-9979

*Attorneys for Respondent  
South Carolina Department of Revenue*

**FILED**

AUG 27 2018

SC ADMIN LAW COURT

  
Kristen Cuza



**Madison Felder**  
*Associate*  
Telephone: 864.577.6362  
Direct Fax: 864.242.9888  
madisonfelder@parkerpoe.com

Atlanta, GA  
Charleston, SC  
Charlotte, NC  
Columbia, SC  
Greenville, SC  
Raleigh, NC  
Spartanburg, SC

August 27, 2018

*VIA HAND DELIVERY*

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
120 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**  
AUG 27 2018  
SC Court of Appeals

**Re: *Appellate Case No. 2018-000631***  
***Home Depot U.S.A., Inc. d/b/a/ The Home Depot v. South Carolina Department of Revenue***

Dear Ms. Kitchings:

Enclosed for filing please find an original and one copy of Appellant's Motion to Withdraw Appeal in the above-referenced matter. Also enclosed please find the Proof of Service and this Firm's check in the amount of \$25.00 in satisfaction of the Court's filing fee.

By copy of this letter, we are serving the South Carolina Department of Revenue and all counsel of record with a copy of Appellant's Motion to Withdraw Appeal. Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

*Not Done for Madison Felder*  
Madison Felder

Enclosures

cc: Nicole M. Wooten, Esquire (*w/enclosure via U.S. Mail*)  
Sean G. Ryan, Esquire (*w/enclosure via U.S. Mail*)  
Patrick A. McCabe, Esquire (*w/enclosure via U.S. Mail*)  
Jason P. Luther, Esquire (*w/enclosure via U.S. Mail*)

**FILED**  
AUG 27 2018  
~~SC ADMIN LAW COURT~~

PPAB 4406699v1



Parker Poe

**RECEIVED**

AUG 27 2010

**SC Court of Appeals**

