

87923

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA ADMINISTRATIVE LAW COURT

The Honorable S. Phillip Lenski, Administrative Law Judge

Appellate Case No. 2018-001613
Case No. 18-ALJ-17-0216-CC

RECEIVED

SEP 24 2018

SC Court of Appeals

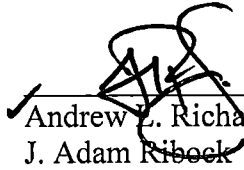
Ex Parte: Representative Chip Huggins, Appellant.

In re: WKSC, LLC d/b/a Savannah's Gentlemen's Club & Steakhouse, Petitioner,
v.

South Carolina Department of Revenue, Respondent.

**REPRESENTATIVE CHIP HUGGINS'
MOTION FOR FIRST EXTENSION OF TIME TO FILE AND SERVE
HIS RETURN TO PETITIONER'S MOTION TO DISMISS**

MCANGUS GOUDELOCK & COURIE, L.L.C.



Andrew L. Richardson, Jr.
J. Adam Ribock
Meridian, 1320 Main Street, 10th Floor (29201)
Post Office Box 12519, Capitol Station
Columbia, South Carolina 29211-2519
(803) 779-2300

Attorneys for Representative Chip Huggins

NOW COMES Representative Chip Huggins (“Huggins”) by and through his undersigned counsel, and respectfully moves the Court pursuant to Rule 240 and Rule 263, SCACR for an extension of time to and including Monday, September 24, 2018, to file and serve its Return to Petitioner’s Motion to Dismiss.

In support thereof Huggins shows the Court the following:

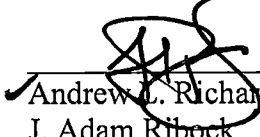
On September 17, 2018, the Supreme Court of South Carolina issued Order 2018-9-17-01 in response to Hurricane Florence, finding it appropriate to declare the days of Tuesday September 11, 2018, through Friday, September 21, 2018, to be statewide “holidays” for the purpose of computing time under Rule 263 of the South Carolina Appellate Court Rules. Petitioner filed a Motion to Dismiss with this Court on September 7, 2018. Counsel for Huggins believes any Return was to be filed ten (10) days from the date of service, thereby making the Return timely if filed on or before September 17, 2018. However, due to the Supreme Court’s order on September 17, 2018, the undersigned counsel believes the deadline to file the Return would now be September 24, 2018. If for some reason this time period has been miscalculated by the undersigned counsel, we hereby move for an extension of time. This request is necessitated by the issues caused by Hurricane Florence and the undersigned counsel’s numerous other work conflicts and scheduling deadlines. Furthermore, the extension of time is not requested for the impermissible purpose of delay. An extension of time will serve the interests of justice by allowing counsel adequate time to prepare a thorough and detailed Return.

WHEREFORE, Huggins respectfully moves the Court for an extension of time to and including Monday, September 24, 2018 to file and serve a Return to Petitioner’s Motion to Dismiss. Huggins further requests that the current deadline be held in abeyance while the Court considers this request.

September 24, 2018

Respectfully submitted,

MCANGUS GOUDELOCK & COURIE, L.L.C.



Andrew L. Richardson, Jr.
J. Adam Ribock
Meridian, 1320 Main Street, 10th Floor (29201)
Post Office Box 12519, Capitol Station
Columbia, South Carolina 29211-2519
(803) 779-2300

Counsel for Representative Chip Huggins

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SOUTH CAROLINA ADMINISTRATIVE LAW COURT

The Honorable S. Phillip Lenski, Administrative Law Judge

Appellate Case No. 2018-001613
Case No. 18-ALJ-17-0216-CC

RECEIVED

SEP 24 2018

SC Court of Appeals

Ex Parte: Representative Chip Huggins, Appellant.

In re: WKSC, LLC d/b/a Savannah's Gentlemen's Club & Steakhouse, Petitioner,
v.
South Carolina Department of Revenue, Respondent.

PROOF OF SERVICE

I certify that I have served Huggins' Motion for Extension of Time on all counsel of record by depositing a copy of it in the United States Mail, postage prepaid, on the 24th day of September, 2018 addressed as follows:

S. Jahue Moore, Esquire
Moore, Taylor & Thomas, P.A.
Post Office Box 5709
West Columbia, South Carolina 29171

Kenneth E. Allen, Esquire
1201 Main Street, Suite 1980
Columbia, South Carolina 29201

Jason P. Luther, Esquire
Patrick A. McCabe, Esquire
South Carolina Department of Revenue
Post Office Box 12265
Columbia, South Carolina 29211-9979

September 24, 2018



Mollie Roche
Legal Assistant to Andrew L. Richardson, Jr.

Reply To

ANDREW L. RICHARDSON, JR.
Direct Dial: (803) 227-4929
drew.richardson@mgclaw.com

September 24, 2018

RECEIVED

SEP 24 2018

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
South Carolina Supreme Court
1220 Senate Street
Columbia, South Carolina 29201

RE: WKSC, LLC d/b/a Savannah's Gentlemen's Club & Steakhouse vs.
South Carolina Department of Revenue
Civil Action No.: 18-ALJ-17-0216-CC
MGC File No.: 22014.18001

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of Representative Chip Huggins' Return to Motion to Dismiss Appeal and Representative Chip Huggins' Motion For First Extension Of Time To File And Serve His Return To Petitioner's Motion To Dismiss In the above-captioned case. I would appreciate your returning a clocked-in copy of the same to our courier.

By copy of this letter, I am serving counsel of record with the above-referenced Representative Chip Huggins' Return to Motion to Dismiss Appeal and Memo in Support.

Thanking you in advance for your assistance, I am

Very truly yours,



Andrew L. Richardson, Jr.

ALR/_mr
Enclosures

cc: S. Jahue Moore, Esquire
Kenneth E. Allen, Esquire
Jason P. Luther, Esquire
Patrick A. McCabe, Esquire