

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
South Carolina Department of Motor Vehicles

Deborah Brooks Durden, Administrative Law Judge

ALC Case No. 18-ALJ-21-0011-AP
SC Court of Appeals Case No. 2018-001788

Toyota of Greer, Appellant,

v.

South Carolina Department of Motor Vehicles, Respondent.

DESIGNATION OF MATTER
TO BE INCLUDED IN THE
RECORD ON APPEAL

Appellant, Toyota of Greer, proposes the following matter to be included in the Record
on Appeal:

Orders

1. Final Order and Decision of the Office of Motor Vehicles Hearings dated December 12, 2017
2. Order of the Honorable Deborah Brooks Durden dated July 31, 2018
3. Order Denying Appellant's Motion for Reconsideration dated September 4, 2018

Pleadings

1. Notice of Dealer License Suspension dated June 27, 2017
2. Request for Contested Case Hearing dated July 6, 2017
3. Notice of Appeal to ALC dated January 11, 2018
4. Appellant's Brief dated March 29, 2018

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5. Respondent's Brief dated May 15, 2018
6. Appellant's Reply Brief dated May 25, 2018
7. Appellant's Motion to Reconsider dated August 10, 2018
8. Respondent's Return to Motion to Reconsider dated August 24, 2018
9. Appellant's Reply to Return dated August 31, 2018

Transcripts

1. Transcript of Hearing of October 2, 2017

Exhibits

1. Respondent's Ex. 1 – Toyota of Greer Bill of Sale
2. Respondent's Ex. 2 – Auto Auction Policy
3. Respondent's Ex. 3 – Derrick Purchase Order
4. Respondent's Ex. 4 – Derrick Title Inquiry
5. Respondent's Ex. 5 – Ford Motor Credit Release of Lien
6. Respondent's Ex. 6 – SCDMV Form 400 Derrick
7. Respondent's Ex. 7 – Hughes Payoff Sheet
8. Respondent's Ex. 8 – Check to Carolina Title Loan
9. Respondent's Ex. 9 – Gorman Title Inquiry
10. Respondent's Ex. 10 – Gorman Lien Release
11. Respondent's Ex. 11 – Dealership Sales
12. Respondent's Ex. 12 – Dealership Organizational Flow Chart
13. Petitioner's Ex. 1 – Application for Dealer or Wholesaler License
14. Petitioner's Ex. 2 – SCDMV Dealer and Wholesaler Manual
15. Petitioner's Ex. 3 – Dealer History Record
16. Petitioner's Ex. 4 – Sanction Letters
17. Petitioner's Ex. 5 – SCDMV Procedure DE-002
18. Petitioner's Ex. 6 – SCDMV Sanction Report Bocook
19. Petitioner's Ex. 7 – SCDMV Package Bocook
20. Petitioner's Ex. 8 – SCDMV Sanction Report Gilliam
21. Petitioner's Ex. 9 – SCDMV Package Gilliam
22. Petitioner's Ex. 10 – SCDMV Vehicle Detail Inquiry Gilliam
23. Petitioner's Ex. 11 – SCDMV Investigation McAllister
24. Petitioner's Ex. 12 – SCDMV Package McAllister
25. Petitioner's Ex. 13 – SCDMV Vehicle Detail Inquiry McAllister

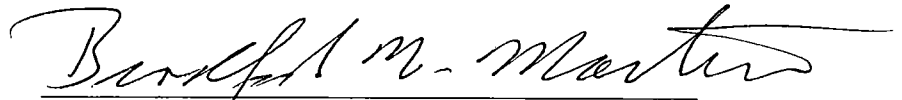
Other Materials or Documents

1. Proposed Order of Petitioner sent to OMVH Hearing Officer on November 1, 2017
2. Proposed Order of Respondent sent to OMVH Hearing Officer on November 3, 2017
3. South Carolina Department of Motor Vehicles Dealer and Wholesaler Manual (June 2016)

Certificate of Counsel

The undersigned hereby certifies that this designation contains no matter which is irrelevant to this appeal.

30 November, 2018



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South Carolina Department of Motor Vehicles

Deborah Brooks Durden, Administrative Law Judge

ALC Case No. 18-ALJ-21-0011-AP
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Toyota of Greer, Appellant

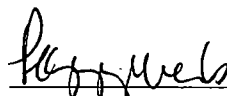
v.

South Carolina Department of Motor Vehicles, Respondent.

PROOF OF SERVICE

I certify that I have served Appellant's Initial Brief and Designation of Matter by depositing a copy in the United States Mail, postage prepaid, on November 30, 2018, addressed to Respondent's Counsel of Record, Philip S. Porter, Esq., Frank L. Valenta, Esq., and Brandy Duncan, Esq., South Carolina Department of Motor Vehicles, P.O. Box 1498, Blythewood, SC 29016.

November 30, 2018



Peggy McComb, Legal Assistant to
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November 30, 2018

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

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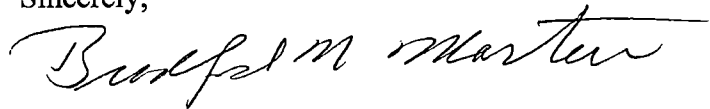
Re: *Toyota of Greer v. South Carolina Department of Motor Vehicles*
ALC Case No. 18-ALJ-21-0011-AP
SC Court of Appeals Case No. 2018-001788

Dear Ms. Kitchings:

Enclosed for filing is an original and one copy of Appellant's Initial Brief, Appellant's Designation of Matter to Be Included in the Record on Appeal, and a Proof of Service in the above captioned matter. Please file the original with your Court and return a clocked copy to me in the enclosed envelope.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact me.

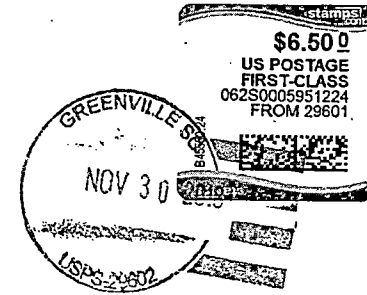
Sincerely,



Bradford N. Martin

/pm
Enclosures

cc: Philip S. Porter, Esq.
Frank L. Valenta, Esq.
Brandy Duncan, Esq.



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TO:

The Hon. Jenny Abbott Kitchings
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