

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

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SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Honorable Deborah Brooks Durden, Administrative Law Judge

Case No. 17-ALJ-17-0002-CC
Appellate Case No. 2018-001250

Keith Purdy, d/b/a A Southern Bartender Respondent,

v.

South Carolina Department of Revenue,.....Appellant.

DESIGNATION OF MATTER

Pursuant to Rule 209 of the South Carolina Appellate Court Rules, Respondent/Appellant South Carolina Department of Revenue, respectfully requests that the following items be included in the Record on Appeal:

ORDERS:

1. ALC Order Denying Cross Motions for Summary Judgment, filed October 19, 2017
2. ALC Order filed April 26, 2018
3. ALC Order Denying the Department's Motion for Reconsideration, filed June 4, 2018

MOTIONS, MEMORANDA IN SUPPORT OF MOTIONS, RESPONSES, AND REPLIES:

4. Department's Motion for Summary Judgment
5. Memorandum in Support of Department's Motion for Summary Judgment
6. Department's Response in Opposition to Petitioner's Motion for Summary Judgment

7. Department's Motion for Reconsideration under ALC Rule 29(D) and/or to Alter or Amend under SCRCR Rule 59(c), filed May 7, 2018

8. Department's Reply to Petitioner's Memorandum in Opposition to Respondent's Motion for Reconsideration

EXHIBITS:

9. Joint Exhibit A: Petitioner's Rates for 2015 and 2016

10. Joint Exhibit B: Invoice from Petitioner to Greater Charleston Restaurant Association dated February 1, 2016

11. Joint Exhibit C: Schedule C of Petitioner's 2013-2015 Federal Individual Income Tax returns

12. Joint Exhibit D: Petitioner's Cash Flow Worksheets for years 2014 and 2015

13. Joint Exhibit E: Department's spreadsheet summarizing Petitioner's January 1, 2016-March 31, 2016 invoices

14. Joint Exhibit F: Petitioner's Protest Letter (email)

15. Joint Exhibit G: Department's Audit Package

16. Joint Exhibit H: Three sample invoices dated January 15, 2016, February 5, 2015, and May 23, 2016, respectively

OTHER:

24. Department's Determination dated December 7, 2016

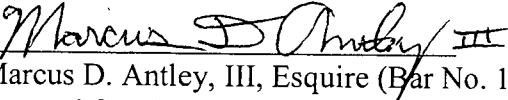
25. Transcript of ALC Hearing held January 6, 2017

26. Purdy's Request for a Contested Case Hearing

{Signature on following page}

The undersigned counsel hereby certifies, pursuant to Rule 209(c) of the South Carolina Appellate Court Rules that this Designation contains no matter that is irrelevant to the appeal.

December 14, 2018


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South Carolina Department of Revenue, Appellant.

PROOF OF SERVICE

I, Jean M. O'Connor, hereby certify that I have caused to be mailed a copy of Appellant, South Carolina Department of Revenue's Initial Brief and Designation of Matter in the above-referenced case, by depositing the same in the United States Mail, postage prepaid, on December 14, 2018, addressed to the Respondent, Keith Purdy, d/b/a A Southern Bartender, P.O. Box 20126, Charleston, SC, 29413 and by hand delivery to the Court of Appeals, 1220 Senate Street, Columbia, SC 29201.



Jean M. O'Connor