

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

THE HONORABLE H.W. FUNDERBURK, JR., ADMINISTRATIVE LAW JUDGE

CASE NO. 17-ALJ-17-0060-CC
APPELLATE CASE NO. 2019-001933

RECEIVED
JAN 21 2020
SC Court of Appeals

McEntire Produce, Inc., Respondent,

v.

South Carolina Department of Revenue, Appellant.

APPELLANT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

The Appellant proposes that the following be included in the Record on Appeal:

ORDERS

1. Administrative Law Court ("ALC") Final Order, dated September 6, 2019
2. ALC Order Denying Respondent's Motion to Reconsider, Alter, or Amend, dated October 16, 2019

MOTIONS

3. Appellant's Notice of Motion and Motion for Reconsideration, and/or to Alter or Amend, dated September 19, 2019

TRANSCRIPTS

4. Transcript of ALC hearing held November 14 and 15, 2018

EXHIBITS

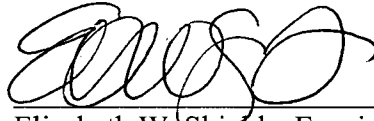
5. Respondent's Exhibit 8: Site Plan Diagram

6. Respondent's Exhibit 18: Internal List of GMPs
7. Respondent's Exhibit 21: Proposed Assessment
8. Respondent's Exhibit 24: Department Determination
9. Court's Exhibit 1: Stipulations of Fact

OTHER MATERIALS AND DOCUMENTS

10. Appellant's Proposed Final Order and Decision
11. Respondent's Request for a Contested Case Hearing

The undersigned counsel hereby certifies pursuant to Rule 209(c), SCACR that this designation contains no matter which is irrelevant to this appeal.



Elisabeth W. Shields, Esquire (Bar No. 100784)
Counsel for Litigation
Jason P. Luther, Esquire (Bar No. 78021)
General Counsel for Litigation
P.O. Box 12265
Columbia, SC 29211
803-898-5576 (Tel.)
803-896-0171 (Fax)
Elisabeth.Shields@dor.sc.gov
CourtOrders@dor.sc.gov

Attorneys for Appellant
South Carolina Department of Revenue

January 21, 2020

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APPEAL FROM THE ADMINISTRATIVE LAW COURT

THE HONORABLE H.W. FUNDERBURK, JR., ADMINISTRATE LAW JUDGE

CASE NO. 17-ALJ-17-0060-CC
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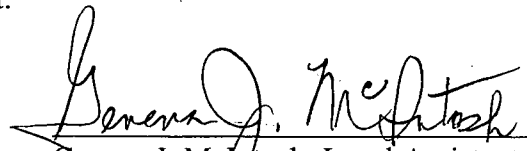
McEntire Produce, Inc.,Respondent,

v.

South Carolina Department of Revenue,Appellant.

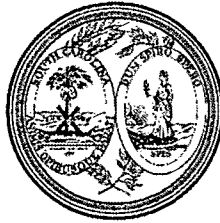
PROOF OF SERVICE

I, the undersigned employee of the South Carolina Department of Revenue, Office of General Counsel, do hereby certify that I have served the Appellant's Initial Brief of Appellant and Appellant's Designation of Matter to be Included in the Record on Appeal in connection with the above-captioned matter by causing a copy of the same to be deposited in the United States Mail on January 21, 2020, postage prepaid, addressed to the attorneys of record, Burnet R. Maybank, III, Esquire, and James P. Rourke, Esquire, of Nexsen Pruet, LLC, P.O. Box 2426, Columbia, SC 29202, Attorneys for Respondent.


Geneva J. McIntosh, Legal Assistant
SC Department of Revenue

Columbia, SC
January 21, 2020

STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE
OFFICE OF THE GENERAL COUNSEL



300A Outlet Pointe Blvd.
Columbia, SC 29210

PO Box 12265
Columbia, SC 29211-9979

January 21, 2020

The Honorable Jenny Abbott Kitchings
Clerk of Court of Appeals
SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

RECEIVED
JAN 21 2020
SC Court of Appeals

Re: McEntire Produce, Inc. v. South Carolina Department of Revenue
Appellate Case No. 2019-001933
ALC Docket No. 17-ALJ-17-0060-CC
DOR File Number: 180220

Dear Ms. Kitchings:

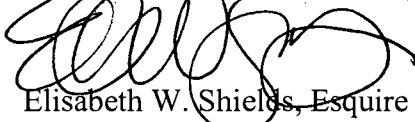
Enclosed for filing please find copy of the following documents in connection with the above-referenced matter:

1. Initial Brief of Appellant;
2. Appellant's Designation of Matter to be Included in the Record on Appeal; and
3. Proof of Service.

If you have any questions, please do not hesitate to contact me at 803-898-5576 or Elisabeth.Shields@dor.sc.gov.

Sincerely yours,

OFFICE OF GENERAL COUNSEL FOR LITIGATION


Elisabeth W. Shields, Esquire
Counsel for Litigation

EWS/gjm

Enclosures

c: Burnet R. Maybank, III, Esquire
James P. Rourke, Esquire