

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

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MAY 31 2012

SC Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

HONORABLE CAROLYN C. MATTHEWS, ADMINISTRATIVE LAW JUDGE

CASE NO. 11-ALJ-17-0129-CC

South Carolina Department of Revenue,

Respondent,

v.

Newberry Lodge No. 2211, Loyal Order of Moose,
d/b/a Moose Lodge 2211,

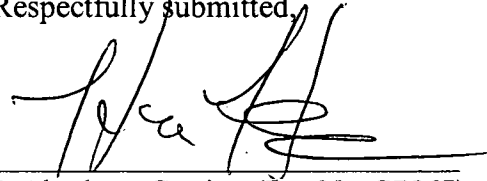
Appellant.

RESPONDENT'S MOTION FOR EXTENSION

Pursuant to Rule 240, SCACR, Respondent respectfully requests a thirty-day extension for filing and serving its Initial Brief and Designation of Matter to be included in the record on appeal. The current deadline is June 9, 2012. This is Respondent's first request for an extension of this deadline.

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Respectfully submitted,



J. Abraham Gutting (Bar No. 77567)

Counsel for Litigation

Harry A. Hancock (Bar No. 65233)

Managing Counsel for Litigation

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Columbia, South Carolina
May 31, 2012

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

v.

Newberry Lodge No. 2211, Loyal Order of Moose,
d/b/a Moose Lodge 2211,.....Appellant.

PROOF OF SERVICE

I, Jean O'Connor, hereby certify that I have caused to be mailed, postage prepaid, a copy of the South Carolina Department of Revenue's Motion for Extension in re: South Carolina Department of Revenue v. Newberry Lodge No. 2211, Loyal Order of Moose, d/b/a Moose Lodge 2211, Case No. 11-ALJ-17-0129-CC to Richard J. Breibart, Esquire and W. Jonathan Harling, Esquire, Law Offices of Richard J. Breibart, LLC, 201 West Main Street, Suite B, Lexington, SC 29071, and to Kyle B. Parker, Esquire, and W. Chad Jenkins, Esquire, Pope & Hudgens, PA, 1508 College Street, Newberry, SC 29108, on this 31st day of May 2012.


Jean O'Connor

State of South Carolina
Department of Revenue
Office of General Counsel for Litigation
301 Gervais Street, P.O. Box 12265, Columbia, South Carolina 29211
Telephone (803) 898-5130 FAX (803) 898-5147

Via Hand Delivery

May 31, 2012

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: South Carolina Department of Revenue v. Newberry Lodge No. 2211,
Loyal Order of Moose, d/b/a Moose Lodge 2211
Case No. 11-ALJ-17-0129-CC

Dear Ms. Kitchings:

Enclosed for filing is the original and six (6) copies of Respondent's Motion for Extension along with the Proof of Service in the above-referenced case.

Thank you for your consideration in this matter and please do not hesitate to contact me at 803-898-5163 or guttinj@sctax.org.

Yours truly,

OFFICE OF GENERAL COUNSEL FOR LITIGATION


J. Abraham Gutting
Counsel for Litigation

JAG:jmo
Enclosures

c: W. Jonathan Harling, Esquire
Richard J. Breibart, Esquire
Kyle B. Parker, Esquire
W. Chad Jenkins, Esquire