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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

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

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

McEntire Produce, Inc.,Respondent,

v.

South Carolina Department of Revenue, Appellant.

**APPELLANT’S AMENDED 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

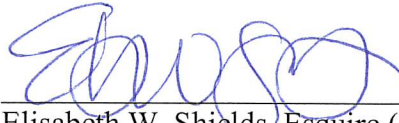
5. Respondent’s Exhibit 8: Site Plan Diagram

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

OTHER MATERIALS AND DOCUMENTS

9. Appellant's Proposed Final Order and Decision
10. 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

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Attorneys for Appellant
South Carolina Department of Revenue

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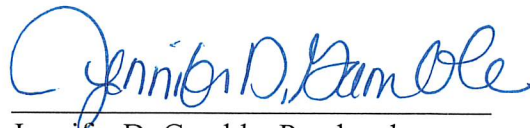
McEntire Produce, Inc.,Respondent,

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 Motion to Amend Appellant’s Designation of Matter, as well as the Appellant’s Amended 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 electronically mailed to Burnet R. Maybank, III, Esquire, at bmaybank@nexsenpruet.com, and James P. Rourke, Esquire, at jrourke@nexsenpruet.com of Nexsen Pruet, LLC, Attorneys for Respondent.



Jennifer D. Gamble, Paralegal

Columbia, SC
April 28, 2020

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



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SC Court of Appeals

VIA ELECTRONIC MAIL TO: ctappfilings@sccourts.org

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

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. Appellant's Motion to Amend Appellant's Designation of Matter;
2. Appellant's Amended Designation of Matter to be Included in the Record on Appeal;
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

A handwritten signature in blue ink, appearing to read "Elisabeth W. Shields".

Elisabeth W. Shields, Esquire
Counsel for Litigation

EWS/jdg

Enclosures

c: Burnet R. Maybank, III, Esquire (via electronic mail)
James P. Rourke, Esquire (via electronic mail)