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Sep 08 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT

The Honorable Ralph King Anderson, III, Chief Administrative Law Judge

Case No. 21-ALJ-17-0143-CC
Appellate Case No. 2021-000886

Agua Pina, LLC d/b/a Hookah on the River,.....Appellant,

v.

South Carolina Department of Revenue,Respondent.

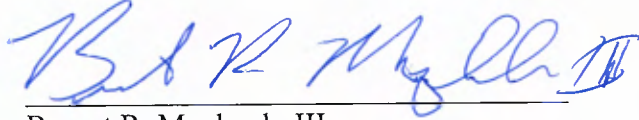
**MOTION FOR EXTENSION TO FILE APPELLANT’S INTIAL BRIEF AND
DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rules 208(a)(3), 240, and 263 of the South Carolina Appellate Court Rules, Appellant, Agua Pina, LLC d/b/a Hookah on the River (“Agua Pina”) moves for a fifteen-day extension of time in which to file and serve Appellant’s Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-captioned matter. This is the first request for an extension of time by Agua Pina. At this time, the Initial Brief and Designation of Matter are due on September 16, 2021. By the undersigned’s calculations, the extension, if granted, would extend the deadline to October 1, 2021.

We have conferred with counsel for Respondent, and they do not object to this request. This Motion is timely, as it is filed before the original deadline for Agua Pina to file its Initial Brief. This Motion is based on good cause and not intended for delay or any other improper purpose, nor will the requested extension prejudice the rights of any party. Therefore, Agua Pina

respectfully moves this Court for a fifteen-day extension of time until October 1, 2021, to file and serve its Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-captioned appeal.

Respectfully submitted,



Burnet R. Maybank, III
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(803) 771-8900

September 8, 2021
Columbia, South Carolina

Attorneys for Appellant
Agua Pina, LLC d/b/a Hookah on the River

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South Carolina Department of Revenue,Respondent.

PROOF OF SERVICE

I, Melinda White, hereby certify that I have caused a copy of Agua Pina, LLC d/b/a Hookah on the River's Motion for Extension to File Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal on this 8th day of September, 2021 upon all parties to this cause by electronic mail to the attorney of record, Patrick A. McCabe, Esq., South Carolina Department of Revenue at Patrick.mccabe@dor.sc.gov, and to The Honorable Ralph King Anderson, III, Chief Administrative Law Judge at sperez@scalc.net.



Melinda White, Legal Practice Assistant
Nexsen Pruet, LLC

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SC Court of Appeals

NEXSEN | PRUET

Burnet R. Maybank, III
Member
Admitted in SC

September 8, 2021

VIA ELECTRONIC MAIL

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

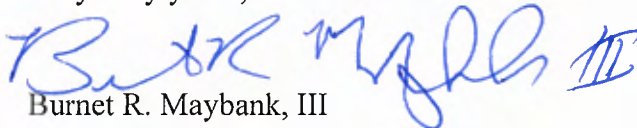
Re: South Carolina Department of Revenue v. Agua Pina, LLC,
d/b/a Hookah on the River
Appellate Case No. 2021-000886

Dear Ms. Kitchings:

Enclosed please find a Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal in the above-referenced matter. We would note counsel for Respondent has consented to this extension.

I would appreciate if you would return a clock copy to me via electronic mail. Should you have any questions, please do not hesitate to contact me at 803-540-2048 or bmaybank@nexsenpruet.com.

Very truly yours,


Burnet R. Maybank, III

Enclosures

cc: Patrick A. McCabe, Esquire

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