

Tyson Charles E  
 Form 3  
 February 27, 2009

**FORM 3 UNITED STATES SECURITIES AND EXCHANGE COMMISSION**  
**Washington, D.C. 20549**

OMB APPROVAL

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**INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,  
 Section 17(a) of the Public Utility Holding Company Act of 1935 or Section  
 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

|   |          |                                      |  |  |
|---|----------|--------------------------------------|--|--|
| 1. Name and Address of Reporting Person *   |          | 2. Date of Event Requiring Statement | 3. Issuer Name <b>and</b> Ticker or Trading Symbol |  |
| ^ Tyson Charles E                           |          | (Month/Day/Year)                     | ADVANCE AUTO PARTS INC [AAP]                       |  |
| (Last)                                      | (First)  | (Middle)                             | 4. Relationship of Reporting Person(s) to Issuer   | 5. If Amendment, Date Original Filed(Month/Day/Year)                   |
|   |          | 02/18/2009                           |  |  |
| ADVANCE AUTO PARTS, INC., ^ 5008 AIRPORT RD |          |                                      | (Check all applicable)                             |  |
|   | (Street) |                                      | <input type="checkbox"/> Director                  | <input type="checkbox"/> 10% Owner                                     |
|   |          |                                      | <input checked="" type="checkbox"/> Officer        | <input type="checkbox"/> Other   |
|   |          |                                      | (give title below)                                 | (specify below)  |
|   |          |                                      | SVP, Merchandising                                 |  |
| ROANOKE, ^ VA ^ 24012                       |          |                                      |  | 6. Individual or Joint/Group Filing(Check Applicable Line)             |
| (City)                                      | (State)  | (Zip)                                |  | <input checked="" type="checkbox"/> Form filed by One Reporting Person |
|   |          |                                      |  | <input type="checkbox"/> Form filed by More than One Reporting Person  |

**Table I - Non-Derivative Securities Beneficially Owned**

| 1. Title of Security (Instr. 4) | 2. Amount of Securities Beneficially Owned (Instr. 4) | 3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5) | 4. Nature of Indirect Beneficial Ownership (Instr. 5) |
|---------------------------------|---|--|---|
| Common Stock                    | 3,792 <sup>(1)</sup> <sup>(4)</sup>                   | D  | ^   |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly. SEC 1473 (7-02)

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

**Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

| 1. Title of Derivative Security (Instr. 4) | 2. Date Exercisable and Expiration Date (Month/Day/Year) | 3. Title and Amount of Securities Underlying Derivative Security (Instr. 4) | 4. Conversion or Exercise Price of Derivative Security | 5. Ownership Form of Derivative Security: Direct (D) | 6. Nature of Indirect Beneficial Ownership (Instr. 5) |
|--|--|---|--|--|---|
|--|--|---|--|--|---|

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|                          | Date Exercisable | Expiration Date | Amount or Number of Shares   | or Indirect (I) (Instr. 5) |
|--------------------------|------------------|-----------------|------------------------------|----------------------------|
| Stock Appreciation Right | Â (2)            | 05/20/2015      | Common Stock 15,093 \$ 38.94 | D Â                        |
| Stock Appreciation Right | Â (3)(4)         | 11/17/2015      | Common Stock 24,730 \$ 25.81 | D Â                        |

## Reporting Owners

| Reporting Owner Name / Address  | Relationships |           |                      |       |
|---|---------------|-----------|----------------------|-------|
|   | Director      | 10% Owner | Officer              | Other |
| Tyson Charles E<br>ADVANCE AUTO PARTS, INC.<br>5008 AIRPORT RD<br>ROANOKE, VA 24012 | Â             | Â         | Â SVP, Merchandising | Â     |

## Signatures

/s/ Rachel E. Geiersbach, as Attorney-in-Fact for Charles E. Tyson 02/27/2009

Signature of Reporting Person Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, see Instruction 5(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Includes 1,358 shares and 2,434 shares of restricted common stock previously awarded under the Advance Auto Parts, Inc. Long Term Incentive Plan which will vest at varying intervals through November 17, 2011.
- (2) These stock appreciation rights become exercisable in three approximately equal annual installments beginning on May 20, 2009.
- (3) These stock appreciation rights become exercisable in three approximately equal annual installments beginning on November 17, 2009.
- (4) Refer to Exhibit 99.1 for explanation of certain vesting terms of award.

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### Remarks:

This Form 3 was executed by Rachel E. Geiersbach as Attorney-in-Fact for Charles E. Tyson pursuant to the following:

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, See Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.