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Nov 22 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

Appeal from the Administrative Law Court
The Honorable S. Phillip Lenski
Case No.: 2022-ALJ-07-0008-CC
Appellate Case No.: 2022-001126

Gullah/Geechee Fishing Association, Inc.,Appellant,

v.

South Carolina Department of Health and Environmental Control, and
Bay Point Island, LLC, Respondents.

**MOTION FOR EXTENSION OF TIME IN WHICH TO
FILE INITIAL JOINT BRIEF AND DOM FOR THE RESPONDENTS**

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TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COME NOW Respondents, South Carolina Department of Health and Environmental Control (“SCDHEC”) and Bay Point Island, LLC (“Bay Point”), pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully request this Court of Appeals to grant a thirty-day (30) extension of time in which to file an Initial Joint Brief and Designation of Matter to be Included in the Record on Appeal (“DOM”) on behalf of both Respondents in this appellate case. The basis for this motion is the advent of the Christmas and New Year’s holidays, as well as the fact that Bay Point’s appellate counsel are involved in other trial matters at this time and need the additional time to complete the Initial Joint Brief and the DOM.

Based upon the current briefing schedule, Respondents’ Initial Joint Brief and DOM are currently due on or before Friday, December 13, 2022. Consequently, anticipating a favorable reception and subsequent grant of this extension motion, the Initial Joint Brief and DOM for the Respondents would then be due on or before Friday, January 13, 2023. Counsel for Appellant have been consulted and have consented to the requested extension.

Finally, Respondents respectfully request this Court of Appeals to hold the briefing time in abeyance until such time as this Court of Appeals has the opportunity to consider and rule upon this motion.

Respectfully submitted,

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**Proof of Service for the
MOTION FOR EXTENSION OF TIME IN WHICH TO
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I, Angelica M. Colwell, Esquire, hereby certify that on November 22, 2022, I served a copy of the **Motion for Extension of Time in Which to File Respondents' Initial Joint Brief and Designation of Matter** submitted by the Respondents, Bay Point, LLC and SCDHEC, on counsel for the Petitioner via the United States Mail, postage pre-paid, and addressed as follows, with courtesy copy also provided by email:

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Charleston, South Carolina
November 22, 2022