

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Feb 02 2023

APPEAL FROM THE ADMINISTRATIVE LAW COURT
S. Phillip Lenski, Administrative Law Judge

SC Court of Appeals

Docket No. 22-ALJ-07-0008-CC
Appellate Case No. 2022-001126

Gullah/Geechee Fishing Association, Inc.,Appellant,

vs.

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

**SECOND MOTION FOR EXTENSION OF TIME FOR FILING
APPELLANT’S REPLY BRIEF**

TO: ALL PARTIES AND THE COURT OF APPEALS:

PLEASE TAKE NOTICE that the Appellant, Gullah/Geechee Fishing Association, Inc., respectfully moves the Court of Appeals for an extension of time for filing its reply brief. The reply brief is due on Thursday, February 2, 2023, and Appellant seeks an extension of ten days until Monday, February 13, 2023. This is the second extension request.

Undersigned counsel requests this extension for multiple reasons, including counsel’s current caseload and schedule, as well as a serious family medical situation that has required the undersigned’s significant attention. For these reasons, counsel has been unable to commit the necessary time needed to adequately prepare the reply brief in this matter, and undersigned submits that the requested 10-day extension is necessary.

Counsel for Appellant has consulted with counsel for Respondents, both of whom consent to the requested extension.

WHEREFORE, the Appellant requests that this Court issue an Order extending the time to file its initial brief and designation of matter until Monday, February 13, 2023.

s/ Leslie S. Lenhardt
Leslie S. Lenhardt, Esq.
Emily Nellerhoe, Esq.
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Attorneys for Appellants

Charleston, S.C.
February 2, 2023

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PROOF OF SERVICE

I hereby certify that on this date I served Appellant's Second Motion for Extension of Time to File Appellant's Reply Brief on all parties by emailing a copy of same on February 2, 2023, to the Attorney Information System provided email addresses below, via attached e-mail:

Mary D. Shahid, Esq.
mshahid@nexsenpruet.com

Sara V. Martinez, Esq.
martinsv@dhec.sc.gov

s/ Leslie S. Lenhardt
Leslie S. Lenhardt

February 2, 2023



**SOUTH CAROLINA
ENVIRONMENTAL
LAW PROJECT**

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February 2, 2023

VIA US MAIL

Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

Re: Second Motion for Extension for Reply Brief
Gullah/Geechee Fishing Association v. SCDHEC & Bay Point Island, LLC
Case No. 2022-001126

Dear Ms. Kitchings:

Please find attached Appellant's Second Motion for Extension to File Appellant's Reply Brief and am including the filing fee. I am serving all parties via the addresses in the electronic filing system. Thank you very much for your kind consideration.

Respectfully,

Leslie S. Lenhardt
Staff Attorney

Attachments

cc: Sara V. Martinez, Esq.
Mary D. Shahid, Esq.

Our Mission To protect the natural environment of South Carolina by providing legal services and advice to environmental organizations and concerned citizens and by improving the state's system of environmental regulation.