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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Appellate Case No. 2017-002598

ALC Case Nos. 17-ALJ-07-0041-CC; 17-ALJ-07-0042-CC; 17-ALJ-07-0039-CC

Charles S. Blackmon and South Carolinians for
Responsible Agricultural Practices, Respondents,

v.

South Carolina Department of Health and Environmental
Control and David Coggins Broilers, Petitioners;

Charles S. Blackmon and South Carolinians for
Responsible Agricultural Practices, Respondents,

v.

South Carolina Department of Health and Environmental
Control and Heath Coggins Broilers, Petitioners;

Charles S. Blackmon and South Carolinians for
Responsible Agricultural Practices, Respondents,

v.

South Carolina Department of Health and Environmental
Control and Jim Young Broilers, Petitioners.

**PETITIONERS' JOINT MOTION FOR EXTENSION OF TIME TO FILE PETITION
FOR WRIT OF CERTIORARI**

Pursuant to Rules 221, 240, and 263 of the South Carolina Appellate Court Rules, Petitioners David Coggins Broilers, Heath Coggins Broilers, and Jim Young Broilers (collectively “Broilers”), and South Carolina Department of Health and Environmental Control (“SCDHEC,” and together with Broilers, the “Petitioners”) respectfully and jointly move this Court for an extension of time to file a Petition for Writ of Certiorari to the Court of Appeals of its decision in this matter, *Blackmon v. South Carolina Department of Health and Environmental Control Env't Control*, Op. No. 5911 (S.C. Ct. App. filed May 25, 2022) (Howard Adv. Sh. No. 18 at 62). In support of this motion, Petitioners state as follows:

1. The Court of Appeals filed a published opinion in the above-captioned matter, Opinion No. 5911, on May 25, 2022, reversing and remanding the matter to the Administrative Law Court.
2. Petitioners filed a timely Petition for Rehearing with the Court of Appeals on August 10, 2022, which was denied by Order dated January 13, 2023.
3. Under Rules 242(c) and 263(a), SCACR, a petition for writ of certiorari to the opinion of the Court of Appeals is due to be filed on or before February 13, 2023.
4. Counsel for the Petitioners require additional time in which to consult with their clients and co-petitioners and carefully evaluate whether to file a Petition for a Writ of Certiorari. Counsel for both SCDHEC and Broilers have a number of pressing obligations and deadlines which have prevented them from completing this necessary review and preparation within the time period allotted.
5. This is the first request for an extension by Petitioners to this Court, and the time period requested is consistent with Supreme Court Order 2014-07-16-01.

6. This request is made in good faith, not for purposes of delay, and Respondents will not be prejudiced by this extension.
7. If the Court grants this request, Counsel for the Petitioners calculates that they will have until March 6, 2023, in which to file a Petition for Writ of Certiorari.
8. Counsel for the Petitioners has consulted with Counsel for the Respondents, and the undersigned is authorized to state that Respondents' Counsel consents to the granting of this request.

Counsel for Petitioners therefore respectfully request that this Court grant this Motion and extend the time for filing a Petition for Writ of Certiorari to the Court of Appeals for a period of 20-days until March 6, 2023.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

s/Mitchell Willoughby

Mitchell Willoughby, S.C. Bar No. 6161

WILLOUGHBY & HOEFER, P.A.

930 Richland Street (29201)

P.O. Box 8416

Columbia, SC 29202-8416

(803) 252-3300

mwilloughby@willoughbyhoefer.com

*Attorney for Petitioners David Coggins Broilers,
Heath Coggins Broilers, and Jim Young Broilers*

s/Sara V. Martinez

Sara V. Martinez, S.C. Bar No. 74822

Stephen Philip Hightower, S.C. Bar No. 72265

**SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL
CONTROL**

2600 Bull Street

Columbia, SC 29201

(803) 898-3350

hightosp@dhec.sc.gov

martinsv@dhec.sc.gov

*Attorneys for Petitioner S.C. Department of Health
and Environmental Control*

Columbia, South Carolina
February 9, 2023