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February 22, 2023

RECEIVED

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SC Court of Appeals

VIA E-FILING AND US MAIL

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
Via e-filing: ctappfilings@sccourts.org

RE: *KDP II, LLC v. S.C. Department of Health and Environmental Control*,
Appellate Case No. 2022-001179

Dear Ms. Kitchings:

Pursuant to Rule 240, SCACR, the Appellant KDP II, LLC hereby requests an extension of time in which to serve and file Appellant's Initial Reply Brief and Designation of Matter to be included in the Record on Appeal.

Respondent's Initial Brief was filed February 21, 2022. The current deadline to file the Initial Reply Brief and Designation of Matter is March 3, 2023, and it has not previously been extended. Appellant requests an extension of ten additional days to file the Appellant's Initial Reply Brief and Designation of Matter, making the new deadline March 13, 2023.

The grounds for this motion are that other impending professional matters and obligations have created a need for additional time to prepare the Initial Reply Brief and Designation of Matter. There are complex issues involved in this matter and the additional time is necessary for Appellant to provide a thorough Reply Brief. The requested extension will not prejudice the rights of any of the parties and counsel for Respondent has indicated the Respondent does not oppose this request.

Please note the filing fee of \$50.00 is enclosed with the hard copy of this letter being sent by regular mail.

Yours very truly,

Thomas P. Gressette, Jr.

cc: Sallie Phelan, Esq.

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