

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
THE HONORABLE ROBERT L. REIBOLD
DOCKET NUMBER: 22-ALJ-07-0033-CC

APPELLATE CASE NUMBER: 2023-001592

William P. Scurry and J & W Corporation of Greenwood,

Appellants,

v.

South Carolina Department of Health and Environmental Control
and Simmons Family Holdings, LLC,

Respondents.

CONSENT MOTION TO HOLD APPEAL IN ABEYANCE

William P. Scurry and the J & W Corporation Of Greenwood (“Appellants”) timely filed their Notice of Appeal in this matter on October 10, 2023. Thereafter, the Appellants and the Respondents entered into settlement discussions, and have agreed to a tentative resolution of the dispute that hinges upon the Appellants filing an application with OCRM/DHEC for the placement of certain additional protective pilings in the area of the proposed marina, and approval of same. For the sake of judicial economy and to allow the Appellants time to prepare and file the application and receive tentative input from adjoining property owners and OCRM, the Appellants and the Respondents jointly request that the Court hold this appeal in abeyance for 90 days so that all parties may work in good faith toward a potential resolution of this matter in lieu of immediate briefing of the appeal.

I so move:

s/Thomas C. Taylor
Thomas C. Taylor, Esq.
S.C. Bar No. 5499
Law Office of Thomas C. Taylor, LLC.
Post Office Box 1808
Bluffton, South Carolina 29910
South Carolina Bar Number: 5499
Telephone: 843-785-5050
Facsimile: 843-738-4502
Email: tom@thomastaylorlaw.com

*Counsel for Appellants William P. Scurry and
J & W Corporation Of Greenwood*

We consent:

s/Michael S. Traynham
Michael S. Traynham, Esq.
Maynard Nexsen
1230 Main Street, Suite 700
Columbia, SC 29201
Telephone: 803-540-2164
MTraynham@maynardnexsen.com,

Counsel for Simmons Family Holdings, LLC

and

s/Bradley Churdar
Bradley Churdar, Esq.
SC DHEC
1362 McMillan Ave., Suite 400
Charleston, SC 29405
Telephone: 843-953-0213
churdabd@dhec.sc.gov

Counsel for the South Carolina Department of Health and Environmental Control

Bluffton, South Carolina
November 6, 2023