

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Appeal from the Administrative Law Court  
John D. McLeod, Administrative Law Judge

---

Appellate Case No. 2013-001521

---

**RECEIVED**

AUG - 7 2013

**S.C. Supreme Court**

Town of Arcadia Lakes, Robert L. Jackson, Linda Z.  
Jackson, Robert E. Williams, Barbara S. Williams,  
Elizabeth M. Walker, Louis E. Spradlin, Mary Helen  
Spradlin, Thomas Hutto Utsey, Tony Sinclair, Aaron  
Small, Bette Small, Gene F. Starr, M.D., Elaine J. Starr,  
Sanford T. Marcus, Ruth L. Marcus and Steve Brown,

Appellants,

vs.

South Carolina Department of Health and Environmental  
Control and Roper Pond, LLC,

Respondents.

---

**MOTION FOR EXTENSION OF TIME TO FILE RESPONDENT SOUTH CAROLINA  
DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S RETURN TO  
PETITIONERS TOWN OF ARCADIA LAKES, ET AL.'S PETITION FOR  
CERTIORARI**

---

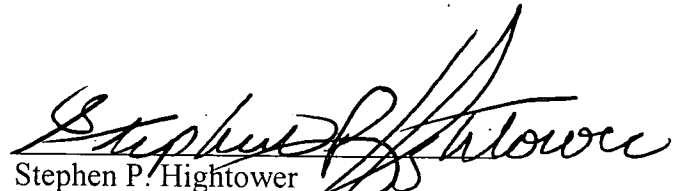
Respondent South Carolina Department of Health and Environmental Control hereby moves pursuant to Rule 240, SCACR, for an extension of time to file its return to Petitioners' petition for certiorari.

Petitioners Town of Arcadia Lakes, et al. filed their petition for certiorari on July 12, 2013, and Respondents' return is currently due on August 12, 2013. Respondent South Carolina Department of Health and Environmental Control requests a 30-day extension of time from

August 12, 2013 until September 11, 2013 to file its return. The grounds for the motion are that additional time is needed to fully prepare the return in light of other commitments and planned vacation. Respondent South Carolina Department of Health and Environmental Control states further that this is Respondent's first request for an extension of time for the purposes of filing this return.

Counsel for Respondent South Carolina Department of Health and Environmental Control has consulted with counsel for Petitioners Town of Arcadia lakes, et al. and counsel for Respondent Roper Pond, LLC and both have consented to the extension requested in this motion.

August 7, 2013

  
Stephen P. Hightower  
Assistant General Counsel  
South Carolina Department of Health  
and Environmental Control  
2600 Bull Street  
Columbia, South Carolina 29201  
(803) 898-3358

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Appeal from the Administrative Law Court  
John D. McLeod, Administrative Law Judge

---

Appellate Case No. 2013-001521

---

Town of Arcadia Lakes, Robert L. Jackson, Linda Z.  
Jackson, Robert E. Williams, Barbara S. Williams,  
Elizabeth M. Walker, Louis E. Spradlin, Mary Helen  
Spradlin, Thomas Hutto Utsey, Tony Sinclair, Aaron  
Small, Bette Small, Gene F. Starr, M.D., Elaine J. Starr,  
Sanford T. Marcus, Ruth L. Marcus and Steve Brown,

Appellants,

vs.

South Carolina Department of Health and Environmental  
Control and Roper Pond, LLC,

Respondents.

---

**PROOF OF SERVICE**

---

I, Jaimie Presley Jones, with the South Carolina Department of Health and Environmental Control, do hereby certify that I have on this 7<sup>th</sup> day of August, 2013, served a copy of *Motion For Extension of Time to File Respondent South Carolina Department of Health and Environmental Control's Return to Petitioners Town of Arcadia Lakes, et al.'s Petition for Certiorari* upon all parties and counsel of record in the above-captioned case, via electronic mail and United States Mail, First Class, postage prepaid, addressed as follows:

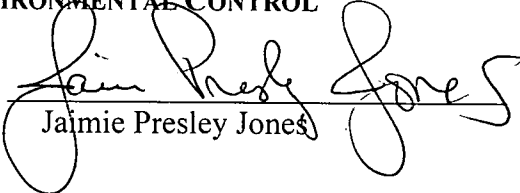
*Parties of Record*

**Joan Hartley, Esquire**  
Nexsen Pruet  
Post Office Drawer 2426  
Columbia, South Carolina 29202  
Email: [jhartley@nexsenpruet.com](mailto:jhartley@nexsenpruet.com)

**Amy Armstrong, Esquire**  
SC Environmental Law Project  
Post Office Box 1380  
Pawley's Island, South Carolina 29585  
Email: [amy@scelp.org](mailto:amy@scelp.org)

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

By:

  
Jamie Presley Jones

Date: August 7, 2013