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Apr 15 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Deborah Brooks Durden, Administrative Law Judge

Docket Nos. 24-ALJ-07-0088-CC to 24-ALJ-07-0131-CC

South Carolina Coastal Conservation League, Appellant,

v.

South Carolina Department of Health and Environmental Control and Pulte Homes, LLC,
..... Respondents.

**MOTION REQUESTING PERMISSION TO ORDER TRANSCRIPT OUTSIDE FILING
DEADLINES SET BY RULE 207**

TO: ALL PARTIES AND THE COURT OF APPEALS:

PLEASE TAKE NOTICE that the Appellant, Coastal Conservation League (the “League”), respectfully moves the Court of Appeals for permission to order a transcript outside the filing deadlines set by Rule 207. Initially, because the hearing on appeal in this case was on dispositive motions with no witnesses or evidence introduced, the League did not order the transcript. However, after communications with the Court, the League submits ordering the transcript is warranted.

On March 25, 2025, counsel for the League sent a request to the court reporter for the Administrative Law Court, formally requesting the transcript of the proceedings in this matter. A

copy of the correspondence is attached as Exhibit A. The League is monitoring the expected delivery of the transcript and will inform the Court as soon as it is received.

The requested extension will not unduly delay the proceedings or prejudice any party. Therefore, good cause exists for the League to order the transcript outside the Rule 207 deadline in the interest of ensuring a complete and accurate record for appellate review.



Leslie S. Lenhardt

Amy E. Armstrong

Monica K. Whalen

SOUTH CAROLINA ENVIRONMENTAL LAW PROJECT

P.O. Box 1380

Pawleys Island, SC 29585

(843) 527-0078

Attorneys for the Appellant

April 15, 2025

Mount Pleasant, South Carolina

Other Counsel of Record:

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South Carolina Department of Environmental Services

2600 Bull Street

Columbia, SC 29201

Mary D. Shahid, Esq.

Cheryl D. Shoun, Esq.

Maynard Nexsen

205 King Street Suite 400

Charleston, SC 29401

Exhibit A



Monica Whalen <monica@scelp.org>

Transcript Inquiry, RE: SCCCL v. SCDHEC & Pulte

Monica Whalen <monica@scelp.org>

Tue, Mar 25, 2025 at 10:14 AM

To: "contact@creelreporting.com" <contact@creelreporting.com>

Cc: ctappfilings@sccourts.org, mshahid@maynardnexsen.com, cshoun@maynardnexsen.com, Leslie Lenhardt <leslie@scelp.org>, Amy Armstrong <amy@scelp.org>, marshall.taylor@des.sc.gov, smartinez@burr.com, "Bradley D. Churdar" <bradley.churdar@des.sc.gov>

Good morning,

I'm reaching out to inquire whether a transcript has been produced for a motions hearing for South Carolina Coastal Conservation League v. South Carolina Department of Health and Environmental Control and Pulte Homes, Docket No. 24-ALJ-07-0088-CC to 24-ALJ-07-131-CC. This hearing was on November 4, 2024, before Judge Durden in the Administrative Law Court. Please let me know if you need any further information!

As instructed by the Court of Appeals, I have CC'ed the Court of Appeals and opposing counsel.

Thank you for your assistance!

Best,
Monica

--

Monica Whalen**Staff Attorney****South Carolina Environmental Law Project**

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Monica Whalen <monica@scelp.org>

Transcript Inquiry, RE: SCCCL v. SCDHEC & Pulte

Creel Court Reporting Inc <contact@creelreporting.com>
To: Monica Whalen <monica@scelp.org>

Thu, Mar 27, 2025 at 11:00 AM

I can't remember if I responded or not, sorry. The reporter is working on having this transcript produced.

Thanks so much!

Amy



Creel Court Reporting, Inc.

P: (803) 252-3445

W: creelreporting.com

A: 1230 Richland St, Columbia SC 29201

[Quoted text hidden]

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STATE OF SOUTH CAROLINA
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South Carolina Coastal Conservation League, Appellant,

v.

South Carolina Department of Health and Environmental Control and Pulte Homes, LLC,
..... Respondents.

PROOF OF SERVICE

I hereby certify that on this date I served the foregoing Motion Requesting Permission to Order Transcript upon the South Carolina Office of Court Administration and the Respondents by U.S. Mail and with electronic notification, distributed to the following:

South Carolina Office of Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201

Joseph A. Giordano, Esq.
Christopher P. Whitehead, Esq.
South Carolina Department of Environmental Services
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April 15, 2025

VIA U.S. MAIL AND ELECTRONIC MAIL

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

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SC Court of Appeals

RE: *South Carolina Coastal Conservation League v. South Carolina Department of Health and Environmental Control and Pulte Homes, LLC*
Docket No. 24-ALJ-07-0088-CC to 24-ALJ-07-131-CC

Dear Madame Clerk:

Please find enclosed South Carolina Coastal Conservation League's **Motion Requesting Permission to Order Transcript** in the above-referenced consolidated matters. I am also enclosing the filing fee of \$50.00 and the proof of service of the notice of appeal on the Respondents. Thank you for your kind consideration.

Respectfully,

Monica K. Whalen

Enclosures

cc: Joseph A. Giordano, Esq.
Christopher P. Whitehead, Esq.
Mary D. Shahid, Esq.
Cheryl D. Shoun, Esq.

Our Mission We use our legal expertise to protect land, water and communities across South Carolina.