

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2012-CP-10-04969

Appellate Case No. 2013-001273

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SEP 25 2013
SC Court of Appeals

South Carolina Public Interest Foundation and Waring
S. Howe, Jr., individually, and on behalf of all others
similarly situated,

Appellants,

v.

Robert W. Harrell, Jr., in his official capacity as
Speaker of the South Carolina House of
Representatives, Glenn McConnell, in his official
capacity as President of the South Carolina Senate,
Representative Harry B. "Chip" Limehouse III, Senator
George E. "Chip" Campsen, and the State of South
Carolina,

Respondents.

Motion for an Extension of Time

Pursuant to Rules 208 and 240 of the South Carolina Appellate Court Rules,
Respondent Robert W. Harrell, Jr., in his official capacity as Speaker of the South
Carolina House of Representatives ("Speaker Harrell"), conditionally moves this Court
for an order granting an extension of time to file undersigned Respondents' Initial

Briefs and Designations of Matter in the above-captioned action.¹ Counsel for Respondent Representative Harry B. “Chip” Limehouse; Respondent Glenn McConnell, in his official capacity as President of the South Carolina Senate; and Respondent Senator George E. “Chip” Campsen join in this extension request.

Speaker Harrell filed a Motion to Strike Portions of Appellants’ Initial Brief on September 6, 2013. In that Motion, Speaker Harrell requested that the deadline for his Initial Respondent’s Brief be stayed until this Court ruled on the requested relief. On September 19, 2013, Respondent State of South Carolina filed a letter with this Court requesting a stay of this matter “while this Court considers Respondent Harrell’s Motion to Strike.” The requests from Speaker Harrell and the State of South Carolina are warranted because Respondents cannot draft a brief until this Court rules as to which arguments will remain in Appellants’ Initial Brief. Undersigned Respondents reiterate that this matter should be held in abeyance pending a ruling on the Motion to Strike. However, undersigned Respondents requests this extension of time out of an abundance of caution in order to protect the deadline for all Respondents’ Initial Briefs and Designations of Matter.

As of the date of this filing, the Court has not ruled on the Motion to Strike or offered guidance as to whether this matter is held in abeyance pending resolution of same. Therefore, undersigned Respondents conditionally request a thirty (30) day extension of time applicable to undersigned Respondents’ Initial Briefs and Designations of Matter. If this matter is not held in abeyance, then undersigned

¹ Speaker Harrell asks that this Court honor the request of the State of South Carolina in its letter dated September 19, 2013, asking this Court to set its briefing deadline after that set for other Respondents.

Respondents that the current deadline of September 26, 2013, be extended until October 28, 2013.² If this matter is being held in abeyance, then undersigned Respondents request this 30 day extension be applied from the date the Court allows the appeal to move forward.

This extension is necessitated due to other court conflicts, deadlines, and work obligations that prevent counsel for undersigned Respondents from completing an Initial Respondents' Brief and Designation of Matters on behalf of their respective clients within the current deadline. This is the first request for an extension of time to file undersigned Respondents' Initial Briefs and Designations of Matter.

{Signature Pages Follow}

² The actual deadline falls on Saturday, October 26, 2013. Per Rule 263, SCACR, the deadline moves to Monday, October 28, 2013.

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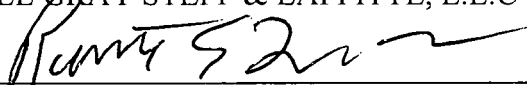
Attorneys for Respondent Robert W. Harrell, Jr., in
his official capacity as Speaker of the South Carolina
House of Representatives

Columbia, South Carolina

September 25, 2013

and

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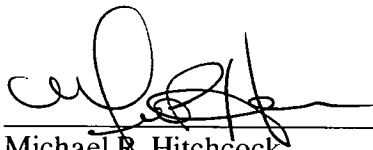
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September 25, 2013

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Carolina Senate, and Senator George E. "Chip"
Campsen

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Appellate Case No. 2013-001273

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President of the South Carolina Senate, Representative
Harry B. "Chip" Limehouse III, Senator Glenn
McConnell, and the State of South Carolina,

Respondents.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson
Mullins Riley & Scarborough LLP, attorneys for Robert W. Harrell, in his official
capacity as Speaker of the South Carolina House of Representatives, do hereby certify
that I have served all counsel in this action with a copy of the pleading(s) hereinbelow
specified by mailing a copy of the same by United States Mail, postage prepaid, to the
following address(es):

Pleadings:

Motion for an Extension of Time

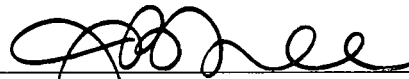
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September 25, 2013

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter Street - 5th Floor
Columbia, SC 29201

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SC Court of Appeals


RE: South Carolina Public Interest Foundation, et al. v. Robert W. Harrell, Jr., in
his official capacity as Speaker of the S.C. House of Representatives, et al.
Civil Action No.: 2012-CP-40-1589
SC Court of Appeals Case No.2013-001273
Our file no.: 38955/01500

Dear Ms. Kitchings:

Enclosed please find an original and seven copies of a Motion for an Extension of Time in the above-referenced matter. Please file the original and return a clocked-in copy to me via our courier. Should you have any questions, please do not hesitate to contact me.

By copy of this letter, I am hereby serving opposing parties.

Very truly yours,



Michael J. Anzelmo

MJA:jlee
Enclosures

cc: James G. Carpenter	Robert D. Cook
Michael R. Hitchcock	John P. Hazzard, V
Robert E. Stepp	Alexis K. Lindsay
Robert E. Tyson, Jr.	J. Emory Smith