



The South Carolina Environmental Law Project

Lawyers for the Wild Side of South Carolina

December 6, 2013

a 501c3
non-profit organization

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Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
P. O. Box 11330
Columbia, SC 29211

Re: York County and Nazareth Baptist Church of Rock Hill, Inc. v. South Carolina Department of Health and Environmental Control and C & D Management Company LLC
Case No. 07-ALC-07-0178-CC

Dear Mr. Shearouse:

Enclosed for filing please find the original and seven copies of Petitioner York County's Motion for Extension of Time for Filing Brief of Petitioner, along with my Certificate of Service and filing fee.

Please return a clocked-in copy in the envelope provided. Thank you very much for your kind cooperation and assistance.

Yours very truly,


Amy E. Armstrong

cc: Leon C. Harmon, Esquire
W. Thomas Lavender, Esquire
Joan W. Hartley, Esquire
Susan A. Lake, Esquire
Robert Guild, Esquire
Michael Kendree, Esquire

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DEC 10 2013

S.C. Supreme Court

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STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

S.C. Supreme Court

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Carolyn C. Matthews, Administrative Law Judge

Case No. 07-ALC-07-0178-CC

York County and Nazareth Baptist Church of Rock Hill, Inc., Defendants,
of whom York County is Petitioner,
vs.

South Carolina Department of Health and Environmental Control and
C & D Management Company, LLC, Respondents.

**MOTION FOR EXTENSION OF TIME
FOR FILING BRIEF OF PETITIONER**

TO: ALL PARTIES AND THE SUPREME COURT:

PLEASE TAKE NOTICE that Petitioner York County hereby moves the Supreme Court for an Order extending the time for filing its Brief and Appendix. The Brief and Appendix are due December 6, 2013, and York County seeks an extension of thirty (30) days, until January 6, 2014. The basis of this motion is as follows:

We are a small, three-attorney law firm, having recently hired a new attorney. We maintain a heavy case load, and lead counsel for this case oversees the work of the other two

attorneys, one of whom graduated from law school just last year, as well as managing the firm.

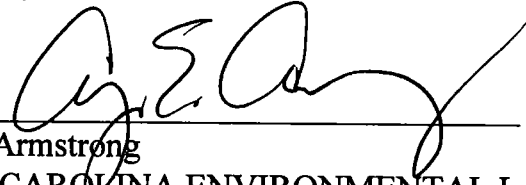
Counsel for York County has compiled the Appendix, which totals six (6) volumes from a case that lasted 3 full days in 2009. Due to counsel's extremely heavy case load over the past eight weeks, York County needs additional time to adequately update research and prepare the brief in this case. Counsel's on-going obligations that have prevented her from spending sufficient time in the past thirty (30) days complete this brief include filing an Initial Brief in the Court of Appeals on November 5 and filing a Request for Contested Case Hearing which was also due on November 5. In addition, counsel represents a party that was granted intervenor status in early November for a trial scheduled for December 9-10¹, which has required counsel to devote the last several weeks to discovery, including eight (8) depositions this week. Because of these case-related obligations, counsel has not been able to dedicate the time necessary to prepare its Brief.

Counsel for the Petitioner York County has consulted with the attorney for the Respondent SCDHEC, who consents to this requested extension. Counsel for Petitioner York County has not consulted with the attorney for Respondent C & D Management Company, Inc. based on information and belief that C & D Management Company will object to the requested extension.

WHEREFORE, the Petitioner York County requests that the Supreme Court enter an order extending the time for filing its Brief and Appendix until December 6, 2013.

¹The motion to intervene in that case was filed May 10, 2013.

Respectfully submitted,



Amy E. Armstrong
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PROJECT

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Georgetown, South Carolina

December 6, 2013

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S.C. Supreme Court

STATE OF SOUTH CAROLINA
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APPEAL FROM THE ADMINISTRATIVE LAW COURT

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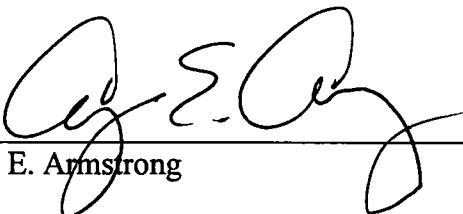
South Carolina Department of Health and Environmental Control and
C & D Management Company, LLC, Respondents

CERTIFICATE OF SERVICE

I hereby certify that on this date I served copies of the Petitioner York County's Motion for Extension of Time for Filing Brief of Petitioner upon counsel for the Respondents, by placing same in the United States mail, first-class postage prepaid, addressed to:

Susan A. Lake, Esquire
DHEC Legal Office
2600 Bull Street
Columbia, SC 29201

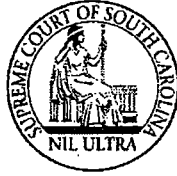
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Amy E. Armstrong

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December 6, 2013



The Supreme Court of South Carolina

Amy Elizabeth Armstrong
PO Box 1380
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12/10/2013

RECEIPT #70622

Case No: 2012-212041
Case Short Title: York County and Nazareth v. SCDHEC
Event:
Fee Type: Motion Fee
Amount: \$25.00
Payment Type: Check
Reference No: 7689
Check/Money Order Date: 12/06/2013
Comments: