

STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

Appeal from the South Carolina Administrative Law Court
Honorable John D. McLeod, Administrative Law Judge
Docket No. 2008-ALJ-07-00221

Deerfield Plantation Phase II B
Property Owners Association,

Appellant,

v.

South Carolina Department of Health and
Environmental Control, Deertrack Golf, Inc.,

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Respondents,

v.

SC Court of Appeals

Bill Clark Homes of Myrtle Beach, LLC,

Respondent.

MOTION FOR AN EXTENSION OF TIME IN WHICH TO
FILE INITIAL BRIEF OF THE RESPONDENTS, SOUTH CAROLINA DEPARTMENT
OF HEALTH AND ENVIRONMENTAL CONTROL AND DEERTRACK GOLF, INC.

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TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW the Respondents, South Carolina Department of Health and Environmental Control (Office of Ocean and Coastal Resource Management) ("SCDHEC") and Deertrack Golf Inc. ("Deertrack Golf"), pursuant to Rule 240(f) of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to grant it a seven-day extension of time in which to file SCDHEC's and Deertrack Golf's Initial Joint Respondents' Brief and Designation of Matter ("DOM") to be Included in the Record on Appeal in this matter. The grounds for this short extension motion are (a) that Deertrack Golf's appellate counsel just received the Initial Brief of the Appellant, Deerfield Plantation Phase II B Property Owners Association ("Deerfield Plantation POA"), on Wednesday, 11 December 2013, even though it was served by U. S. Mail on Thursday, 5 December 2013¹; (b) the intervention of the Christmas and New Year's holidays; and (c) the fact that SCDHEC's and Deertrack Golf's respective appellate counsel have been involved in a number of other ongoing appellate and trial matters at this time.

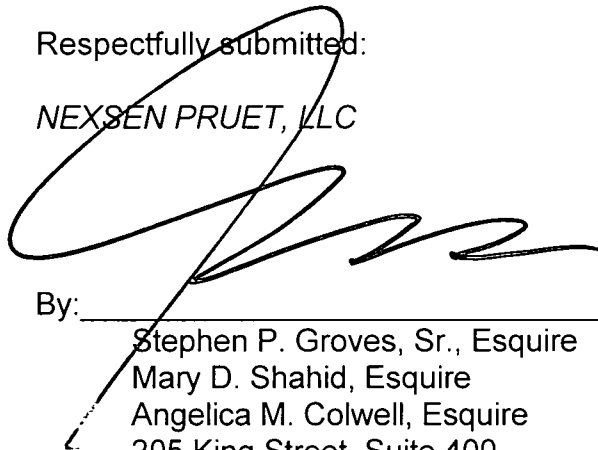
Based upon the current appellate briefing schedule, SCDHEC's and Deertrack Golf's joint Initial Respondents' Brief and DOM would have been due on Monday, 6 January 2014. Consequently, anticipating a favorable reception and subsequent grant of this short extension request motion, SCDHEC's and Deertrack Golf's joint Initial Respondents' Brief and DOM would then be due on or before Monday, 13 January 2013.

¹ Deerfield Plantation POA's appellate counsel, acknowledging the inexplicable problems with U.S. Mail delivery between our two offices, provided counsel for Deertrack Golf with a copy of the Appellant's Initial Brief and DOM on 6 December 2013, via e-mail.

In addition, SCDHEC and Deertrack Golf also respectfully request this Court of Appeals to hold the briefing schedule in abeyance until such time as this extension request motion may be considered and ruled upon.

Respectfully submitted:

NEXSEN PRUET, LLC



By: _____

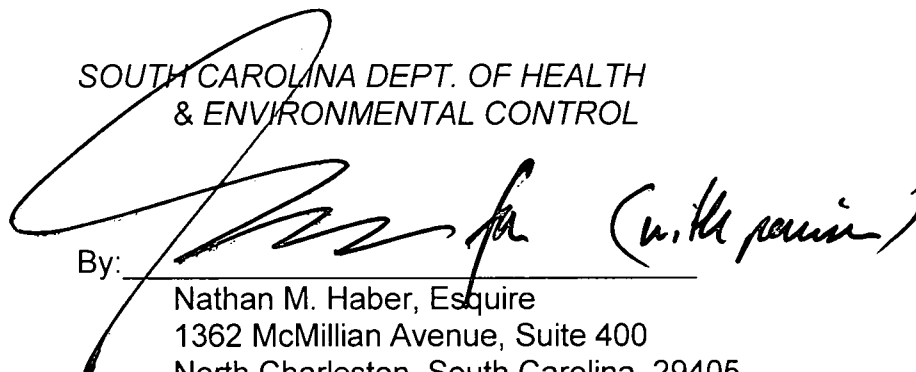
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31 December 2013

SOUTH CAROLINA DEPT. OF HEALTH
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NPCHAR1:1253964.1-BR-(SPG) 048667-00004

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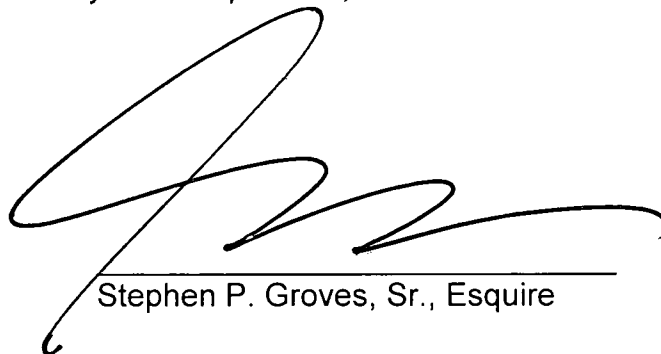
I, Stephen P. Groves, Sr., Esquire, hereby certify that on 31 December 2013, I served a copy of the *Motion for Extension of Time in Which to File Joint Respondents' Initial Brief and Designation of Matter to be Included in the Record on Appeal* submitted by the Respondents, South Carolina Department of Health and Environmental Control and Deertrack Golf, Inc., on all counsel of record, via the United States Postal Service, postage pre-paid, and addressed as follows:

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