

IN STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Carolyn.C. Matthews, Administrative Law Judge

Case # 10-ALJ-08-0774-AP

Stogstill, Richard

Appellant

v.

South Carolina Department of Health and Human Services,

Respondent

REPLY OF AMICI PETITIONERS TO
RESPONDENT'S RETURN TO PETITIONERS' MOTION
FOR LEAVE TO FILE AN AMICI BRIEF
IN SUPPORT OF APPELLANT

Pursuant to Rule 213, SCACR, the four (4) Amici Petitioners – Protection and Advocacy for People with Disabilities, Inc., the South Carolina Chapter of the National Academy of Elder Law Attorneys, South Carolina Legal Services, and South Carolina Appleseed Legal Justice Center – hereby reply to the Respondent's Return to Petitioner's Motion for Leave to File an Amici Brief as follows:

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SC Court of Appeals

(1) Petitioners' Motion Should be Granted Because Petitioners' Amici Brief is Desirable in this Case

Petitioners' Amici Brief directly addresses both the complex relevant legal issues and case law – the Americans With Disabilities Act (ADA), the Administrative Procedures Act (APA), *Olmstead v. L.C. ex rel. Zimring*, 527 U.S. 581 (1999) – as well as the practical consequences for many low-income and disabled South Carolinians on the legal issues squarely before the Court in this case. This Court's decision in this case will have broad legal and practical effects beyond those contemplated by the named parties directly involved in this case, and thus, the filing of this Petitioners' Amici Brief both assists this Court with a matter of urgent public concern and demonstrates an efficient use of these non-profit organizations' limited resources.

(2) Oral Argument Should Not be Delayed Based on the Circumstances Present in this Case

Considering all the circumstances, Petitioners see no reason the oral argument scheduled for March 12, 2014 before this Court should be delayed, and Petitioners fully support Respondent's request to be granted ample time after oral argument to submit a written response to Petitioners' Amici Brief.

THEREFORE, amici request that the Court grant it leave to file an Amici Curiae brief in support of the Appellant in the matter of *Stogstill v. South Carolina Department of Health and Human Services*.

This the 7th day of March, 2014

Respectfully submitted,

PROTECTION AND ADVOCACY FOR
PEOPLE WITH DISABILITIES, INC.

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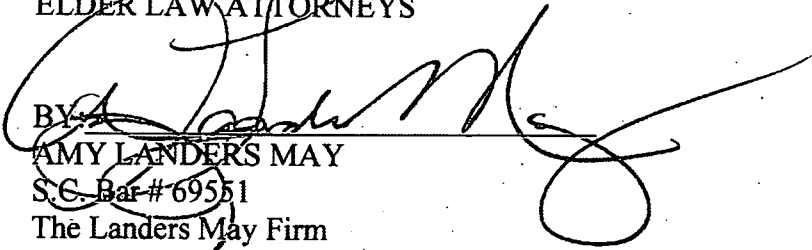
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March 6, 2014, South Carolina
March 7, 2014

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Carolyn C. Matthews, Administrative Law Judge

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Appellant

v.

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Respondent

CERTIFICATE OF SERVICE

I certify that I have served the Reply of Amici Petitioners to Respondent's Return to
Petitioners' Motion for Leave to File and Amici Brief in Support of Appellant as follows:

1. Emailing a copy to the following:
 - a. Richard Hepfer at hepfer@scdhhs.gov
 - b. Patricia Harrison at plh.cola@worldnet.att.net
2. Depositing a copy of these documents in the United States Mail, postage prepaid,
on the 7th day of March, 2014, addressed as follows:

Ms. Patricia L. Harrison
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Mr. Richard Hepfer
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Dated this 7th day of March, 2014.



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