

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Administrative Law Judge

Case No. 2014-000847

**RECEIVED**

JUL 17 2014

**SC Court of Appeals**

Preservation Society of Charleston,  
Historic Charleston Foundation, Historic  
Ansonborough Neighborhood Association,  
South Carolina Coastal Conservation  
League, Charlestowne Neighborhood  
Association, Charleston Chapter of the  
Surfrider Foundation. and Charleston  
Communities for Cruise Control, .....Appellants,

vs.

South Carolina Department of Health and  
Environmental Control and South Carolina  
State Ports Authority, .....Respondents.

**MOTION FOR EXTENSION OF TIME  
TO FILE RETURN TO RESPONDENT'S  
MOTION TO DISMISS**

TO: THE COURT AND COUNSEL FOR ALL PARTIES

PLEASE TAKE NOTICE that, pursuant to Rule 263, SCACR, Petitioner South Carolina Department of Health and Environmental Control ("DHEC" or the "Department") respectfully requests an extension of time until on or before July 31, 2014 to file Respondent SCDHEC's Return to Respondent State Ports Authority's Motion to Dismiss in this matter. The basis for this motion is as follows:

Respondent SCDHEC's counsel received a filed copy of the Motion on Monday, July 7, 2014. Respondent SCDHEC's counsel had a trial in an unrelated case before the South Carolina Administrative Law Court on July 8-9 that was preparing for trial on July 7, 2014.


Respondent SCDHEC's counsel is an Officer in the U.S. Army Reserves and was participating in a three day drill weekend July 11, 2014 thru July 13, 2014.

Respondent SCDHEC's counsel will be on annual leave July 21-27 and will be out of state on long standing vacation plans with his children.

WHEREFORE, Respondent SCDHEC respectfully moves this Court for an Order extending the time for filing the Respondent SCDHEC's Return to Respondent State Ports Authority's Motion to Dismiss until July 31, 2014. The Department respectfully requests that all other deadlines be held in abeyance pending the Court's approval of this extension.

Respectfully submitted,

SOUTH CAROLINA DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL CONTROL

By: 

Bradley D. Churdar, Chief Counsel  
South Carolina Department of Health  
and Environmental Control  
1362 McMillan Avenue, Suite 400  
Charleston, SC 29405  
(843) 953-0213  
(843) 953-0201 (fax)  
*Attorney for Respondent SCDHEC*

July 14, 2014  
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Respondents.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date she has served the Respondent's *Motion for Extension of Time to File Return to Respondent's Motion to Dismiss* in this matter upon the following, by placing copies of same in the United States Mail, first class postage prepaid, addressed to:

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

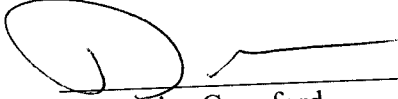
Randolph Lowell, Esquire  
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Amy Armstrong, Esquire  
Michael Corley, Esquire  
Jessie White, Esquire  
SC Environmental Law Project  
Post Office Box 1380  
Pawley's Island, SC 29585

J. Blanding Holman, Esquire  
Southern Environmental Law Center  
43 Broad Street, Suite 300  
Charleston, SC 29401



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M. Denise Crawford

July 14, 2014



Catherine B. Templeton, Director

*Promoting and protecting the health of the public and the environment*

July 14, 2014

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

Re: *Preservation Society of Charleston v. S. C. State Ports Authority & SCDHEC*;  
Appellate Case No. 2014-000847

Dear Ms. Kitchings:

Please find enclosed the original and seven (7) copies of the Department's Motion for Extension of Time to File Respondent SCDHEC's Return to Respondent State Ports Authority's Motion to Dismiss in the above referenced case. I would appreciate your returning a clocked copy in the enclosed envelope.

By copy of this letter, I am notifying all parties of this request.

Thank you for your attention in this matter.

Very truly yours,

Bradley D. Churdar  
Chief Counsel

Enclosure  
BDC/mdc

cc: Amy Armstrong, Esquire  
Michael Corley, Esquire  
Jessie White, Esquire  
Jefferson Leath, Esquire  
Randolph Lowell, Esquire  
Tracey C. Green, Esquire  
Chad N. Johnston, Esquire  
Blanding Holman, Esquire  
Phillip Lawrence, Esquire

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SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL  
Office of General Counsel **SC Court of Appeals**

Charleston Office • 1362 McMillan Avenue • Suite 400 • Charleston, SC 29405 • Phone: (843) 953-0200 • Fax: (843) 953-0201 • www.scdhec.gov



**OCRM**

1362 MCMillan Ave. Ste. 400  
Charleston, SC 29405

Return Service Requested

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

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