

STATE OF SOUTH CAROLINA

In The Court Of Appeals

12883

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Administrative Law Judge

Case No. 13-ALJ-07-0056-CC
Appellate Case No. 2014-000847

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,

v.

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

**MOTION FOR LEAVE TO FILE INITIAL BRIEF EXCEEDING PAGE LIMITATION
PURSUANT TO SCACR RULE 208(b)(5)**

TO: ALL PARTIES AND THE COURT OF APPEALS:

PLEASE TAKE NOTICE that the Appellants 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 (collectively the “Community Groups”) hereby move this Court, pursuant to South Carolina Appellate Court Rules

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SC Court of Appeals

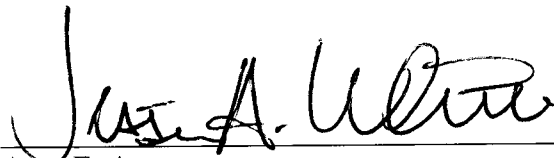
("SCACR") Rule 208(b)(5), for leave to file an initial brief in excess of the page length limitation provided therein. The basis for this motion is as follows:

There are multiple orders on appeal in this case, including the Order Granting Summary Judgment for Lack of Standing, the Amended Order Granting Sanctions, the Order Denying Petitioners' Motion to Expand Discovery and the Order Denying Petitioners' Motion to Vacate. There are also several substantial and complex issues arising from each order that warrant discussion in the Community Groups' initial brief. Accordingly, the page limitation set forth in SCACR Rule 208(b)(5) is restricting the Community Groups' ability to fully brief all of the issues on appeal in this case.

Pursuant to SCACR Rule 208(b)(5), initial briefs must not exceed fifty (50) pages unless the appeal involves a sentence of death. However, SCACR Rule 208(b)(5) also provides that: "On motion, the appellate court may grant a party permission to exceed those limitations."

WHEREFORE, the Community Groups move the Court of Appeals, pursuant to SCACR Rule 208(b)(5), for leave to file an initial brief in excess of fifty (50) pages in length, but no longer than seventy-five (75) pages in length.

Respectfully submitted,



Amy E. Armstrong
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Jessie A. White

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July 14, 2014

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. 13-ALC-07-056-CC
Appellate Case No. 2014-000847

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,

v.

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

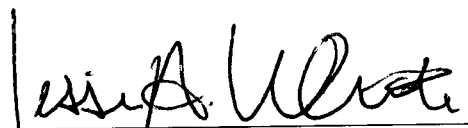
CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing Motion for Leave to File Initial Brief Exceeding Page Limitation Pursuant to SCACR Rule 208(b)(5) on Respondents SCSPA and SCDHEC by placing copies of same in the U.S. Mail addressed to:

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The South Carolina Environmental Law Project
Lawyers for the Wild Side of South Carolina

July 14, 2014

a 501c3
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Clerk, Court of Appeals
P.O. Box 11629
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Re: Preservation Society of Charleston, et al. v. S.C. State
Ports Authority & SCDHEC;
Appellate Case No. 2014-000847

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies of the Appellants' Motion for Leave to File Initial Brief Exceeding Page Limitation Pursuant to SCACR Rule 240(b)(5), along with my Certificate of Service and filing fee.

Please return a clocked-in copy in the self-addressed, stamped envelope provided.

Thank you very much for your kind cooperation and assistance.

Yours very truly,

Jessie A. White

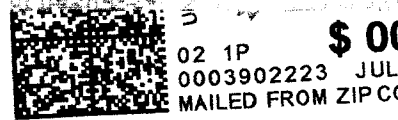
cc: Brad Churdar, Esquire
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