

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM THE ADMINISTRATIVE LAW COURT

John D. McLeod, Administrative Law Judge

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Case No. 09-ALC-07-0069-CC

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**RECEIVED**

NOV 12 2014

**S.C. SUPREME COURT**

Town of Arcadia Lakes, Robert L. Jackson, Linda Z. Jackson,  
Robert E. Williams, Jr., Barbara S. Williams, Elizabeth M. Walker,  
Louis E. Spradlin, Mary Helen Spradlin, Thomas Hutto Utsey,  
Tony Sinclair, Aaron Small, Bette Small, Gene F. Starr, M.D.,  
Elaine J. Starr, Sanford T. Marcus, Ruth L. Marcus, and Steven Brown, ..... Petitioners,

vs.

South Carolina Department of Health and Environmental Control  
and Roper Pond, LLC, ..... Respondents.

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**MOTION FOR EXTENSION OF TIME FOR  
FILING REPLY BRIEF AND RESPONSE TO  
MOTION TO SUPPLEMENT APPENDIX**

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TO: ALL PARTIES AND THE SUPREME COURT:

PLEASE TAKE NOTICE that the Petitioners hereby move the Supreme Court for an Order extending their time for filing their Reply Brief on Writ of Certiorari and their Response to DHEC's Motion to Supplement the Appendix. The Reply Brief and Response are currently due November 13, 2014, and the Petitioners request an extension of thirty (10) days, until November 25, 2014. The basis of this motion is as follows:

Counsel for Petitioners received the Department of Health and Environmental Control's Brief, which is 19 pages long, on November 5, 2014. Counsel also received DHEC's Motion to Supplement the Appendix on November 5, 2014. Counsel for Petitioners received Respondent

Roper Pond's Brief, which is 42 pages long, on November 6, 2014.

Counsel for Petitioners is conducting depositions on November 10 and 11, and is then traveling to New Orleans from November 11 – 15 for a conference. Due to actual receipt of the Respondents' briefs 7 and 8 days prior to the reply brief due date; due to depositions scheduled for November 10 and 11; and due to work-related travel, counsel does not have adequate time to study, research and write a reply brief that sufficiently addresses the 61 pages of briefing submitted by Respondents.

Counsel for the Petitioners has consulted with the attorneys for both Respondents. Both Respondent SCDHEC and Respondent Roper Pond, LLC, consent to this requested extension.

WHEREFORE, the Petitioners request that the Supreme Court enter an order extending the time for filing their Reply Brief and Response to DHEC's Motion to Supplement the Appendix until November 24, 2014.

Respectfully submitted,



Amy E. Armstrong  
SOUTH CAROLINA ENVIRONMENTAL LAW  
PROJECT

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Attorney for the Petitioners

Georgetown, South Carolina

November 7, 2014

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

APPEAL FROM THE ADMINISTRATIVE LAW COURT

John D. McLeod, Administrative Law Judge

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Case No. 09-ALC-07-0069-CC

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Elaine J. Starr, Sanford T. Marcus, Ruth L. Marcus, and Steven Brown, ..... Petitioners,

vs.

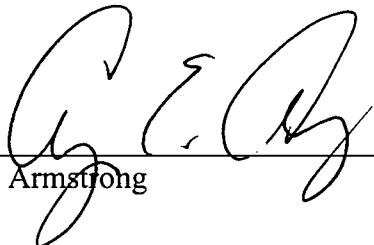
South Carolina Department of Health and Environmental Control  
and Roper Pond, LLC, ..... Respondents.

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I served copies of the Petitioners' Motion for Extension of Time for Filing Reply Brief and Response to Motion to Supplement Appendix upon counsel for the Respondents by placing same in the United States Mail, First Class Postage Prepaid, addressed to:

W. Thomas Lavender, Jr., Esquire  
Joan W. Hartley, Esquire  
Nexsen Pruet, LLC  
1230 Main Street, Suite 2426  
Columbia, SC 29202

Stephen Hightower, Esquire  
2600 Bull Street  
Columbia, SC 29201

  
\_\_\_\_\_  
Amy Armstrong

November 7, 2014



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

November 7, 2014

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NOV 12 2014

**S.C. SUPREME COURT**

a 501c3  
non-profit organization

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**Michael G. Corley**  
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Honorable Daniel E. Shearouse  
Clerk, South Carolina Supreme Court  
P. O. Box 11330  
1231 Gervais Street  
Columbia, SC 29211

RE: Town of Arcadia Lakes, et al. v. SCDHEC & Roper Pond;  
Appellate Case No. 2013-001521

Dear Mr. Shearouse:

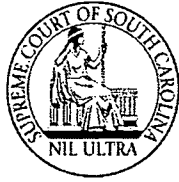
Enclosed for filing please find the original and seven (7) copies of the Petitioners' Motion for Extension for Filing Reply Brief and Response to Motion to Supplement Appendix, along with my certificate of service and filing fee.

Please return a clocked-in copy of the Motion in the enclosed postage-paid envelope. Thank you very much for your kind cooperation and assistance.

Very truly yours,

  
Amy Armstrong

cc: W. Thomas Lavender, Jr., Esquire  
Joan Hartley, Esquire  
Stephen Hightower, Esquire



# The Supreme Court of South Carolina

Amy Elizabeth Armstrong  
PO Box 1380  
Pawleys Island SC 29585

11/12/2014

## RECEIPT #74130

**Case No:** 2013-001521  
**Case Short Title:** Town of Arcadia Lakes V. SCDHEC  
**Event:**  
**Fee Type:** Motion Fee  
**Amount:** \$25.00  
**Payment Type:** Check  
**Reference No:** 7998  
**Check/Money Order Date:** 11/07/2014  
**Comments:**