

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

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Carolyn C. Matthews, Administrative Law Judge

NOV 20 2014

Case No. 13-ALJ-07-0494-CC

SC Court of Appeals

Appellate Case No. 2014-001939

74221

James Weatherholtz,

Appellant,

v.

South Carolina Department of
Health and Environmental
Control,

Respondent.

APPELLANT'S SECOND PETITION FOR EXTENSION OF TIME TO FILE
AND SERVE INITIAL BRIEF AND DESIGNATION OF MATTER

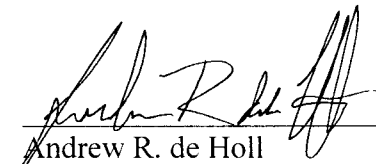
Appellant James Weatherholtz hereby requests an additional thirty-day extension of the time to file and serve his initial brief and designation of matter to be included in the record on appeal. Originally acting *pro se*, Appellant served on Respondent's counsel a first petition for extension of his filing deadlines on October 6, 2014. Four days later, Appellant served on Respondent's counsel a motion to substitute Andrew de Holl as Appellant's counsel of record. On October 15, 2014, the Court granted Appellant's extension request, setting November 12, 2014 as the new deadline for Appellant to file and serve his initial brief and designation of matter to be included in the record on appeal. On October 21, the Court granted Appellant's motion to substitute counsel.

The pendency of Appellant's motion to substitute counsel stayed the filing and service deadlines. *See* Rule 240(b), SCACR. Appellant's counsel has consulted with a member of the Clerk's staff, who advised him that Appellant's initial brief and designation of matter are due thirty days after the granting of the motion to substitute counsel—that is, November 21, 2014.

Appellant's counsel has been working diligently on the appeal since this Court substituted him as counsel of record. However, he needs additional time to adequately prepare the initial brief and to select matters for inclusion in the record on appeal. Therefore, Appellant requests that the Court grant him one additional extension of time to file and serve his initial brief and designation of matter to be included in the record on appeal. Appellant requests that the deadlines be extended to Friday, December 19, 2014.

This motion is not being made for the purposes of delay. Appellant's counsel has conferred with Respondent's counsel about this request. Respondent's counsel consents to the proposed extension.

Respectfully submitted this 19th day of November, 2014.



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November 18, 2014

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

Re: *James E. Weatherholtz v. South Carolina Department of Health and Environmental Control*
Case No. 2013-ALJ-07-0494-CC
Appellate Case No. 2014-001939

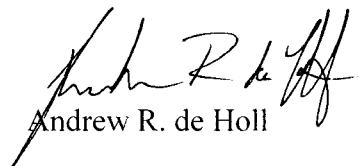
Dear Ms. Kitchings:

Please find enclosed for the Court's consideration the original and six copies of *Appellant's Second Petition for Extension of Time to File and Serve Initial Brief and Designation of Matter* for filing in the above-referenced appeal. I am also enclosing a check for \$25.00.

Thank you for your attention to this request. Please let me know if you have any questions or require anything further.

Very truly yours,

Womble Carlyle Sandridge & Rice, LLP


Andrew R. de Holl

ARD/dfb

Enclosures

cc w/encl: Bradley D. Churdar, Esq.

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SC Court of Appeals



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