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STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

**RECEIVED**

AUG 24 2015  
SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

John D. McLeod, Administrative Law Judge

Appellate Case No. 2015-000700

Rick Still, Donice Still, Christine Orr and Terry Orr, .....Appellants,

vs.

South Carolina Department of Health and Environmental Control  
and Lisa Sumerel and Sumerel Poultry Farm, .....Respondents.

Respondent South Carolina Department of  
Health and Environmental Control's  
***Motion for Extension to File Initial Brief of  
Respondent and Designation of Matter to be  
Included in the Record on Appeal and Motion  
to file out-of-time***

Respondent, Lisa Sumerel and Sumerel Poultry Farm respectfully requests an extension that shall run concurrent with the extension previously granted to Co-Respondent Department of Health and Environmental Control in which the court allowed an extension to file the *Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal* on or before August 21, 2015 or in the alternative permission from the Court to file the same out-of-time. The Co-Respondents intend to file a joint Initial Brief and Designation of Matter, but failed to file a joint motion for extension of time. The Co-Respondents will file the Joint Initial Brief and Designation of Matter to be Included in the Record on Appeal on or before August 21, 2015.

Counsel has telephoned opposing counsel, Joshua Smith, and Stephen Hightower, counsel for Co-Respondents, and both do not oppose this request.

Therefore, counsel for Respondent Lisa Sumerel and Sumerel Poultry Farm out of abundance of caution, would respectfully request an extension that runs concurrent with that extension previously afforded to Co-Respondent Department of Health and Environmental Control, until August 21, 2015, in which to serve and file the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal or in the alternative permission to file the same out-of-time.

Respectfully Submitted,



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THOMAS E. HITE, III

SCBAR: 73750

HITE & STONE

Attorneys at Law

P.O. Box 805

Abbeville, S.C. 29620

Ph: (864) 366-5400

[T3@HITEANDSTONE.COM](mailto:T3@HITEANDSTONE.COM)

*Attorney for Respondent Sumerel*

AUGUST 18<sup>th</sup>, 2015  
ABBEVILLE, SOUTH CAROLINA

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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vs.

South Carolina Department of Health and Environmental Control  
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*Certificate of Service*

I, Thomas E. Hite, III, Attorney at Law, hereby certify that I have on this **18th day of August, 2015**, served a copy of *Respondent Sumerel and Sumerel Poultry Farm's Motion for Extension to File Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal and Motion to File out-of-time* upon all parties and counsel of record in the above-captioned case, via United States Mail, First Class, postage prepaid, addressed as follows:

Joseph O. Smith, Esquire  
Roe Cassidy Coates & Price PA  
Post Office Box 10529  
Greenville, South Carolina 29603

Stephen Hightower  
DHEC – Office of General Counsel  
2600 Bull St.  
Columbia, SC 29201

  
Thomas E. Hite III

August 18, 2015  
Abbeville, South Carolina



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SC Court of Appeals

Thomas E. Hite, Jr.\* | Heather Hite Stone | Thomas E. Hite, III | Anne Marie Hempy

August 18, 2015

The South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

Joseph O. Smith, Esq.  
PO BOX 10529  
Greenville, SC 29603

Stephen Hightower  
DHEC - Office of General Counsel  
2600 Bull St.  
Columbia, SC 29201

RE: Still v. DHEC et al.  
Appellate Case No. 2015-000700

To Whom It May Concern:

Enclosed please find the Respondents Lisa Sumerel and Sumerel Poultry Farm's Motion for Extension of Time to file Initial Brief and Designation of Matter, along with a Certificate of Service.

Should you have any questions, please feel free to contact me. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be "T. Hite, III".

Thomas E. Hite, III  
Attorney at Law

Enclosures

[www.hiteandstone.com](http://www.hiteandstone.com)

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