

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Carolyn C. Matthews, Administrative Law Judge

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

Appellate Case No. 2014-001939

RECEIVED  
SEP 08 2015  
SC Court of Appeals

James Weatherholtz,

Appellant,

v.

South Carolina Department of  
Health and Environmental  
Control,

Respondent.

APPELLANT'S MOTION TO SUBSTITUTE COUNSEL

Appellant James Weatherholtz and his attorney, Andrew de Holl, respectfully ask that this Court allow Mr. de Holl to withdraw from this appeal. They make this request because Mr. de Holl will be unable to represent Weatherholtz. Mr. de Holl has accepted an offer from Senior United States District Court Judge Patrick Michael Duffy to serve as his term law clerk. The clerkship will begin September 8, 2015. During the clerkship, Mr. de Holl cannot appear in this Court and cannot litigate against a state agency. *See* Code of Conduct for Judicial Employees, Canon 4.D(3)(b)-(c) (2013). Accordingly, he must withdraw his appearance in this appeal. Weatherholtz and counsel for DHEC consent to Mr. de Holl's withdrawal.

Weatherholtz is an attorney licensed to practice law in South Carolina. In lieu of

retaining substitute counsel, Weatherholtz asks that he be allowed to appear *pro se*. Counsel for DHEC consents to this proposal.

Weatherholtz and Mr. de Holl certify that this motion is not being made for the purposes of delay.

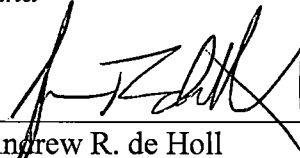
Respectfully submitted this 2<sup>nd</sup> day of September, 2015.



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James E. Weatherholtz  
Womble Carlyle Sandridge & Rice, LLP  
P.O. Box 999  
Charleston, South Carolina 29402  
843-720-4628

-and-



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Andrew R. de Holl  
Womble Carlyle Sandridge & Rice, LLP  
Post Office Box 999  
Charleston, South Carolina 29402  
843-720-4634

Attorneys for Appellant

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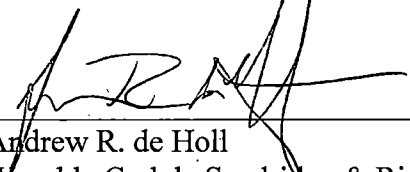
South Carolina Department of  
Health and Environmental  
Control,

Respondent.

CERTIFICATE OF SERVICE

I certify that on September 2, 2015, I served copies of Appellant's Motion to Substitute Counsel on counsel for the respondent, Bradley Churdar, by placing the copies in the United States Mail, postage prepaid and addressed to Mr. Churdar at the following location:

South Carolina Department of Health & Environmental Control  
1362 McMillan Avenue  
Suite 400  
North Charleston, SC 29405

  
Andrew R. de Holl  
Womble Carlyle Sandridge & Rice, LLP  
P.O. Box 999  
Charleston, South Carolina 29402  
843-720-4634

Attorney for Appellant

WOMBLE  
CARLYLE  
SANDRIDGE  
& RICE  
A LIMITED LIABILITY  
PARTNERSHIP



5 Exchange Street  
Charleston, SC 29401

Mailing Address:  
Post Office Box 999  
Charleston, SC 29402  
Telephone: (843) 722-3400  
Fax: (843) 723-7398  
www.wcsr.com

Andrew R. de Holl  
Attorney at Law  
843-720-4634  
adeholl@wcsr.com

September <sup>2</sup> 1, 2015

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SC Court of Appeals

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**  
Appellate Case No. 2014-001939

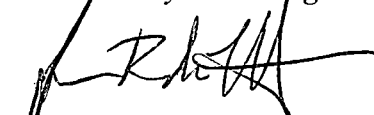
Dear Ms. Kitchings:

I am enclosing a motion to substitute counsel for the appellant in this appeal. As you will see in the motion, I must withdraw from the appeal because I have accepted a clerkship in the chambers of Senior United States District Judge Patrick Michael Duffy. I have enclosed a \$25.00 check to cover the filing fee for the motion.

Thank you for your assistance on this issue. Please let me know if you have any questions or require anything further. If you need to contact me after September 4, please call me at 843-579-1460.

Very truly yours,

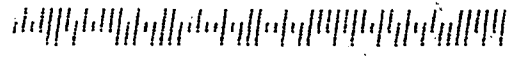
Womble Carlyle Sandridge & Rice, LLP



Andrew R. de Holl

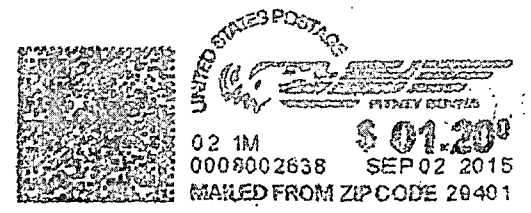
ARd

cc: Bradley D. Churdar, Esq.



After Five Days Return To  
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Post Office Box 999  
Charleston, SC 29402



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



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