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S.C. Supreme Court

STATE OF SOUTH CAROLINA
IN THE
SUPREME COURT

Appeal from the Administrative Law Court
Honorable Ralph King Anderson, III, Administrative Law Judge
Case No. 04-ALC-07-0126-CC

South Carolina Court of Appeals
2015 WL 4746971, filed 12 August 2015

Sierra Club,

Respondent,

v.

South Carolina Department of Health and
Environmental Control and Chem-Nuclear
Systems, LLC,

Defendants,

Of whom Chem-Nuclear Systems, LLC, is the

Petitioner.

**MOTION FOR EXTENSION OF TIME TO FILE REPLY TO RETURN TO
PETITION FOR WRIT OF CERTIORARI**

Stephen P. Groves, Sr., Esquire
Mary D. Shahid, Esquire
Sara S. Rogers, Esquire
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
Telephone: 843.720.1725
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*Attorneys for the Petitioner,
Chem-Nuclear Systems, LLC*

TO: THE HONORABLE JUSTICES OF THE SOUTH CAROLINA SUPREME COURT:

COMES NOW the Petitioner, Chem-Nuclear Systems, LLC (“Chem-Nuclear”), pursuant to Rules 240 and 242(g), SCACR, and respectfully requests this Supreme Court to grant it a ten-day (10) extension of time in which to file the Reply to the Sierra Club’s Return to Petition for Writ of Certiorari herein.

The basis for this motion is that the appellate counsel for Chem-Nuclear is presently involved in several other appellate and trial matters and needs the additional time in which to complete the Reply and enable client review and comment. In addition, the spouse of one of Chem-Nuclear’s appellate counsel has recently been diagnosed with a serious medical issue which has required his outside-of-the-office attention.

Based upon the current briefing schedule Chem-Nuclear’s Reply is currently due on or before Monday, 2 November 2015. Consequently, anticipating a favorable reception and subsequent grant of this motion, Chem-Nuclear’s Reply would then be due on Thursday, 12 November 2015.

Finally, Chem-Nuclear also respectfully requests this Supreme Court to hold the briefing time in abeyance until such time as this motion may be considered and ruled upon.

Respectfully submitted:

NEXSEN PRUET, LLC

By: 

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*Attorneys for the Petitioner,
Chem-Nuclear Systems, LLC*

Charleston, South Carolina

2 November 2015

NPCOL1:4546424.1-MO-(SPG) 049893-00002

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SC SUPREME COURT

**STATE OF SOUTH CAROLINA
IN THE
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Appeal from the Administrative Law Court
Honorable Ralph King Anderson, III, Administrative Law Judge
Case No. 04-ALC-07-0126-CC

South Carolina Court of Appeals
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Respondent,

v.

South Carolina Department of Health and
Environmental Control and Chem-Nuclear
Systems, LLC,

Defendants,

Of whom Chem-Nuclear Systems, LLC, is the

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**PROOF OF SERVICE FOR
MOTION FOR EXTENSION OF TIME TO FILE REPLY
TO RETURN TO PETITON FOR WRIT OF CERTIORARI**

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*Attorneys for the Petitioner,
Chem-Nuclear Systems, LLC*

I, Stephen P. Groves, Esquire, hereby certify that on 2 November 2015, I served a copy of the **Motion for Extension of Time in Which to File Reply to Return to Petition for Writ of Certiorari** submitted on behalf of the Respondents, Chem-Nuclear Systems, LLC, and the South Carolina Department of Health and Environmental Control, on all counsel of record herein via United States Mail, postage pre-paid, and addressed as follows:

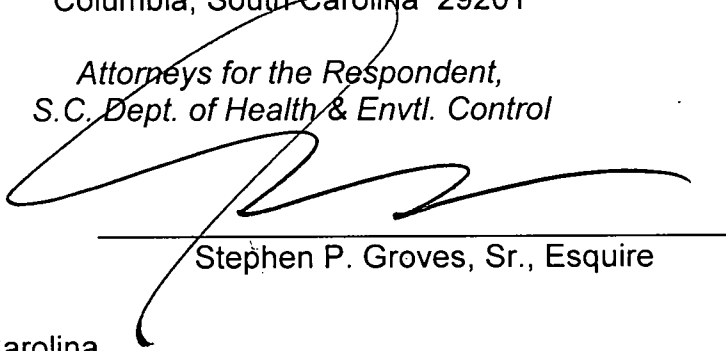
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Michael G. Corley, Esquire
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Post Office Box 1380
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Robert Guild, Esquire
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Columbia, South Carolina 29201

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Sierra Club*

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*Attorneys for the Respondent,
S.C. Dept. of Health & Env'tl. Control*



Stephen P. Groves, Sr., Esquire

Charleston, South Carolina

2 November 2015

NPCOLI:4546424.1-MO-(SPG) 049893-00002

#7788

NEXSEN | PRUET

Stephen P. Groves, Sr.
Member
Admitted in South Carolina

2 November 2015

The Honorable Daniel E. Shearouse
Clerk of Court
South Carolina Supreme Court
1231 Gervais Street
Columbia, South Carolina 29201

Re: Sierra Club v. South Carolina Department of Health and Environmental Control and Chem-Nuclear Systems, LLC.

Appeal from the South Carolina Administrative Law Court
Certiorari from the Court of Appeals
Case Action No.: 04-ALJ-07-0126-CC
COA Case Tracking No.: 2012-212791
NP File No.: 049893-00002

Charleston
Charlotte
Columbia
Greensboro
Greenville
Hilton Head
Myrtle Beach

Dear Mr. Shearouse:

Enclosed please the original and seven copies of a Motion for Extension of Time in Which to File the Petitioner's Reply to the Return to Petition for Writ of Certiorari in the above-referenced appellate matter. I also enclose the original and one copy of a Proof of Service indicating service of a copy of the Motion for Extension of Time in Which to File the Petitioner's Reply to the Return to Petition for Writ of Certiorari upon all other counsel of record. Finally, I also enclose our firm check in the amount of \$25.00 each to cover the applicable motion filing fee.

I would appreciate your filing this Motion for Extension of Time in Which to File the Petitioner's Reply to the Return to Petition for Writ of Certiorari, as well as the Proof of Service, with the Supreme Court and returning one stamped copy of each to my attention in the enclosed self-addressed stamped envelope.

If you need anything else or I otherwise may be of any assistance to you or to the Supreme Court regarding this matter or any other matter, please feel free to contact me at your convenience. My direct telephone number is 843.720.1725, direct telecopier is 843.414.8206, and the e-mail is sgroves@nexsenpruet.com.

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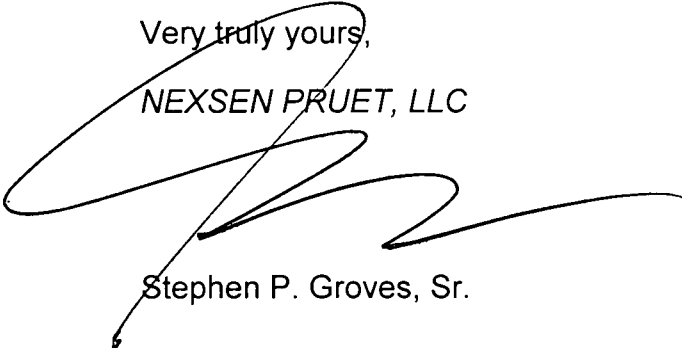
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Attorneys and Counselors at Law

Hon. Daniel E. Shearouse
Clerk of Court
2 November 2015
Page 2

With kindest regards, I remain

Very truly yours,

NEXSEN PRUET, LLC



Stephen P. Groves, Sr.

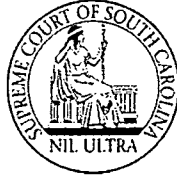
SPGsr:spg
Enclosures
CCE

Amy E. Armstrong, Esquire/Michael G. Corley, Esquire
Robert Guild, Esquire
Jacquelyn S. Dickman, Esquire/Claire H. Prince, Esquire

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SS SUPREME COURT



The Supreme Court of South Carolina

Nexsen Pruet, LLC

11/04/2015

RECEIPT #77788

Case No: 2015-001915
Case Short Title: Sierra Club v. Chem-Nuclear
Event: Motion - Extension of Time (1st)
Fee Type: Motion Fee
Amount: \$25.00
Payment Type: Check
Reference No: 457913
Check/Money Order Date: 11/02/2015
Comments: