

THE STATE OF SOUTH CAROLINA

In the Supreme Court

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APPEAL FROM THE COURT OF COMMON PLEAS

R. Markley Dennis, Jr., Circuit Court Judge

APR 28 2016

Appellate Case No. 2016-000428

S.C. SUPREME COURT

James Jefferson Jowers, Sr., Andrew J. Anastos, Ben Williamson, Melanie Ruhlman and Anthony Ruhlman,

Appellants,

vs.

South Carolina Department of Health and Environmental Control,

Respondent.

MOTION FOR EXTENSION OF TIME

TO: ALL PARTIES AND THE SUPREME COURT:

PLEASE TAKE NOTICE that the Appellants hereby move the Court for an Order extending the time for filing their Initial Brief and Designation of Matter. The Brief and Designation are currently due April 27, 2016, and the Petitioners request an extension of thirty (30) days, until May 27, 2016. The basis of this motion is as follows:

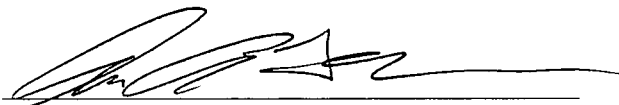
As a small nonprofit law firm with three attorneys, counsel for the Appellants has not been able to commit sufficient resources to completing the initial brief and designation of matter for this case. Counsel recently completed an intensive trial for another case in the Administrative Law Court. Trial lasted five days and was spread out over several weeks due to one witness's health condition. Over twenty witnesses testified in depositions and at trial, which concluded on March

15, 2016. Transcripts were produced to the parties shortly thereafter, and counsel has had to spend significant time working to complete a proposed order.

In addition, counsel has had other briefing and filing deadlines in both this Court and the Court of Appeals which have further prevented counsel from being able to devote the time necessary to thoroughly and adequately brief this case. The order on appeal includes multiple issues from the constitutionality of a state statute to venue to constitutional standing and will require significant time to complete.

Counsel for Appellants has consulted with counsel for Respondent DHEC who consents to this motion.

WHEREFORE, the Appellants respectfully request that the Court enter an order extending the time for filing their Initial Brief and Designation of the Record until May 27, 2016. Appellants further request that this Court hold deadlines in abeyance while considering this motion.



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April 26, 2016

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM THE COURT OF COMMON PLEAS,
BARNWELL COUNTY

RECEIVED

APR 28 2016

The Honorable R. Markley Dennis, Jr., Judge

S.C. SUPREME COURT

Appellate Case No. 2016-000428

James Jefferson Jowers, Sr., Andrew J. Anastos, Ben Williamson, Melanie Ruhlman and
Anthony Ruhlman Appellants,

vs.

South Carolina Department of Health and Environmental Control, Respondent.

CERTIFICATE OF SERVICE

I hereby certify that on this date I served copies of the Appellants' Motion for Extension of Time upon counsel for the Respondent by placing same in the United States Mail, First Class Postage Prepaid, addressed to:

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Deputy Solicitor General
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April 26, 2016