

The South Carolina Court of Appeals

Rodney Connell, Barbara Connell, Edward Steers, Sally Steers, Moustafa Moustafa, and Maggie Shatilla,
Appellants,

v.

South Carolina Department of Health and Environmental Control and Charleston Water System, Respondents.

Appellate Case No. 2012-212833

ORDER

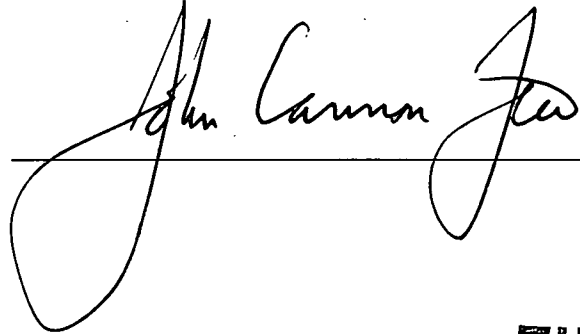
Appellants have appealed an order from the administrative law court (ALC) affirming the issuance of the Department of Health and Environmental Control's ("DHEC") permit for Respondents to install a pipeline within critical area marsh. Appellants have also filed a petition for supersedeas, pursuant to Rule 241(c) of the South Carolina Appellate Court Rules, asking this court to stay Respondents' construction of the pipeline. Respondents filed a return and Appellants filed a reply.

After careful consideration of the parties' filings, we find an order of supersedeas is not necessary to preserve jurisdiction of the appeal or to prevent a contested issue from becoming moot. *See* Rule 225(c)(2), SCACR. In making this finding, we specifically rely on Respondent Charleston Water System's representation that "DHEC would have the ability to revoke [Respondents'] permit and require removal of the Force Main" and "[r]emoval of the Force Main, should a reviewing Court require it, is possible from an engineering standpoint as well as financial one." Accordingly, the petition is denied.

We deny Appellants' motion for an expedited briefing schedule at this time. This court's file contains no indication Appellants ordered a transcript from the ALC, and, thus, Appellants' initial brief and Designation of Matter to be Included in the

Record on Appeal was due on September 27, 2012. Because it appears to the court that Appellants have not complied with the briefing schedule set forth in the South Carolina Appellate Court Rules, we decline to accelerate the briefing schedule.

IT IS SO ORDERED.


_____ C.J.

Columbia, South Carolina

cc:
Michael Gary Corley
Amy Elizabeth Armstrong
Leslie S. Riley
Lucas C. Padgett, Jr.
Robert Cody Lenhardt, Jr.
Bradley David Churdar

FILED
sa 10/17/12