

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
Ralph King Anderson, III, Administrative Law Judge

Appellant Case No. 2016-001758

RECEIVED
SEP 27 2016
SC Court of Appeals

South Carolina Coastal Conservation League and South Carolina
Wildlife Federation Appellants,

vs.

South Carolina Department of Health and Environmental Control and
Horry County Public Works Respondents.

**MOTION FOR EXTENSION OF TIME
FOR FILING INITIAL BRIEF AND DESIGNATION
OF APPELLANTS**

TO: ALL PARTIES AND THE COURT OF APPEALS:

PLEASE TAKE NOTICE that the Appellants hereby move the Court of Appeals for an Order extending the time for filing its Initial Brief and Designation of Matter. The Initial Brief and Designation are due on September 22, 2016, and the Appellants seek an extension of thirty (30) days, until October 24, 2016. The basis of this motion is as follows:

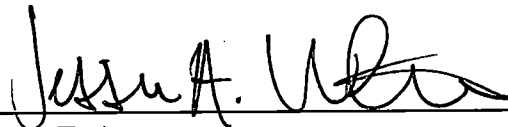
Counsel for the Appellants has not been able to commit the time necessary to adequately prepare this brief and designation. The notice of appeal in this case was filed the day after Appellants became aware that construction activity on the proposed road project at issue had begun. Since then, counsel for Appellants has been focused on trying to preserve this Court's jurisdiction to hear this case. On August 23, 2016, Counsel filed a motion for stay in the

Administrative Law Court. Counsel also brought a federal challenge to this project on September 1, 2016 and filed a motion for a preliminary injunction on September 14, 2016. Counsel further anticipates having to file a petition for supersedeas with this Court in short order. Before committing the significant amount of time and resources necessary to complete the brief in this matter counsel has had to prioritize seeking a stay and/or an injunction in order to ensure this Court will have something to decide when briefs are actually submitted. Additionally, counsel's office is a small firm and simultaneously engaged in trial preparation for another major case preventing other counsel from having sufficient time to dedicate to this matter.

Counsel for the Appellants has consulted with counsel for the Respondent SCDHEC and Respondent Horry County, both of whom consent to this requested extension.

WHEREFORE, the Appellants request that the Court of Appeals enter an order extending the time for filing its Initial Brief and Designation until October 24, 2016.

Respectfully submitted,



Amy E. Armstrong
Jessie A. White
Amelia Thompson
SOUTH CAROLINA ENVIRONMENTAL LAW
PROJECT

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Georgetown, SC 29440

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Counsel for Appellants

Georgetown, South Carolina
September 22, 2016

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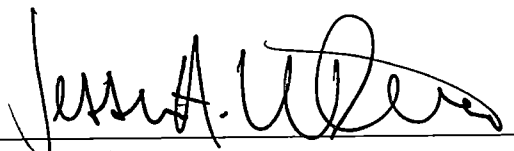
CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing Notice of Appeal on Respondents
SCDHEC and Horry County Public Works and the Administrative Law Court by placing copies
of same in the U.S. Mail addressed to:

Stan Barnett, Esquire
Smith, Bundy, Bybee & Barnett, P.C.
1037 Chuck Dawley Boulevard, Suite 100-F
Mount Pleasant, SC 29465

Nathan M. Haber, Esquire
SCDHEC/OCRM
1362 McMillan Avenue, Suite 400
Charleston, SC 29405

Michael S. Traynham, Esquire
SCDHEC
2600 Bull Street
Columbia, SC 29201



Jessie A. White

Georgetown, South Carolina
September 22, 2016



The South Carolina Environmental Law Project
Lawyers for the Wild Side of South Carolina

September 22, 2016

a 501c3
non-profit organization

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Honorable Jenny Abbott Kitchings
Clerk, Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: SCCCL & SCWF v. SCDHEC & Horry County
Appellate Case No. 2016-001758

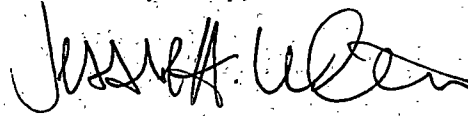
Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies of the Appellants' Motion for Extension of Time to File Initial Brief and Designation, along with my Certificate of Service and filing fee.

Please return a clocked-in copy in the self-addressed, stamped envelope provided.

Thank you very much for your kind cooperation and assistance.

Yours very truly,



Jessie A. White

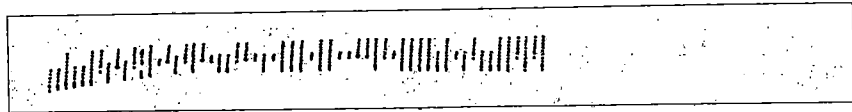
cc: Stan Barnett, Esq.
Nathan M. Haber, Esq.
Michael Traynam, Esq.

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P.O. Box 1380
Pawleys Island, SC 29585



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Honorable Jenny Abbott Kitchings
Clerk of Court, SC Court of Appeals
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