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STATE OF SOUTH CAROLINA
In the Court of Appeals

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FEB 13 2017

SC Court of Appeals

Appeal from Richland County
Circuit Court

The Honorable Robert E. Hood, Circuit Judge

Appellate Case No. 2017-000052

Marion E. Crocker, Jr.,..... Appellant,

v.

South Carolina Department of Health and Environmental Control,.....Respondent.

**APPELLANT'S MOTION FOR EXTENSION OF TIME
IN WHICH TO ORDER TRANSCRIPT OF RECORD**

Appellant Marion E. Crocker, Jr. hereby moves, pursuant to Rule 263(b), for an extension of time to order the transcript of record herein. The grounds for this motion are as follows:

1. Appellant requested the transcript of the only hearing held below on January 21, 2017, by letter to Elizabeth B. Harris. A copy of said letter is attached hereto as Exhibit A.
2. Although Appellant copied the letter to Respondent's counsel and to the Office of Court Administration, the letter was inadvertently not filed with this Court.
3. The transcript is being prepared, and no delay in this proceeding will be

caused by the inadvertent omission.

For the reasons set forth above, Appellant respectfully asks that this Court extend the time in which to request the transcript so as to accept the January 21, 2017 request and the filing of Exhibit A hereto as timely.

Respectfully submitted,



Adam T. Silvernail (SC Bar #80219)
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Counsel for Appellant

Other counsel of record:

Eugene H. Matthews, Esquire
Richardson Plowden & Robinson, P.A.
Post Office Drawer 7788
Columbia, South Carolina 29202

EXHIBIT A

Law Office of
ADAM T. SILVERNAIL
LLC

January 21, 2016

By U.S. Mail:
Elizabeth B. Harris
414 Autumn Circle
Columbia, SC 29206

Re: *Crocker vs. DHEC*
Case No. 2016-CP-40-1951

Dear Ms. Harris:

I, along with Gerald Smith, Esquire, represent Appellant Marion Crocker in the above-referenced appeal, which was heard by Judge Hood in Richland County on October 26, 2016. I write to request an electronic copy of the transcript of the proceedings on that date.

I agree to pay the costs of the transcript, and I will forward a check to you upon notice of the amount due. Please note my contact information (shown on this letterhead), which recently changed. By copy of this letter, I am notifying opposing counsel, as well as Court Administration, of my request in connection with the pending appeal referenced above.

Please do not hesitate to contact me if you have questions regarding this matter.

Sincerely,



Adam T. Silvernail

cc: Eugene H. Matthews, Esquire
Richardson Plowden & Robinson, P.A.
Post Office Drawer 7788
Columbia, South Carolina 29202
Counsel for Respondent

The Honorable Roslyn W. Frierson
1220 Senate Street, Suite 200
Columbia, South Carolina 29201

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PROOF OF SERVICE

The undersigned counsel for Appellant hereby certifies that he has served the Motion for Extension of Time in this matter on counsel for Respondent on February 13, 2017, by depositing a copy of same in the United States mail, first-class postage prepaid, addressed as follows:

Eugene H. Matthews, Esquire
Richardson Plowden & Robinson, P.A.
Post Office Drawer 7788
Columbia, South Carolina 29202



Adam T. Silvernail

Law Office of
ADAM T. SILVERNAIL
LLC

February 13, 2017

By Hand-delivery:
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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Re: *Crocker vs. SCDHEC*
Appellate Case No. 2017-000052

Dear Ms. Kitchings:

In connection with the above-referenced appeal, I enclose the original and seven (7) copies of the Appellant's Motion for Extension of Time in which to Order Transcript of Record, along with the original and one copy of the Proof of Service.

Also enclosed is a check for \$25.00 to cover the filing fee.

I would appreciate your filing the originals and returning the file-stamped copy to me. By copy of this letter, I am serving these documents on Respondent's counsel of record.

Kind thanks for your assistance with this matter.

Sincerely,



Adam T. Silvernail

Enclosures

Cc: Eugene H. Matthews, Esquire
Richardson Plowden & Robinson, P.A.
Post Office Drawer 7788
Columbia, South Carolina 29202

Gerald F. Smith, Esquire
1229 Lincoln Street
Columbia, South Carolina 29201

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