

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

John D. McLeod, Administrative Law Judge

Appellate Case No. 2017-000161

Case No. 2015-ALJ-07-0579-CC

RECEIVED
JUL 07 2017
SC Court of Appeals

Sunset Cay, LLC, Appellant,

v.

South Carolina Department of Health and Environmental Control Respondent.

**MOTION FOR 2ND EXTENSION OF TIME
TO FILE RESPONDENT'S INITIAL BRIEF AND
DESIGNATION OF MATTER**

TO: THE COURT AND COUNSEL FOR ALL PARTIES

PLEASE TAKE NOTICE that, pursuant to Rule 263, SCACR, Appellant South Carolina Department of Health and Environmental Control ("SCDHEC" or the "Department") respectfully requests a thirty (30) day extension of time to file Respondent's Initial Brief and Designation of Matter in this matter, making the Department's deadline for filing its Brief and Designation of Matter August 7, 2017. The basis for this motion is as follows:

This extension is requested due to Respondent's counsel's work load. Counsel just returned from a long scheduled vacation with his children and has a Final Brief and Final Reply

✓

Brief due to the Supreme Court on July 10, 2017. As such, Counsel has not had adequate time to prepare the Respondent's Initial Brief and Designation of Matter in this matter.

The counsel for Appellant has graciously consented to this extension request.

WHEREFORE, Respondent SCDHEC respectfully moves this Court for an Order extending the time for filing the Respondent's Initial Brief and Designation of Matter until August 7, 2017. The Department respectfully requests that all other deadlines be held in abeyance pending the Court's approval of this extension.

Respectfully submitted,

SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL

By:



Bradley D. Churdar, Chief Counsel
South Carolina Department of Health
and Environmental Control
1362 McMillan Avenue, Suite 400
Charleston, SC 29405
(843) 953-0213
(843) 953-0201 (fax)
Attorney for Respondent SCDHEC

June 29, 2017
Charleston, South Carolina

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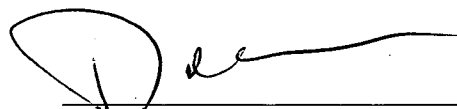
South Carolina Department of Health and Environmental Control Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date he has served the Respondent, South Carolina Department of Health and Environmental Control's *Motion for 2nd Extension of Time to File Respondent's Initial Brief and Designation of Matter* in this matter upon the following, by placing copies of same in the United States Mail, first class postage prepaid, addressed to:

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Thomas R. Goldstein, Esquire
Belk, Cobb, Infinger and Goldstein
Post Office Box 71121
Charleston, SC 29415-1121



Bradley D. Churdar

June 29, 2017



June 29, 2017

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Sunset Cay, LLC v. SCDHEC
Case Tracking No. 2017-000161

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SC Court of Appeals

Dear Ms. Kitchings:

Please find enclosed the original and seven (7) copies of the Department's Motion for a 2nd Extension of Time to File Respondent's Initial Brief and Designation of Matter in the above referenced case. I would appreciate your returning a clocked copy in the enclosed envelope.

Tommy Goldstein, attorney for the Appellant has graciously consented to this request. By copy of this letter, I am notifying all parties of this request.

Please address all correspondence in this matter to my attention at 1362 McMillan Avenue, Suite 400, Charleston, South Carolina 29405.

Thank you for your attention in this matter.

Very truly yours,

Bradley D. Churdar
Chief Counsel

BDC/mdc

cc: Tommy Goldstein, Esquire



Ocean & Coastal Resource Management
1362 McMillan Ave., Ste.400
Charleston, SC 29405

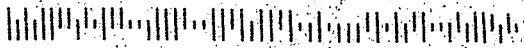
Return Service Requested

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Columbia, SC 29211



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