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AUG 30 2017

THE STATE OF SOUTH CAROLINA

In the Supreme Court

S.C. SUPREME COURT

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APPEAL FROM THE COURT OF COMMON PLEAS  
R. Markley Dennis, Jr., Circuit Court Judge

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Appellate Case No. 2016-000428

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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.

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**MOTION FOR EXTENSION OF TIME**

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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 Reply to Respondent's Return on the Petition for Rehearing. The Reply is currently due August 29, 2017, and the Petitioners request an extension of five (5) days, until September 5, 2017. The basis of this motion is as follows:

As a small nonprofit law firm with only four attorneys, and due to the five (5) day window for filing replies, counsel for the Appellants has not been able to commit the time necessary to adequately complete the Reply for this case. Specifically, counsel has been in a complex trial before the Administrative Law Court that began on August 21, 2017, and is not anticipated to conclude until August 29, 2017.

In addition, counsel has had other briefing and filing deadlines in federal court which have further prevented counsel from being able to devote the time necessary to thoroughly and adequately prepare a Reply. The Respondent's Return raised multiple issues, some of which were not adequately anticipated in the Appellants' Petition for Reconsideration, and which will require additional analysis to clarify.

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 September 5, 2017. Appellants further request that this Court hold deadlines in abeyance while considering this motion.



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Georgetown, South Carolina

August 28, 2017

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**S.C. SUPREME COURT**

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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APPEAL FROM THE COURT OF COMMON PLEAS,  
BARNWELL COUNTY

The Honorable R. Markley Dennis, Jr., Judge

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Appellate Case No. 2016-000428

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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.

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**CERTIFICATE OF SERVICE**

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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:

J. Emory Smith, Jr.  
Deputy Solicitor General  
Office of the Attorney General  
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Lisa Reynolds  
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Amelia A. Thompson

August 28, 2017

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**S.C. SUPREME COURT**