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THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Appellate Case No. 2017-000066

RECEIVED

OCT 16 2017

SC Court of Appeals
Appellant,

Pickens County,

vs.

South Carolina Department of Health and Environmental and
MRR Pickens, LLC,

Respondents.

**APPELLANT'S MOTION FOR EXTENSION OF
TIME FOR FILING INITIAL REPLY BRIEF**

TO: THE COURT OF APPEALS AND ALL PARTIES AND THEIR ATTORNEYS

YOU WILL PLEASE TAKE NOTICE that the Appellant Pickens County hereby moves the Court for an Order extending the time for filing its Initial Reply Brief. The brief is currently due on October 16, and the Appellant seeks an extension of twenty (20) days, until November 6, 2017. The basis of this motion is as follows:

Within the ten day window for filing a reply brief, counsel for the Appellant has had significant time-sensitive obligations, including multiple filings in a complex dispute before the Supreme Court and in another appeal before this Court. These and other briefing and filing deadlines have prevented counsel from being able to devote the time necessary to thoroughly and adequately prepare a reply brief. Further, the Respondents filed separate initial briefs, each of

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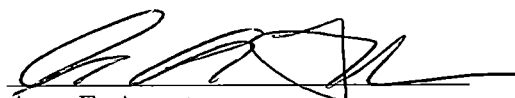
which raised multiple independent issues, which will require more analysis than is typical in a reply brief.

Finally, Appellant is requesting a twenty day extension, rather than a typical ten day extension, because counsel has a firm briefing deadline in this Court on October 23, and that major undertaking would make a shorter extension ineffectual. Appellant notes that the Respondents received multiple extensions to their initial briefing deadline.

This is the first request for an extension. Counsel for Respondent DHEC has consented to this motion. Counsel for Respondent MRR has not responded on the issue of consent as of the filing of this motion.

WHEREFORE, the Appellant Pickens County requests that this Court issue an order extending the time to file their Initial Reply Brief until November 6, 2017. The Appellant further requests that the briefing deadline be held in abeyance pending a decision on this motion.

Respectfully submitted,



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Attorneys for the Appellant

October 12, 2017
Georgetown, South Carolina

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CERTIFICATE OF SERVICE

I hereby certify that on this date I served the foregoing Motion for Extension of Time on Respondents SCDHEC and MRR Pickens, LLC, by placing copies of same in the U.S. Mail addressed to:

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October 12, 2017

Georgetown, SC

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The Honorable Jenny Abbott Kitchings
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P.O. Box 11629
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