

THE STATE OF SOUTH CAROLINA  
In The Administrative Law Court

APPEAL FROM S. C. DEPARTMENT OF HEALTH & ENVIORN. CONTROL  
Office of Coastal Resources

Catherine E. Heigel, Director

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SC Court of Appeals

Appellate Case Number: 2017-000161  
Case No. 2015-RFR-69, Sunset Cay, L.L.C.  
DOCKET NO. 15-ALJ-07-0579-CC

Sunset Cay, L.L.C., ..... Appellant,  
vs.  
South Carolina Department of Health and Environmental Control, .....Respondent.

Motion to Supplement The Record on Appeal

Bradley Churdar S. C. Bar # 12829  
General Counsel  
Attorneys for Respondent  
1362 McMillian Ave., Suite 400  
N. Charleston, S. C. 29405-2047  
(843) 953-0213  
(843) 953- 0201  
E-mail: [churdarbd@dhec.sc.gov](mailto:churdarbd@dhec.sc.gov)

Thomas R. Goldstein, S. C. Bar #2186  
Belk, Cobb, Infinger & Goldstein, P.A.  
Attorneys for Appellant  
P. O. Box 711121  
N. Charleston, S. C. 29415-1121  
(843) 554-4291  
(843) 554-5566 (fax)  
E-mail: [tgoldstein@cobblaw.net](mailto:tgoldstein@cobblaw.net)

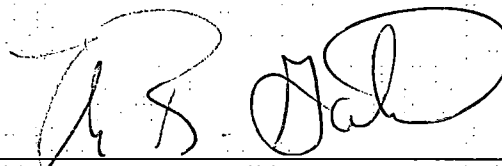
In accordance with Rule 212, *South Carolina Appellate Court Rules*, the appellant moves for an Order of the Court authorizing the filing of a Supplemental Record on Appeal (Appendix), which proposed Supplemental Record (Appendix) is submitted with this motion. This motion is the result of an error in binding the Record on Appeal and is being made with the consent of the respondent.

Based on the foregoing, the appellant moves for an Order of the Court:

1. Authorizing the filing of the enclosed Supplemental Record on Appeal.
2. Extending the date for filing final briefs by twenty days following filing of the Supplemental Record on Appeal.

Respectfully submitted,

October 30, 2017



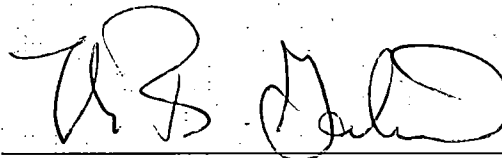
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Thomas R. Goldstein, S. C. Bar #2186  
BELK, COBB, INFINGER & GOLDSTEIN, P.A.  
P. O. Box 71121  
N. Charleston, S. C. 29415-1121  
(843) 554-4291  
[tgoldstein@cobblaw.net](mailto:tgoldstein@cobblaw.net)

#### CERTIFICATE OF COUNSEL

I certify that prior to filing this motion, I consulted with opposing counsel who consents to the relief requested.

October 30, 2017



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Thomas R. Goldstein, S. C. Bar #2186

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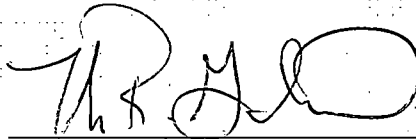
Sunset Cay, L.L.C., ..... Appellant,

vs.

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

CERTIFICATE OF SERVICE

The undersigned hereby certified that it served a true copy of the appellant's Motion for leave to file a Supplemental Record and for 20-day Extension and the proposed Supplemental Record on Appeal upon respondent by serving a copy upon respondent's counsel of record, Bradley Churdar, General Counsel, Office of Coast Resources Management, 1362 McMillan Avenue, Suite 400, N. Charleston, S. C. 29405-2047, by mailing a copy of each properly addressed with sufficient postage affixed thereto this 30<sup>th</sup> day of October, 2017.



October 30, 2017

Thomas R. Goldstein, S. C. Bar #2186  
Belk, Cobb, Infinger & Goldstein, P.A.  
Attorneys for Appellant  
P. O. Box 711121  
N. Charleston, South Carolina 29415-1121  
(843) 554-4291  
(843) 554-5566 (fax)  
E-mail: [tgoldstein@cobblaw.net](mailto:tgoldstein@cobblaw.net)

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**BELK, COBB, INFINGER AND GOLDSTEIN, P.A.**

Harry C. Belk (1919-2003)  
Dale T. Cobb, Jr.

ATTORNEYS AT LAW  
2344 COSGROVE AVENUE  
CHARLESTON, SC 29405

Mailing Address:  
P.O. Box 71121  
Charleston, SC  
zip 29415-1121  
Ph: (843) 554-4291  
Fax: (843) 554-5566

Peggy M. Infinger  
pinfinger@cobblaw.net

Thomas R. Goldstein  
tgoldstein@cobblaw.net

October 30, 2017

Hon. Jenny Abbott Kitchings  
Clerk of Court,  
ATTN.: DIANNE  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, S. C. 29201

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SC Court of Appeals

Re: Sunset Cay, LLC vs. SCDHEC  
Appellate Case Number: 2017-000161

Dear Dianne,

Thank you for walking me through the deficiencies. Since I need an extension to file my final brief (and since respondent has already requested one), I enclose a motion for extension as well as one original, unbound Supplemental Record on Appeal. Since I had to change the cover page again, I will have the copy shop mail the card stock unbound version, along with the 14 bound copies, directly to you. I also enclose a Certificate of Service, and our firm's check in the amount of \$25.00. As we discussed, I did not really need to file a motion since respondent's counsel has consented to the supplemental record, but, in an abundance of caution, and since I need an extension anyway, I am enclosing the motion I previously drafted. Of course, by copy of this letter to Bradley Churdar, I am serving a copy of the Supplemental Record on Appeal upon opposing counsel (even though he will get a bound version later). With kind regards, I am

Very truly yours,  
BELK, COBB, INFINGER & GOLDSTEIN, P.A.

  
Thomas R. Goldstein

TRG/  
enclosure: Motion for extension, Supplemental Record on Appeal (one copy), and check # 18057

cc: Bradley Churdar (with enclosure)  
Butch Clark

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P. O. Box 71121  
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SC Court of Appeals

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