

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Deborah B. Durden, Administrative Law Judge

Appellate Case No. 2017-001977

RECEIVED  
FEB 05 2018  
SC Court of Appeals

South Carolina Coastal Conservation League,

Appellants,

vs.

South Carolina Department of Health and Environmental Control and  
DBBO, LLC,

Respondents.

**MOTION FOR EXTENSION OF TIME  
FOR FILING INITIAL BRIEF AND DESIGNATION OF MATTER  
OF APPELLANTS**

TO: ALL PARTIES AND THE COURT OF APPEALS:

PLEASE TAKE NOTICE that the Appellant South Carolina Coastal Conservation League (the "League") hereby moves the Court of Appeals for an Order extending the time for filing their Initial Brief and Designation in the above-captioned matter. The Initial Brief and Designation are due on February 1, 2018, and Appellant seeks an extension of thirty (30) days, until March 5, 2018. This is the fourth request for an extension.

Counsel for the League has not had sufficient time or resources to adequately prepare the brief and designation in this case. Lead counsel runs a small public interest firm that maintains a heavy and active caseload, which has included multiple competing briefing deadlines before this

Court and the S.C. Supreme Court, in addition to filing deadlines in Circuit Court and the Administrative Law Court as well as out-of-the-office commitments during the month of January. Specifically, counsel filed a brief in the Supreme Court on January 29<sup>th</sup>; a brief in this Court on January 29<sup>th</sup>; a proposed order in the ALC on January 31<sup>st</sup>; and planned, organized and executed the Natural Resource and Environment Section Seminar at the S.C. Bar Convention held on January 18<sup>th</sup>. Each of these were substantial undertakings for counsel, requiring a significant commitment of time and energy.

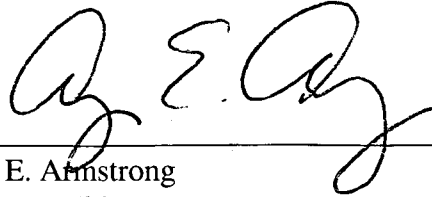
Further, lead counsel became extremely ill and unable to work for four consecutive days in late January, which also substantially interfered with her ability to dedicate the time necessary to review the lengthy hearing transcript and thoroughly brief the issues involved in this matter.

Therefore, the League respectfully moves for an extension of time for the filing of their brief and designation in the above-captioned matter.

Counsel for the League has consulted with counsel for Respondents DBBO, LLC and SCDHEC, both of whom consent to this motion.

WHEREFORE, the Appellant requests that the Court of Appeals enter an order extending the time for filing their Initial Brief and Designation of Matter until March 5, 2018.

Respectfully submitted,



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Amy E. Armstrong

Jessie A. White

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*Counsel for Appellant*

Georgetown, South Carolina

February 1, 2018

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

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**CERTIFICATE OF SERVICE**

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

Mary D. Shahid  
Angelica M. Colwell  
Nexsen Pruet, LLC  
P.O. Box 486  
Charleston, SC 29402

Bradley D. Churdar  
SCDHEC/OCRM  
1362 McMillan Avenue, Suite 400  
Charleston, SC 29405

  
\_\_\_\_\_  
Amy E. Armstrong

Georgetown, South Carolina  
February 1, 2018



# South Carolina Environmental Law Project

*Lawyers for the Wild Side of South Carolina*

a 501c3  
non-profit organization

February 1, 2018

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Honorable Jenny Abbott Kitchings  
Clerk, Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: SC Coastal Conservation League v. SCDHEC and DBBO;  
Appellate Case No. 2017-001977

Dear Ms. Kitchings:

Enclosed for filing please the original and seven (7) copies of the Appellant's Motion for Extension of Time, along with my Certificate of Service and filing fee. Both Respondents consent to this request.

Please return a clocked-in copy in the self-addressed, stamped envelope provided.

Thank you very much for your kind cooperation and assistance.

Yours very truly,

  
Amy E. Armstrong

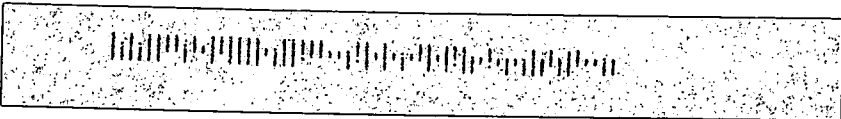
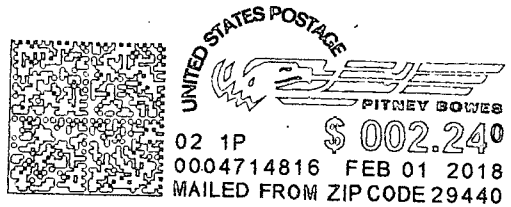
cc: Mary D. Shahid  
Angelica M. Colwell  
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SC Court of Appeals

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V. Claire Allen  
Deputy Clerk, Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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