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February 21, 2018

The Honorable Jenny Abbott Kitchings
Clerk of Court, Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: *Charles S. Blackmon v. SCDHEC*, Appellate Case No. 2017-002598
Response to Appellants' Second Motion for Extension of Time

Dear Ms. Kitchings:

I am writing on behalf of my clients David Coggins Broilers, Heath Coggins Broilers, and Jim Young Broilers (collectively, "Respondents") in response to the second Motion for Extension of Time ("Motion") filed by Charles S. Blackmon and South Carolinians for Responsible Agricultural Practices (collectively, "Appellants"). Specifically, Appellants request that, due to an unexpected family medical issue of counsel, the Court grant an additional 30-day extension of time in which to file Appellants' brief.¹

Respondents and the undersigned counsel express their sincere regret and condolences for the misfortune experienced by Appellants' counsel and her family, and do not object to the second extension of time for Appellants' initial brief. However, Respondents note that this appeal results from decisions by Respondent South Carolina Department of Health and Environmental Control to issue agricultural permits to Respondents and authorizing them to operate poultry farms in Laurens County, South Carolina. Procedural delays in the appellate process therefore also

¹ Appellants' initial brief originally was due to be filed on January 26, 2018. By order dated January 10, 2018, the Court granted Appellants' first Motion for Extension of Time and extended the filing deadline to February 26, 2018.

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The Honorable Jenny Abbott Kitchings

February 21, 2018

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delay Respondents' ability to proceed with their approved projects and result in a direct financial impact to my clients. For this reason, Appellants respectfully request that no further extensions of time to Appellants' initial brief be granted so that this matter may continue forward in a timely manner.

Thank you for your consideration of this matter. If you have any questions, or need additional information, please do not hesitate to contact me.

Very truly yours,

WILLOUGHBY & HOEFER, P.A.

A handwritten signature in black ink, appearing to read 'B. Mustian', with a long horizontal flourish extending to the right.

Benjamin P. Mustian

Enclosures

cc: M. McMullen Taylor, Esq.
Robert Guild, Esq.
Stephen Hightower, Esq.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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FEB 21 2018

SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Ralph King Anderson, III, Chief Administrative Law Judge

Appellate Case No. 2017-002598

ALC Case Nos. 17-ALJ-07-0041-CC; 17-ALJ-07-0042-CC; 17-ALJ-07-0039-CC

Charles S. Blackmon and South Carolinians for
Responsible Agricultural Practices, Appellants,

v.

South Carolina Department of Health and Environmental
Control and David Coggins Broilers, Respondents;

Charles S. Blackmon and South Carolinians for
Responsible Agricultural Practices, Appellants,

v.

South Carolina Department of Health and Environmental
Control and Heath Coggins Broilers, Respondents;

Charles S. Blackmon and South Carolinians for
Responsible Agricultural Practices, Appellants,

v.

South Carolina Department of Health and Environmental
Control and Jim Young Broilers, Respondents;

CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day one (1) copy of the
Respondents David Coggins Broilers, Heath Coggins Broilers, and Jim Young

Broilers Letter Dated February 21, 2018 Regarding the Correction of a Party
Represented by Tracey C. Green via the care and custody of the United States Postal
Service with first class postage affixed thereto and addressed as follows:

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Columbia, South Carolina
This 21st day of February, 2018.