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STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
John D. McLeod, Administrative Law Judge

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MAR 14 2018  
SC Court of Appeals

Appellate Case No. 2017-001554

Town of Arcadia Lakes, Robert L. Jackson, Linda Z. Jackson, Robert E. Williams, Barbara S. Williams, Elizabeth M. Walker, Louis E. Spradlin, Mary Helen Spradlin, Thomas Hutton Utsey, Tony Sinclair, Aaron Small, Bette Small, Gene F. Starr, M.D., Elaine J. Starr, Sanford T. Marcus, Ruth L. Marcus, and Steven Brown, Petitioners,

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SC Court of Appeals

Of Which Town of Arcadia Lakes is the Appellant/Respondent,

v.

South Carolina Department of Health and Environmental Control, Respondent, and Roper Pond, LLC, Respondent/Appellant.

**MOTION FOR EXTENSION OF TIME**

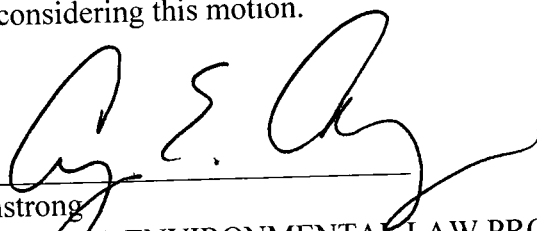
PLEASE TAKE NOTICE that Appellant/Respondent Town of Arcadia Lakes hereby moves the Court for an Order extending the time for filing its Initial Reply Brief. The Town requests a seven (7) day extension of the filing deadline, which currently falls on March 12, 2018. This is the third request for extension of this deadline. Respondent/Appellant Roper Pond, LLC consents to the requested extension. Respondent/Appellant South Carolina Department of Health and Environmental Control has not participated in this appeal.

The primary basis for the Town's request is a concurrent briefing deadline in another appeal before this Court, which has prevented counsel from completing the Reply Brief in this case. The brief in the concurrent appeal is also due today, March 12, after which undersigned counsel will promptly complete the Reply Brief. The stakes of this appeal are incredibly high for



the Town, and the outcome of the appeal will be based on this Court's consideration of several novel points of law. In sum, the briefing is detailed and necessarily requires significant attention and time. The Town respectfully requests one more week to commit that requisite time.

WHEREFORE, the Town respectfully requests that the Court enter an order extending the time for filing Initial Reply Briefs until March 19, 2018. The Town further requests that this Court hold the present filing deadline in abeyance while considering this motion.

  
\_\_\_\_\_  
Amy E. Armstrong  
SOUTH CAROLINA ENVIRONMENTAL LAW PROJECT  
Mailing address: Post Office Box 1380  
Pawleys Island, SC 29585  
Office address: 430 Highmarket Street  
Georgetown, SC 29440  
Telephone (843) 527-0078  
FAX (843) 527-0540

Attorney for the Appellant

Georgetown, South Carolina

March 12, 2018

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
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Of Which Town of Arcadia Lakes is the Appellant/Respondent,

vs.

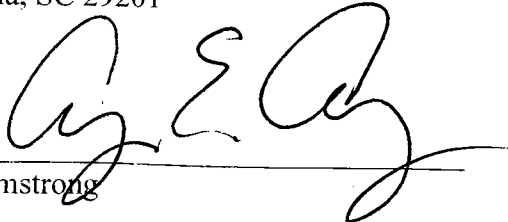
South Carolina Department of Health and Environmental Control, Respondent, and Roper Pond, LLC, Respondent/Appellant.

**CERTIFICATE OF SERVICE**

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

Stephen Hightower, Esquire  
DHEC Office of Counsel  
2600 Bull Street  
Columbia, SC 29201

Joan Hartley, Esquire  
Nexsen Pruet, LLC  
1230 Main Street, Suite 700  
Columbia, SC 29201

  
\_\_\_\_\_  
Amy Armstrong

Georgetown, South Carolina

March 12, 2017



# The South Carolina Environmental Law Project

Lawyers for the Wild Side of South Carolina

501(c)(3)  
non-profit organization

March 12, 2018

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SC Court of Appeals

**Amy E. Armstrong**  
Executive Director  
**Michael G. Corley**  
Staff Attorney  
**Amelia A. Thompson**  
Staff Attorney  
**Jessie A. White**  
Staff Attorney

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

Re: Town of Arcadia Lakes, et al. v. Roper Pond, et al.  
Appellate Case No. 2017-001554

**MAIN OFFICE**  
430 Highmarket Street  
Georgetown, SC 29440

**MAILING ADDRESSES**  
P.O. Box 1380  
Pawleys Island, SC 29585

P.O. Box 5761  
Greenville, SC 29606

(843) 527-0078  
(864) 412-7921  
Fax (843) 527-0540  
E-mail: amy@scelp.org  
michael@scelp.org  
amelia@scelp.org  
jessie@scelp.org

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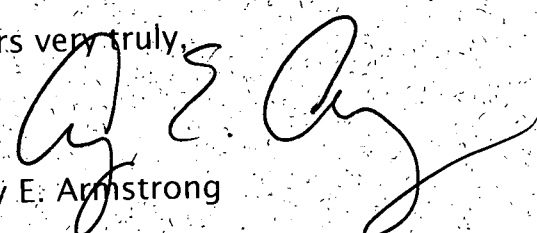
Dear Ms. Kitchings:

Enclosed for filing, please find the original and seven (7) copies of Appellant/Respondent Town of Arcadia Lakes' Motion for Extension for filing its Initial Reply Brief in the above-referenced matter, along with my certificate of service. Respondent/Appellant Roper Pond consents to the requested extension.

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

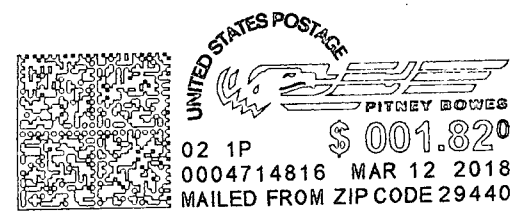
Thank you very much for your kind cooperation and assistance.

Yours very truly,

  
Amy E. Armstrong

cc: Stephen Hightower, Esq.  
Joan Hartley, Esq.  
Tommy Lavender, Esq.

**S.C. Environmental Law Project**  
**Post Office Box 1380**  
**Pawleys Island, SC 29585**



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SC Court of Appeals

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

