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**STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS**

Appeal from the Administrative Law Court
Honorable Deborah B. Durden, Administrative Law Judge
Docket No.: 15-ALJ-07-0405-CC
Appellate Case No.: 2017-001977

RECEIVED

MAY 11 2018

SC Court of Appeals

SOUTH CAROLINA COASTAL CONSERVATION LEAGUE,

Appellant,

v.

SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL and DBBO, LLC,

Respondents.

**RESPONDENT, DBBO, LLC's 2nd MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER**

Stephen P. Groves, Sr., Esquire
S.C. Bar. No.: 007854
Mary D. Shahid, Esquire
S.C. Bar No.: 001794
Angelica M. Colwel, Esquire
S.C. Bar No.: 073188
NEXSEN PRUET, LLC
205 King Street, Suite 400
Charleston, South Carolina 29401
Telephone: 843.720.1725
Telecopier: 843.414.8206
E-Mail: SGroves@nexsenpruet.com

Attorneys for the Respondent, DBBO, LLC

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

COMES NOW the Respondent, DBBO, LLC, pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to grant it an additional thirty-day extension of time in which to file DBBO's *Initial Brief of Respondent* and the *Designation of the Matters to be Included in the Record on Appeal* in this case.

The basis for this motion is that DBBO's appellate counsel are involved in other appellate and trial matters at this time and they need the additional time in which to complete the Initial Respondent's Brief and the DOM. Furthermore, one of the appellate counsel's children are getting married and another graduating from school during this time period. Additionally, the Respondent, South Carolina Department of Health and Environmental Control, has requested a similar extension of time.

Based upon the current briefing schedule Mrs. Grey's Initial Appellant's Brief and DOM are currently due on or before Friday, 11 May 2018. Consequently, anticipating a favorable reception and subsequent grant of this extension motion, DBBO's *Initial Respondent's Brief and DOM* would then be due on or before Monday, 11 June 2018 (the 30th day falls on Sunday, 10 June 2018).

Finally, DBBO respectfully requests this Court of Appeals to hold the briefing time in abeyance until such time as this motion may be considered and ruled upon by this Court of Appeals.

Respectfully submitted:

NEXSEN PRUET, LLC

By:

Stephen P. Groves, Sr., Esquire

S.C. Bar. No. 007854

Mary D. Shahid, Esquire

S.C. Bar No. 001794

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Attorneys for the Respondent, DBBO, LLC

Charleston, South Carolina

9 May 2018

**STATE OF SOUTH CAROLINA
IN THE
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Appeal from the Administrative Law Court
Honorable Deborah B. Durden, Administrative Law Judge
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Appellate Case No.: 2017-001977

SOUTH CAROLINA COASTAL CONSERVATION LEAGUE,

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v.

MAY 11 2018

SOUTH CAROLINA DEPARTMENT OF HEALTH AND
ENVIRONMENTAL CONTROL and DBBO, LLC,

SC Court of Appeals

Respondents.

**PROOF OF SERVICE FOR RESPONDENT DBBO, LLC's
2nd MOTION FOR EXTENSION OF TIME TO
FILE INITIAL BRIEF AND DESIGNATION OF MATTER**

Stephen P. Groves, Sr., Esquire
S.C. Bar. No.: 007854
Mary D. Shahid, Esquire
S.C. Bar No.: 001794
Angelica M. Colwel, Esquire
S.C. Bar No.: 073188
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Attorneys for the Respondent, DBBO, LLC

I, Stephen P. Groves, Sr., Esquire, hereby certify that on May 2018, I served a copy of the **Motion for Extension of Time (2nd) to File Initial Respondent's Brief and Designation of Matter** submitted by the Respondent, DBBO, LLC, on counsel for the Appellant and the Co-Respondent via the United States Mail, postage pre-paid, and addressed as follows:

Amy E. Armstrong, Esquire
Jessie A. White, Esquire
**SOUTH CAROLINA ENVIRONMENTAL
LAW PROJECT**
Post Office Box No. 1380
Pawley's Island, South Carolina 29585
Telephone: 843.527.0078
E-Mail: amy@scelp.org

*Attorneys for the Appellant,
South Carolina Coastal Conservation League*

Bradley D. Churdar, Esquire
**SOUTH CAROLINA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL CONTROL**
Office of Ocean and Coastal Resource Management
1362 McMillian Avenue, Suite 400
North Charleston, South Carolina 29405
Telephone: 843.953-0200
E-Mail: churdabd@dhec.sc.gov

*Attorneys for the Respondent,
South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management*

Signed: _____

Stephen P. Groves, Sr.

Charleston, South Carolina

9 May 2018

NPCHAR1:2398081.1-TBF-(SPG) 056053-00001

Stephen P. Groves, Sr.
Member
Admitted in SC

9 May 2018

The Honorable Jenny Abbott Kitchings
Clerk of Court
SOUTH CAROLINA COURT OF APPEALS
1220 Senate Street
Columbia, South Carolina 29201

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SC Court of Appeals

Re: South Carolina Coastal Conservation League v. South Carolina Department of Health and Environmental Control and DBBO, LLC

Appeal from the Administrative Law Court

Docket No.: 15-ALJ-07-0405-CC

Appellate Case Tracking No.: 2017-01977

NP File No.: 056053-00001

Dear Ms. Kitchings:

Charleston

Charlotte

Columbia

Greensboro

Greenville

Hilton Head

Myrtle Beach

Raleigh

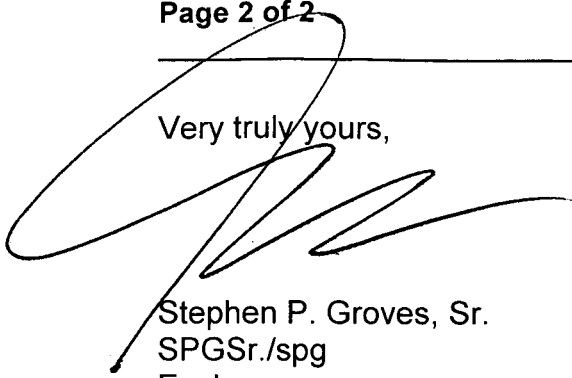
Pursuant to Rule 240, SCACR, please find enclosed the original and seven copies of a Motion for Extension of Time (2nd) in Which to File Initial Respondent's Brief and DOM in the above-referenced consolidated appellate matters. I also enclose a Proof of Service indicating service of the Motion for Extension of Time (2nd) in Which to File Initial Respondent's Brief and DOM and the Proof of Service upon counsel for the Respondent. Finally, I enclose our firm check in the amount of \$25.00 as payment for the filing fee.

I would greatly appreciate you filing the Motion for Extension of Time (2nd) in Which to File Initial Respondent's Brief and DOM and the Proof of Service with the Court of Appeals and returning a date stamped copy of each to my attention in the enclosed self-addresses, stamped envelope.

If you need anything else or I otherwise may be of any assistance to you or to the Court of Appeals regarding this matter, please feel free to contact me at your convenience. My direct telephone number is 843.720.1725, direct telecopier is 843.414.8206, and the e-mail is sgroves@nexsenpruet.com.

Honorable Jenny Abbott Kitchings
Clerk of Court
9 May 2018
Page 2 of 2

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to read 'Stephen P. Groves, Sr.', is written over the signature line and extends into the name block below.

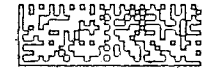
Stephen P. Groves, Sr.
SPGSr./spg
Enclosures

cc: Amy E. Armstrong, Esquire/Jessie A. White, Esquire
Bradley D. Churdar, Esquire

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Charleston SC 29402

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