

# SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 843-720-5270

463 KING STREET, SUITE B  
CHARLESTON, SC 29403-7204

Facsimile 843-414-7039

September 11, 2018

Via Certified Mail & Facsimile

The Honorable Daniel E. Shearouse  
Clerk of Court  
Supreme Court of South Carolina  
1231 Gervais Street  
Columbia, South Carolina 29201

**Re: Preservation Society of Charleston v. SCDHEC  
Appellate Case No. 2018-000137**

Dear Mr. Shearouse:

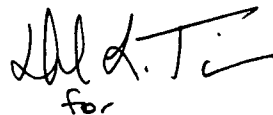
Enclosed for filing please find the original and six (6) copies of Petitioners' Motion for Extension of Time to File Opening Brief in the above-referenced matter. Also enclosed is a check for \$25.00 to cover the associated filing fee.

Respondent SPA has consented to this request.

Due to Hurricane Florence, and potential delays in mail delivery, an additional copy of the Motion was faxed to the Court today, Tuesday, September 11, 2018.

By copy of this correspondence, I am serving the same upon all counsel of record. If you have any questions, please do not hesitate to contact me at 843-720-5270 or [bholman@selcsc.org](mailto:bholman@selcsc.org). Thank you for your assistance with this matter.

Sincerely,



J. Blanding Holman IV

JBH/arp

Enclosures

cc: All Counsel of Record (via U.S. First Class Mail)

**RECEIVED**

SEP 19 2018

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA

In the Supreme Court

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APPEAL FROM ADMINISTRATIVE LAW COURT  
Ralph King Anderson, III, Administrative Law Judge  
Case No. 13-ALJ-07-056-CC

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Appellate Case No. 2018-000137

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Preservation Society of Charleston, Historic Charleston Foundation, Historic Ansonborough Neighborhood Association, South Carolina Coastal Conservation League, Charlestowne Neighborhood Association, Charleston Chapter of the Surfrider Foundation, and Charleston Communities for Cruise Control .....Petitioners,

vs.

South Carolina State Ports Authority and South Carolina Department of Health and Environmental Control ..... Respondents.

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**PETITIONERS' MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF**

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TO ALL PARTIES AND THE SUPREME COURT:

PLEASE TAKE NOTICE that Petitioners<sup>1</sup> in this case hereby move the Supreme Court for an order extending the time in which to file their opening brief in the above-captioned matter. In support of this request, Petitioners submit the following:

1. The Petitioners' opening brief is currently due Thursday, September 20, 2018.
2. In light of approaching Hurricane Florence, Governor Henry McMaster has issued a mandatory evacuation order effective today for residents of coastal counties including the

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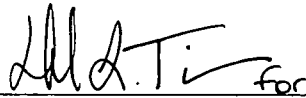
<sup>1</sup> Petitioners are the following citizen groups: Preservation Society of Charleston, Historic Charleston Foundation, Historic Ansonborough Neighborhood Association, South Carolina Coastal Conservation League, Charlestowne Neighborhood Association, Charleston Chapter of the Surfrider Foundation, and Charleston Communities for Cruise Control.

counties in which the below-signed counsel for Petitioners reside and work. State offices including state court offices are closed until further notice pending Hurricane Florence's landfall on the East Coast. Hurricane Florence is projected to be a major hurricane (currently Category 4) whose impact on the Carolinas will bring catastrophic damage including flooding and destructive storm surges.

3. It is unclear when evacuation orders will be lifted and normal business activities will resume in the counties where the undersigned work and live, but storm preparation and response will substantially delay, hamper, and prevent work on the brief currently due in this Court next Thursday. Petitioners respectfully submit that this major storm constitutes an extraordinary circumstance that supports extension of the current deadline.
4. Further, lead counsel in this case for Petitioners is actively involved in other major matters including a complex merger proceeding involving SCE&G and Dominion before the Public Service Commission, with pre-hearing discovery and motions practice extremely active leading up to a November 1 proceeding.
5. Counsel for Petitioners have requested the position of Respondents to this request. Respondent SPA does not object to this request. Respondent DHEC did not immediately respond to our email requesting their position on this extension request.

THEREFORE, Counsel for Petitioners respectfully request that this Honorable Court grant their request and extend the time in which Petitioners' opening brief until Friday, October 18, 2018.

Respectfully submitted,

for

J. Blanding Holman IV  
Southern Environmental Law Center  
463 King Street, Suite B  
Charleston, SC 29401  
Telephone: (843) 720-5270

Jefferson Leath  
Leath, Bouch & Seekings, LLP  
40 Calhoun Street, Suite 400  
Charleston, SC 29401  
Telephone: (843) 513-1076

Amy E. Armstrong  
Jessie A. White  
South Carolina Environmental Law Project  
Post Office Box 1380  
Pawleys Island, SC 29585  
Telephone: (843) 527-0078

*Attorneys for Petitioners*

Charleston, SC  
September 11, 2018

**RECEIVED**

SEP 19 2018

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA

In the Supreme Court

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Neighborhood Association, South Carolina Coastal Conservation League, Charlestowne  
Neighborhood Association, Charleston Chapter of the Surfrider Foundation, and Charleston  
Communities for Cruise Control .....Petitioners,

vs.

South Carolina State Ports Authority and South Carolina Department of Health and  
Environmental Control ..... Respondents.

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**CERTIFICATE OF SERVICE**

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I hereby certify that on September 11, 2018, I caused to be served the foregoing *Motion for Extension of Time* on all counsel of record by placing copies of same in the U.S. Mail addressed to:

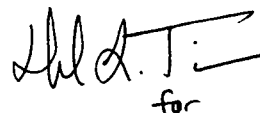
Randolph R. Lowell, Esq.  
Tracey C. Green, Esq.  
Chad N. Johnston, Esq.  
Willoughby & Hoefler, PA  
Post Office Box 8416  
Columbia, SC 29202

Michael Gary Corley, Esq.  
South Carolina Environmental Law Project  
430 Highmarket Street  
Georgetown, SC 29440

Amy E. Armstrong  
Jessie A. White  
South Carolina Environmental Law Project  
Post Office Box 1380  
Pawleys Island, SC 29585  
Telephone: (843) 527-0078

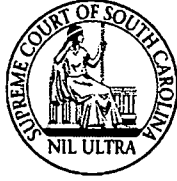
Jefferson Leath, Esq.  
Leath, Bouch, & Seekings, LLP  
40 Calhoun Street  
Charleston, SC 29401

Bradley D. Churdar, Esq.  
S.C. DHEC  
Office of OCRM  
1362 McMillan Avenue  
Suite 400  
North Charleston, SC 29405



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J. Blanding Holman IV  
September 11, 2018



# The Supreme Court of South Carolina

Southern Environmental Law Center

09/19/2018

## RECEIPT #87876

**Case No:** 2018-000137  
**Case Short Title:** Preservation Society of Charleston v. SCDHEC  
**Event:** Motion - Extension of Time (1st)  
**Fee Type:** Motion Fee  
**Amount:** \$25.00  
**Payment Type:** Check  
**Reference No:** 1773  
**Check/Money Order Date:** 09/11/2018  
**Comments:**