

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

Shirley C. Robinson, Administrative Law Judge

Appellate Case No. 2018-001868
Case No. 18-ALJ-07-0003-CC

RECEIVED

DEC 10 2018

SC Court of Appeals

South Carolina Department of
Health and Environmental Control,

Appellant/Respondent,

v.

James W. Davenport,

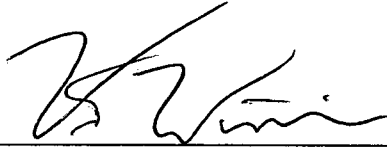
Respondent/Appellant.

JOINT MOTION FOR EXTENSION TO FILE RESPONDENTS' INITIAL BRIEFS

Appellant/Respondent South Carolina Department of Health and Environmental Control and Respondent/Appellant James W. Davenport (collectively, "the Parties") hereby move for an extension of thirty (30) days to file their respective Respondents' Briefs and Designations of Matter to be Included into the Record on Appeal. The current deadline is December 27, 2018. If granted, the requested extension would extend the deadline until January 28, 2019.

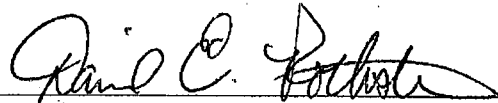
The grounds for the Motion are that the undersigned counsel have other commitments during the next month that require attention and that the additional time would allow the Parties to more fully respond to the Appellants' Briefs. Moreover, due to the length and complexity of the record in this matter, the important issues it presents, and the impending holidays, an extension is appropriate and reasonable.

Respectfully submitted,



Ashley C. Biggers, Esquire (SC Bar No.: 17225)
Vito M. Wicevic, Esquire (SC Bar No.: 100265)
South Carolina Department of Health and
Environmental Control
2600 Bull Street
Columbia, SC 29078
(803) 898-3350
*Attorneys for Appellant-Respondent, South Carolina
Department of Health and Environmental Control*

December 7, 2018
Columbia, South Carolina



David E. Rothstein, Esquire
Rothstein Law Firm, PA
1312 Augusta Street
Greenville, SC 29605
(864) 232-5870
Attorney for Respondent-Appellant, James W. Davenport

December 7, 2018
Columbia, South Carolina

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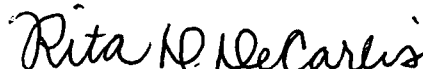
James W. Davenport,

Respondent/Appellant.

PROOF OF SERVICE

I, Rita D. DeCarlis, Paralegal for the South Carolina Department of Health and Environmental Control, hereby certify that I have on this **7th day of December 2018**, served a copy of the **Joint Motion for Extension to File Respondents' Initial Briefs** upon all parties and counsel of record in the above-captioned case, via United States Mail, First Class, postage prepaid and addressed as follows:

David E. Rothstein, Esquire
Rothstein Law Firm, PA
1312 Augusta Street
Greenville, SC 29605


Rita D. DeCarlis

December 7, 2018
Columbia, South Carolina



December 7, 2018

VIA U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

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SC Court of Appeals

RE: SCDHEC v. Davenport Case No. 17-ALJ-07-0003-CC
Appellate Case No.: 2018-001868
DHEC OGC# 22888

Dear Ms. Kitchings:

Please find enclosed for the Court's consideration and filing a **Joint Motion for Extension to File Respondents' Initial Briefs**. It would be appreciated if your office would please file the original and return a clocked copy to me in the envelope provided.

Thank you for your attention to this matter. Should the Court have any questions relating to this matter, please do not hesitate to contact the undersigned.

Sincerely,

Rita D. DeCarlis

Rita D. DeCarlis

/rdd

Enclosures

cc (w/ enclosures): David E. Rothstein, Esquire (via Email & US Mail)

✓

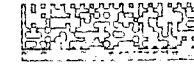


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Columbia, SC 29201

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