

STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS

66550

Appeal from the Court of Common Pleas
For Colleton County
Case No.: 2011-CP-19-1826

DTG Holdings, LLC,

Respondents,

v.

South Carolina Department of Health
and Environmental Control

Appellants.

**MOTION FOR 30-DAY EXTENSION OF TIME
IN WHICH TO FILE
RESPONDENTS' ~~REPLY~~ BRIEF**

Stephen P. Groves, Sr., Esquire
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Attorney for the Appellants

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SC COURT OF APPEALS

TO: THE COURT AND COUSEL FOR ALL PARTIES:

COMES NOW the Respondent, DTG Holdings, LLC and Jasper Station Associates, LLC, together with the Appellant, South Carolina Department of

Health and Environmental Control ("SCDHEC"), pursuant to Rule 263 of the South Carolina Appellate Court Rules, and jointly respectfully requests this Supreme Court to grant them a thirty-day (30) extension of time in which to file their Respondents' Final Brief in this appellate matter.

The basis for this motion is the record involves several tiers of determinations and requires additional time for consideration. Moreover, both appellate counsel for Respondents and SCDHEC are involved in other appellate and trial matters at this time.

Based upon the current briefing schedule, the Respondents' Brief is currently due on or before December 17, 2012. Consequently, anticipating a favorable reception and subsequent grant of this motion, the Respondents' Brief would then be due on January 16, 2013. Counsel for the Petitioner, SCDHEC, has consented to this request and will not file any objection.

Finally, both Respondents and SCDHEC respectfully request that this Supreme Court hold the briefing time in abeyance until such time as this motion may be considered and ruled upon.

Respectfully submitted:

NEXSEN PRUET, LLC

By: 

Stephen P. Groves, Sr., Esquire
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Attorneys for the Respondents

CONSULTATION WITH OPPOSING COUNSEL

I, Stephen P. Groves, Sr., Esquire hereby certify that on 5th December 2012, I consulted with Bradley D. Churdar, Esquire, attorney for the Respondents regarding this extension request. Bradley D. Churdar, Esquire has indicated he consent to this extension request and does not intend to file any type of formal objection.

Signed: 

Stephen P. Groves, Sr., Esquire
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Charleston, South Carolina

11 December 2012

STATE OF SOUTH CAROLINA
IN THE
SUPREME COURT

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PROOF OF SERVICE for
MOTION FOR EXTENSION OF TIME
IN WHICH TO FILE RESPONDENTS' BRIEF

I, Stephen P. Groves, Sr., Esquire, hereby certify that on 11 December 2012, I served a copy of the *Respondents' Motion for Extension of Time In Which to File Respondents' Final Brief* submitted by the Respondents, DTG Holdings, LLC and Jasper Station Associates, LLC and Respondent, South Carolina Department of Health and Environmental Control, on all counsel appearing in this appeal, via the United States Mail, postage pre-paid, and addressed as follows:

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SC Court of Appeals

Bradley D. Churdar, Esquire
SCDHEC
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405



Stephen P. Groves, Sr.

Charleston, South Carolina

11 December 2012