

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT

The Honorable S. Phillip Lenski, Administrative Law Judge

Appellate Case No. 2019-001282

Case No. 17-ALJ-07-0085-CC

RECEIVED

SEP 23 2019

SC Court of Appeals

Richard J. Hook and Phillip Patterson.....Respondents,

vs.

South Carolina Department of Health and Environmental Control.....Appellant.

**MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S INITIAL BRIEF
AND DESIGNATION OF MATTER**

TO: THE COURT OF APPEALS AND ALL PARTIES:

PLEASE TAKE NOTICE that, pursuant to Rule 263, SCACR, Respondent South Carolina Department of Health and Environmental Control ("SCDHEC" or the "Department") respectfully requests a thirty (30) day extension of time to file Appellant's Initial Brief and Designation of Matter, making the Department's deadline for filing its Initial Brief and Designation of Matter October 20, 2019. The basis for this motion is as follows:

This extension is requested due to Respondent's counsel's work load. Counsel just returned to the office after State offices being closed and Counsel's evacuation as a result of

Hurricane Dorian. Department Counsel is working on filings due to multiple Courts in the next couple weeks. As such, Counsel will not have adequate time to prepare the Respondent's Initial Brief and Designation of Matter in this matter.

WHEREFORE, Respondent SCDHEC respectfully moves this Court for an Order extending the time for filing the Respondent's Initial Brief and Designation of Matter until October 20, 2019. The Department respectfully requests that all other deadlines be held in abeyance pending the Court's approval of this extension.

Respectfully submitted,

SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL

By: 

Bradley D. Churdar, Chief Counsel
South Carolina Department of Health
and Environmental Control
1362 McMillan Avenue, Suite 400
Charleston, SC 29405
(843) 953-0213
(843) 953-0201 (fax)
Attorney for Respondent SCDHEC

September 17, 2019
Charleston, South Carolina

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date he has served the Appellant, South Carolina Department of Health and Environmental Control's *Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter* in this matter upon the following, by placing copies of same in the United States Mail, first class postage prepaid, addressed to:

Mary D. Shahid, Esquire
Angelica M. Colwell, Esquire
Nexsen Pruet
Post Office Box 486
Charleston, SC 29402

Phillip Brent Patterson
627 Parrot Point Drive
Charleston, SC 29412

September 17, 2019


Bradley D. Churdar



September 17, 2019

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

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SEP 23 2019

SC Court of Appeals

Re: Richard J. Hook v. SCDHEC and Phillip Patterson
In Re: Ford Development Corp. v. SCDHEC, Docket No. 05-ALJ-07-0031-CC
Case Tracking No. 2019-001282

Dear Ms. Kitchings:

Please find enclosed the original and seven (7) copies of the Department's Motion for Extension of Time to File Appellant South Carolina Department of Health and Environmental Control's Initial Brief and Designation of Matter in the above referenced case. I would appreciate your returning a clocked copy in the enclosed envelope.

Respondents' have consented to this request.

Please address all correspondence in this matter to my attention at 1362 McMillan Avenue, Suite 400, Charleston, South Carolina 29405.

Thank you for your attention in this matter.

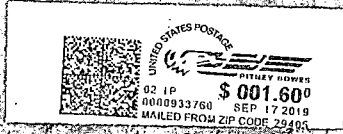
Very truly yours,

Bradley D. Churdar
Chief Counsel

BDC/mdc

cc: Mary D. Shahid, Esquire
Angelica M. Colwell, Esquire
Phillip Brent Patterson
The Honorable Jana E. Shealy

8738



Ocean & Coastal Resource Management
1362 McMillan Ave., Suite 400
Charleston, SC 29405

Return Service Requested

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

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