

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**  
OCT 22 2019  
SC Court of Appeals

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

vs.

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

**MOTION FOR 2<sup>ND</sup> 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 November 20, 2019. The basis for this motion is as follows:


This extension is requested due to Respondent's counsel's work load. Counsel has frequently been out of the office due to water leakage and damage at his home. 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 November 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*

October 17, 2019  
Charleston, South Carolina



October 17, 2019

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

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 2<sup>nd</sup> 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.

All parties 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/cas

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

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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 2<sup>nd</sup> 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:

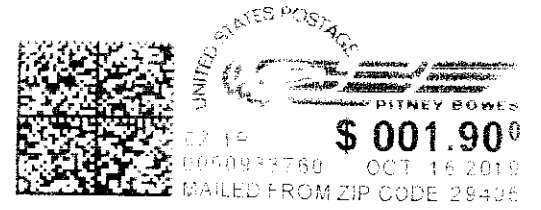
Mary D. Shahid, Esquire  
Angelica M. Colwell, Esquire  
Nexsen Pruet  
Post Office Box 486  
Charleston, SC 29402

Phillip Brent Patterson  
627 Parrot Point Drive  
Charleston, SC 29412



Bradley D. Churdar

October 17, 2019



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

Return Service Requested

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