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**STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS**

Appeal from the Administrative Law Court
The Honorable S. Phillip Lenski
Case No.: 2017-ALJ-07-0085CC
Appellate Case No.: 2019-001282

South Carolina Department of Health and Environmental Control,

Appellant,

v.

Richard J. Hook and Phillip Patterson,

Respondents.

**MOTION FOR SECOND EXTENSION OF TIME IN WHICH TO
FILE INITIAL RESPONDENT'S BRIEF AND DOM BY THE
RESPONDENT, RICHARD J. HOOK**

Mary D. Shahid, Esquire
Angelica M. Colwell, Esquire
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*Attorneys for the Respondent,
Richard J. Hook*

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FEB 03 2019
SC Court of Appeals

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COMES NOW Respondent, Richard J. Hook ("Hook"), pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully requests this Court of Appeals to grant it a second thirty-day (30) extension of time in which to file Hook's Initial Respondent's Brief and Designation of Matter to be Included in the Record on Appeal (the "DOM") in this appellate case. Respondent requests a two week extension of the deadline to file the brief, which is presently February 3, 2020.


Respondent's counsel received a serious health diagnosis in October, 2019, which resulted in surgery on November 1, 2019, and a longer than expected recovery time. A second surgery is scheduled for February 28, 2020. Respondent's counsel, in anticipation of another long-recovery period, is managing several pending deadlines in an effort to ensure all matters are properly covered before the second surgical procedure. An extension of two weeks is sufficient for Respondent's counsel to finalize the appellate brief and to manage other deadlines.

Consequently, anticipating a favorable reception and subsequent grant of this extension motion, Hook's Initial Respondent's Brief and DOM would then be due on or before Monday, February 17, 2020. Counsel for Appellant has been consulted and consented. Pro se participant Phillip Patterson has been contacted by email but as of this writing no response has been received.

Finally, Hook respectfully requests this Court of Appeals to hold the briefing time in abeyance until such time as this Court of Appeals has the opportunity to consider and rule upon this motion.

Respectfully submitted,

NEXSEN PRUET, LLC

By: 

Mary D. Shahid, Esquire
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*Attorneys for Respondent,
Richard J. Hook*

Charleston, South Carolina
January 31, 2020

**STATE OF SOUTH CAROLINA
IN THE
COURT OF APPEALS**

Appeal from the Administrative Law Court
The Honorable S. Phillip Lenski
Case No.: 2017-ALJ-07-0085CC
Appellate Case No.: 2019-001282

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SC Court of Appeals

South Carolina Department of Health and Environmental Control,

Appellant,

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Respondents.

**Proof of Service for the
MOTION FOR SECOND EXTENSION OF TIME IN WHICH TO
FILE INITIAL RESPONDENT'S BRIEF AND DOM BY THE
RESPONDENT, RICHARD J. HOOK**

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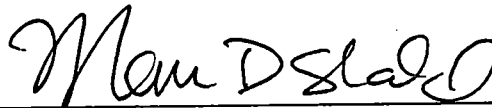
*Attorneys for Respondent,
Richard J. Hook*

I, Mary D. Shahid, Esquire, hereby certify that on January 31, 2020, I served a copy of the **Motion for Second Extension of Time in Which to File Initial Respondent's Brief and Designation of Matter** submitted by the Respondent, Richard J. Hook, on counsel for the Petitioner and Respondent, Phillip Patterson, via the United States Mail, postage pre-paid, and addressed as follows:

Bradley D. Churdar, Esquire
SC Department of Health and Environmental Control
1362 McMillan Avenue
Suite 400
Charleston, SC 29405

Attorney for the Petitioner

Phillip Brent Patterson
627 Parrot Point Drive
Charleston, SC 29412



Mary D. Shahid, Esquire

Charleston, South Carolina
January 31, 2020

NPCHAR1:2767643.1-LT-(MSHAHID) 032476-00002

Mary D. Shahid
Member
Admitted in SC

January 31, 2020

VIA U.S. MAIL

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

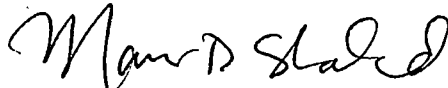
Re: Richard J. Hook v. SCDHEC and Phillip Patterson
Appellate Case No. 2019-001282

Dear Ms. Kitchings:

Please find enclosed the original and six copies of Respondent Richard Hook's Motion for a Second Extension of Time to File Initial Respondent's Brief and Designation of Matter in the above referenced case. Also enclosed is a check in the amount of \$50.00 for the filing fee. One additional copy is provided, along with a self-addressed stamped envelope, for you to stamp and return.

Please contact me if you have any questions or if I can be of assistance.

Very truly yours,



Mary D. Shahid

MDS/mdh

Enclosures

cc: Bradley Churdar, Esq.
Phillip Brent Patterson

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Charlotte

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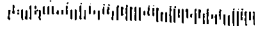
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SC Court of Appeals

Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

(MDS/mch) 32476-2