

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM S.C. DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL  
Office of Coastal Resource Management

John D. McLeod, Administrative Law Judge

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Opinion Number: 2020-UP-030  
Appellate Tracking Number: 2017-000161  
Case No. 2015-RFR-69, Sunset Cay, L.L.C.

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Case No. 2015-ALJ-07-0579-CC

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**RECEIVED**  
FEB 26 2020  
SC Court of Appeals

Sunset Cay, LLC, ..... Appellant,

v.

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

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**MOTION FOR EXTENSION OF TIME  
TO FILE RESPONDENT'S RETURN TO  
APPELLANT'S PETITION FOR REHEARING**

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TO: THE COURT AND COUNSEL FOR ALL PARTIES

PLEASE TAKE NOTICE that, pursuant to Rule 263, SCACR, Respondent South Carolina Department of Health and Environmental Control ("SCDHEC" or the "Department"), hereby respectfully moves before this Court for an Order extending the time for filing its Return to Petition for Rehearing. The deadline for submission of the Respondent's Return is March 2, 2020. The

Department seeks an extension of thirty (30) days, making the Department's deadline for filing its Return to Petition for Rehearing April 1, 2020. The basis for this motion is as follows:

This extension is requested due to Respondent's counsel's work load. Counsel currently has a 5 day trial scheduled for February 24-28 before the Administrative Law Court; a 2 day trial before this Court March 12-13 and another trial before this Court on March 25, 2020.

WHEREFORE, Respondent SCDHEC respectfully moves this Court for an Order extending the time for filing the Respondent's Return to Petition for Rehearing until April 1, 2020. 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*

February 21, 2020  
Charleston, South Carolina

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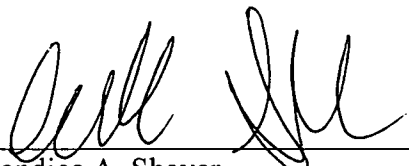
**CERTIFICATE OF SERVICE**

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

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

Thomas R. Goldstein, Esquire  
Belk, Cobb, Infinger and Goldstein  
Post Office Box 71121  
Charleston, SC 29415-1121

  
\_\_\_\_\_  
Candice A. Shaver

February 21, 2020



Healthy People. Healthy Communities.

February 21, 2020

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

Re: Sunset Cay, LLC v. SCDHEC  
Case Tracking No. 2017-000161

Dear Ms. Kitchings:

Please find enclosed the original and seven (7) copies of the Department's Motion for Extension of Time to File Respondent's Return to Appellant's Petition for Rehearing in the above referenced case. I would appreciate your returning a clocked copy in the enclosed envelope.

By copy of this letter, I am notifying all parties of 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

cc: Tommy Goldstein, Esquire

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FEB 26 2020

SC Court of Appeals