

RECEIVED

Jul 09 2020

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA  
In the Supreme Court

APPEAL FROM THE ADMINISTRATIVE LAW COURT  
Shirley C. Robinson, Administrative Law Judge

Appellate Case No. 2020-000448

Pickens County, ..... Respondent,

v.

South Carolina Department of Health and Environmental Control and  
MRR Pickens, LLC..... Petitioners.

**PETITIONERS' JOINT CONSENT MOTION FOR EXTENSION OF TIME  
TO FILE REPLIES TO RETURN TO PETITIONS FOR WRIT OF CERTIORARI**

Pursuant to Rules 240, 242, and 263(b), of the South Carolina Appellate Court Rules, Petitioners South Carolina Department of Health and Environmental Control (DHEC) and MRR Pickens, LLC (MRR) (collectively, Petitioners) respectfully and jointly move this Court for an extension of time to file their respective Replies to the Return to their Petitions for Writ of Certiorari to the Court of Appeals of its decision in this matter, *Pickens County v. South Carolina Department of Health and Environmental Control and MRR Pickens, LLC*, Op. No. 5707 (S.C. Ct. App. filed Jan. 8, 2020) (Shearouse Ad. Sh. No. 2 at 25) (Opinion). Respondent Pickens County consents to the requested relief. In support of this motion, Petitioners state as follows:

1. The Court of Appeals filed the Opinion on January 8, 2020, reversing and remanding the matter to the Administrative Law Court.
2. Respondents filed a timely Petition for Rehearing with the Court of Appeals on January 23, 2020, which was denied by Order dated February 14, 2020.

3. On April 15, 2020, DHEC and MRR timely filed their respective Petitions for Writ of Certiorari to the Opinion.

4. On July 2, 2020, Respondent Pickens County filed its Return.

5. Under Rule 242(g), SCACR, Replies to Return are due to be filed on or before July 13, 2020.

6. Due to other work obligations conflicting with the current deadline, including in this Court, counsel for Petitioners MRR and DHEC jointly request an extension of an additional five (5) days to file their respective Replies.

7. If the Court grants this request, Counsel for the Petitioners calculates that they will have until July 20, 2020, in which to file their respective Replies.

8. This is the second request for an extension by Petitioners to this Court on the certiorari briefing, as the Court previously granted an extension of ten (10) days to file the initial respective Petitions for Writ of Certiorari, although this is the first request related to Petitioners' Replies, and the time period requested herein is still cumulatively less than the total allowable time for extensions set forth in Supreme Court Order 2014-07-16-01.

9. This request is made in good faith, not for purposes of delay, and Respondent Pickens County will not be prejudiced by this extension.

10. Counsel for the Petitioners have consulted with Counsel for the Respondent, and the undersigned is authorized to state that Respondent consents to the granting of this request.

Counsel for Petitioners DHEC and MRR therefore respectfully request that the Court grant this Motion and extend the time for filing the respective Replies to the Return to the Petitions for Writ of Certiorari to the Court of Appeals until July 20, 2020.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,

/s Chad N Johnston  
Chad N. Johnston  
**WILLOUGHBY & HOEFER, P.A.**  
930 Richland Street  
Post Office Box 8416  
Columbia, South Carolina 29202  
(803) 252-3300

R. Walker Humphrey, II  
**WILLOUGHBY & HOEFER, P.A.**  
133 River Landing Drive, Suite 200  
Charleston, South Carolina 29492  
(843) 619-4426

Jessica J.O. King  
**WILLIAMS MULLEN**  
1441 Main Street, Suite 1250  
Columbia, South Carolina 29201  
Telephone: (803) 567-4000

Robert F. Goings  
Jessica L. Gooding  
**GOINGS LAW FIRM, LLC**  
914 Richland Street, Suite A-101  
Columbia, South Carolina 29201  
Telephone: (803) 350-9230

*Attorneys for Petitioner MRR Pickens, LLC*

/s Etta R. Williams (with permission by CNJ)  
Etta R. Williams Linen, Assistant General Counsel  
Karen C. Ratigan  
**SOUTH CAROLINA DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL CONTROL**  
2600 Bull Street  
Columbia, South Carolina 29201

*Attorneys for Petitioner South Carolina Department of  
Health and Environmental Control*

Columbia, South Carolina  
July 9, 2020