

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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OCT 01 2018

APPEAL FROM ADMINISTRATIVE LAW COURT S.C. SUPREME COURT
Ralph King Anderson, III, Administrative Law Judge
Case No. 13-ALJ-07-0056-CC

Appellate Case No. 2018-000137

Preservation Society of Charleston, Historic Charleston Foundation, Historic Ansonborough Neighborhood Association, South Carolina Coastal Conservation League, Charlestowne Neighborhood Association, Charleston Chapter of the Surfrider Foundation, and Charleston Communities for Cruise Control..... Petitioners,

vs.

South Carolina State Ports Authority and South Carolina Department of Health and Environmental Control..... Respondents.

**PETITIONERS' MOTION FOR EXTENSION OF TIME TO FILE
OPENING BRIEF**

TO: ALL PARTIES AND THE SUPREME COURT:

PLEASE TAKE NOTICE that the above-named Petitioners hereby move the Supreme Court for an order extending the time for filing their opening brief in the above-captioned matter. The opening brief is due on October 1, 2018, and the Petitioners seek an extension of ten (10) days.¹ In support of this request, Petitioners submit the following:

¹ As described in greater detail below, the Georgetown area where the undersigned counsel resides and works is undergoing an emergency flooding

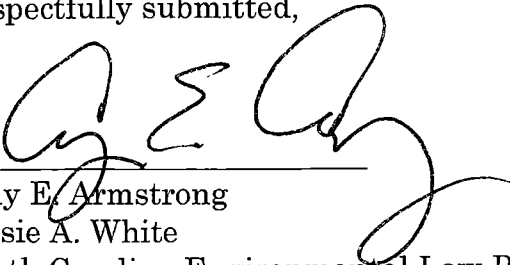
1. Prior to and during Hurricane Florence, Governor Henry McMaster ordered mandatory evacuations for the coastal counties in which the undersigned counsel for Petitioners reside and work. Counsel's office in Georgetown was closed and staff was evacuated from September 11, 2018 until September 17, 2018.
2. Now, in the wake of Hurricane Florence, the Georgetown area is bracing for another wave of dangerous, emergency conditions as floodwaters are moving downstream from North Carolina and the upper Pee Dee River Basin towards Winyah Bay. Many areas in Georgetown are expected to experience historic and likely catastrophic flooding in the coming days, including in the areas where undersigned counsel resides and works. Indeed, the undersigned is presently under an evacuation order from the County as a result of the proximity of her home to the Waccamaw River.
3. Emergency preparations are already underway to close part or all of some of the roadways in and around the Georgetown area, including the main bridges to and from Georgetown which counsel must utilize to access the office.
4. Counsel anticipates that the bridges will be closed on or around Wednesday, September 26, 2018, which will cause her office in Georgetown to be closed

situation wherein government offices and schools are closed until further notice. In the event that this Court issues an order declaring any of this time to be a "state holiday" for the purposes of calculating time as it did with respect to Hurricane Florence by Order dated September 17, 2018, the Petitioners respectfully request that such dates are incorporated into the Court's decision and that the time for filing begin to run immediately thereafter.

until such time as the floodwaters recede, the roadways re-open, and dangerous conditions no longer exist; however, it is unclear when that can be expected.

5. Both of these weather events have caused massive disruption and created a significant impediment to undersigned counsel's ability to devote any time and resources necessary to preparation of an opening brief.
6. Further, in light of the mandatory evacuations, closure of state government offices and significant damage caused by Hurricane Florence, this Court issued Order No. 2018-09-17-01 declaring the days of Tuesday, September 11, 2018 through Friday, September 21, 2018, to be statewide "holidays" for purposes of computing time under the rules.
7. In an order dated September 17, 2018, this Court granted the Petitioners' first request for an extension in this matter; however, this extension did not account for the four (4) days from September, 18, 2018 through September, 21, 2018 that were declared holidays.
8. Counsel for Petitioners has consulted with counsel for Respondents SPA and DHEC, both of whom consent to this request.

Respectfully submitted,



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Attorneys for the Petitioners

Pawleys Island, SC
September 25, 2018

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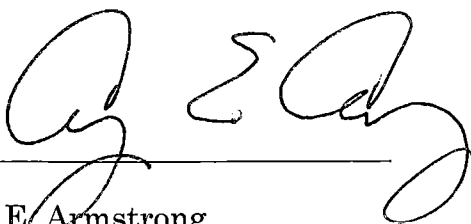
South Carolina State Ports Authority and South Carolina Department of Health and Environmental Control..... Respondents.

CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2018, I caused to be served the foregoing *Petitioners' Motion for Extension of Time* on all counsel of record by placing copies of same in the U.S. Mail addressed to:

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September 25, 2018