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**Sep 28 2020**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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

Docket No. 18-ALJ-07-0047-CC  
Appellate Case No. 2020-001090

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Ex Parte: South Carolina Conservation League .....Appellant,

In Re:

KDP, II, LLC, Respondent, .....Respondent,

v.

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

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**MOTION FOR EXTENSION OF TIME FOR FILING  
INITIAL BRIEF AND DESIGNATION OF MATTER**

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TO: ALL PARTIES AND THE COURT OF APPEALS:

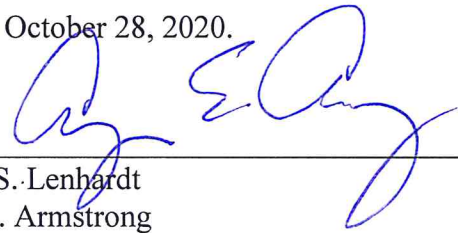
PLEASE TAKE NOTICE that the Appellant hereby moves the Court of Appeals for an extension of time for filing its initial brief and designation of matter. The initial brief and designation are due on September 28, 2020, and the League seeks an extension of thirty days until October 28, 2020. This is the second extension request.

Undersigned counsel requests this extension for multiple reasons, including circumstances created by the covid-19 health crisis, the complexity of the legal issues involved in

this appeal, and personal health issues. Undersigned has experienced the same diminished efficiency as many other parents who have been forced to shift school and childcare arrangements on account of the health crisis. In addition, co-counsel on this case has recently undergone a medical procedure that has prevented her from working normal hours and keeping up with her ongoing obligations. For these reasons, both counsel have been unable to commit the necessary time needed to adequately prepare the initial brief in this matter, and undersigned submits that the requested 30-day extension is appropriate.

Counsel for Appellant has consulted with counsel for Respondents, both of whom consent to the requested extension.

WHEREFORE, the Appellant requests that this Court issue an order extending the time to file its initial brief and designation of matter until October 28, 2020.



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Leslie S. Lenhardt  
Amy E. Armstrong  
SOUTH CAROLINA ENVIRONMENTAL LAW  
PROJECT

Mailing address: Post Office Box 1380  
Pawleys Island, SC 29585  
Office address: 430 Highmarket Street  
Georgetown, SC 29440  
Telephone (843) 527-0078  
FAX (843) 527-0540

Attorneys for the Appellants

Georgetown, South Carolina

September 28, 2020

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KDP, II, LLC, Respondent, .....Respondent,

v.

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

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**CERTIFICATE OF SERVICE**

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I hereby certify that on this date I served Appellant’s motion for extension for filing Appellant’s initial brief and designation of matter on all parties by emailing a copy of same, on September 28, 2020, to the Attorney Information System provided email addresses below, via the attached E-mail:

Trenholm Walker  
*walker@wgflaw.com*

s/ Amy E. Armstrong  
Amy Armstrong

Tom Gressette  
*gressette@wgflaw.com*

Georgetown, SC  
September 28, 2020

Sallie Phelan  
*phelansp@dhec.sc.gov*

## Ex Parte CCL; Appellate Case No. 2020-001090

**From:** Amy Armstrong <amy@scelp.org>  
**To:** Trenholm Walker <Walker@WGFLAW.com>, Tom Gressette <Gressette@WGFLAW.com>, Sallie Phelan <phelansp@dhec.sc.gov>, Bradley Churdar <CHURDABD@dhec.sc.gov>  
**Cc:** Leslie Lenhardt <leslie@scelp.org>  
**Subject:** Ex Parte CCL; Appellate Case No. 2020-001090  
**Date:** Monday, September 28, 2020 4:09 PM  
**Size:** 1.7 MB

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Trenholm, Tom, Brad and Sallie,

As permitted by part (g)(3) of Supreme Court Order 2020-05-29-02, I am herewith serving via E-mail the Appellant's second motion for extension of time for serving the initial brief and designation of matter in the above-captioned appeal. Shortly, I will be filing these documents with the Court of Appeals electronically as permitted by part (c)(5) of the Order, and will attach this E-mail to the certificate of service of same.

Many thanks,  
Amy

Amy E. Armstrong  
South Carolina Environmental Law Project  
P.O. Box 1380  
Pawleys Island, SC 29585  
Phone: (843) 527-0078  
amy@scelp.org

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**Sep 28 2020**  
**SC Court of Appeals**

**Wild Side is on 9/26:** [Register for the Free Livestream and Celebrate with Us!](#)

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Ex Parte CCL; Motion for extension.pdf 1.3 MB



# South Carolina Environmental Law Project

Lawyers for the Wild Side of South Carolina

a 501c3

non-profit organization

**Amy E. Armstrong**  
Executive Director  
**Michael G. Corley**  
Staff Attorney  
**Benjamin D. Cunningham**  
Staff Attorney  
**Leslie S. Lenhardt**  
Staff Attorney  
**Jessie A. White**  
Staff Attorney  
**Lauren Megill Milton**  
Lucey Law Fellow

**MAIN OFFICE**  
430 Highmarket Street  
Georgetown, SC 29440

**CONTACTS**  
P.O. Box 1380  
Pawleys Island, SC 29585  
(843) 527-0078  
amy@scelp.org  
leslie@scelp.org

P.O. Box 5761  
Greenville, SC 29606  
(864) 412-7921  
michael@scelp.org

1214-A King Street  
Beaufort, SC 29902  
(843) 787-9864  
jessie@scelp.org

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September 28, 2020

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**Sep 28 2020**

**SC Court of Appeals**

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

RE: Ex Parte Coastal Conservation League;  
Appellate Case No. 2020-001090

Dear Ms. Kitchings:

I am filing the Appellant's unopposed second Motion for Extension along with my certificate of service showing that I have served the parties by via email.

Thank you for you kind consideration and assistance with this matter.

Yours very truly,

  
Amy E. Armstrong

cc: G. Trenholm Walker, Esq.  
Thomas P. Gressette, Jr., Esq.  
Sallie P. Phelan, Esq.