

RECEIVED

Jan 21 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE CHARLESTON COUNTY COURT OF COMMON PLEAS
Mikell R. Scarborough, Circuit Court Judge

Appellate Case No. 2020-000937

City of Folly Beach, Coastal Conservation League, Save Folly Beach, Inc., John Collins,
Matt Napier, Paula Stubblefield, Troy Bode, and Carol Kruer. Appellants,

vs.

State of South Carolina, Amy Connelly, Jeffrey H. Morris, Michael Vandaele, Stephen Rawe, Juan
Enterprises, LLC, Juanita A Wright, Debbie’s Folly, LLC, and
Vernon Staubes, Respondents,

**MOTION FOR EXTENSION OF TIME FOR FILING
INITIAL REPLY BRIEF**

TO: ALL PARTIES AND THE COURT OF APPEALS:

PLEASE TAKE NOTICE that the Appellants hereby move the Court of Appeals for an extension of time for filing their initial reply brief. The reply brief is due on January 21, 2021 and the Appellants seek an extension of ten days until February 1, 2021. This is the third extension request.

Counsel for Appellants understands that a third extension will not be granted absent exceptional circumstances, but asserts that such circumstances exists. As counsel previously noted, the lead attorney in this case, Michael G. Corley, Esq., left full-time employment with the South Carolina Environmental Law Project on January 4. The firm is small, with 5 attorneys handling a heavy case load, including multiple cases in the appellate courts. Mr. Corley was the firm’s second

senior-most attorney, and his departure has significantly decreased capacity and required the shifting of responsibilities in multiple courts. Although the firm worked diligently to hire a new attorney, its diminished legal capacity for the first three weeks of January, which is expected to continue for at least the next month, has been an unusual circumstance. The firm has had to shift Mr. Corley's obligations to various courts to the firm's other four attorneys who already have multiple obligations, including three multi-day administrative hearings for which discovery is ongoing. Even though the new attorney started on January 18, getting him up to speed has itself required counsel to divert time and energy to his on-boarding. In addition, the undersigned counsel has continued to experience difficulty meeting existing work obligations resulting from her childrens' virtual school schedules due to the covid crisis, which have impaired her ability to spend the focused time needed to prepare a reply brief. Further, the undersigned was preparing for a multiple-day hearing before the South Carolina Mining Council, which was scheduled for January 11, 2021, and only continued at the last minute.

Counsel for Appellants has consulted with counsel for Respondents, who consent to the requested extension.

WHEREFORE, the Appellants request that this Court issue an order extending the time to file its initial brief and designation of matter until February 1, 2021.

[SIGNATURE PAGE FOLLOWS]

/s/ Leslie S. Lenhardt

Leslie S. Lenhardt

SOUTH CAROLINA ENVIRONMENTAL LAW
PROJECT

Mailing address: Post Office Box 1380
Pawleys Island, SC 29585

Telephone (843) 527-0078

FAX (843) 527-0540

Attorney for the Appellants

Mount Pleasant, South Carolina

January 21, 2021

RECEIVED

Jan 21 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE CHARLESTON COUNTY COURT OF COMMON PLEAS
Mikell R. Scarborough, Circuit Court Judge

Appellate Case No. 2020-000937

City of Folly Beach, Coastal Conservation League, Save Folly Beach, Inc., John Collins,
Matt Napier, Paula Stubblefield, Troy Bode, and Carol Kruer. Appellants,

vs.

State of South Carolina, Amy Connelly, Jeffrey H. Morris, Michael Vandaele, Stephen Rawe, Juan
Enterprises, LLC, Juanita A Wright, Debbie’s Folly, LLC, and
Vernon Staubes, Respondents,

CERTIFICATE OF SERVICE

I hereby certify that on this date I served Appellant’s Motion for Extension to File Reply
Brief on all parties by emailing a copy of same on January 21, 2021, to the Attorney Information
System provided email addresses below, via attached e-mail:

J. Emory Smith
Esmith@scag.gov

Mary D. Shahid
mshahid@nexsenpruet.com

Kerry Koon
kerrykoon@hotmail.com

Rita Bolt Barker
rbarker@wyche.com

/s/ Leslie S. Lenhardt
Leslie S. Lenhardt

January 21, 2021

RECEIVED**Jan 21 2021****SC Court of Appeals****Folly Beach et al. v. Oberheim et al.**

From: [Leslie Lenhardt <leslie@scelp.org>](mailto:leslie@scelp.org)
To: [Mary Shahid <mshahid@nexsenpruet.com>](mailto:mshahid@nexsenpruet.com), [Emory Smith <ESmith@scag.gov>](mailto:ESmith@scag.gov),
[Rita Bolt Barker <rbarker@wyche.com>](mailto:rbarker@wyche.com), [Kerry Koon <kerrykoon@hotmail.com>](mailto:kerrykoon@hotmail.com),
[R. Bruce Wallace \(bwallace@nexsenpruet.com\) <bwallace@nexsenpruet.com>](mailto:bwallace@nexsenpruet.com)
Cc: [Amy Armstrong <Amy@scelp.org>](mailto:Amy@scelp.org)
Subject: Folly Beach et al. v. Oberheim et al.
Date: Thursday, January 21, 2021 9:50 AM
Size: 57 KB

All,
Please find attached for service on you is the Appellants' Motion for Extension in the above-referenced matter.
Thank you,
Leslie

--
Leslie Lenhardt
Staff Attorney
S.C. Environmental Law Project
P.O. Box 1380
Pawleys Island, SC 29585
Phone: (843) 527-0078
leslie@scelp.org

motion for extension reply 3.pdf 40 KB

