

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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

Feb 25 2021
S.C. SUPREME COURT

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 THEIR RESPECTIVE REPLY BRIEFS**

Pursuant to Rules 240, 242, and 263(b), of the South Carolina Appellate Court Rules (SCACR), 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 Reply Briefs in this matter. Respondent Pickens County consents to the requested relief. In support of this motion, Petitioners state as follows:

1. By Order dated December 14, 2020, this Court granted certiorari to the Court of Appeals of *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).
2. On January 13, 2021, Petitioner MRR filed its primary brief, along with the appendix.

3. By letter dated January 14, 2021, Petitioner DHEC informed the Court that it had not received notice of the Court's December 14, 2020, Order, thereby explaining its reason for not filing a primary brief of its own, and further provided notice pursuant to Rule 208(b)(6), SCACR that it intended to join in and adopt MRR's brief.

4. By letter dated January 21, 2021, this Court accepted DHEC's notice of joinder and adoption of MRR's brief.

5. On February 22, 2021, Respondent Pickens County filed its combined response brief.

6. Under Rule 242(i), SCACR, MRR's and DHEC's respective reply briefs are due to be filed on or before March 4, 2021.

7. Due to other work obligations conflicting with the current deadline, counsel for Petitioners MRR and DHEC jointly request an extension of an additional five (5) days to file their respective reply briefs.

8. If the Court grants this request, Counsel for the Petitioners calculates that they will have until March 9, 2021, in which to file their respective reply briefs.

9. This is the third request for an extension by Petitioners to this Court on certiorari briefing, as the Court previously granted an extension of ten (10) days to file the initial respective Petitions for Writ of Certiorari, as well as an extension of five (5) days to file their respective replies in support of certiorari. This is the first request related to Petitioners' formal briefs to the Court, and the time period requested herein is consistent with the twenty-day (20) cumulative maximum amount of time allowable for extensions under Supreme Court Order 2014-07-16-01.

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

11. 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 Reply Briefs until March 9, 2021.

[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
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