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Apr 22 2021
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

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

Ex Parte: South Carolina Conservation LeagueAppellant,

In Re:

KDP, II, LLC, Respondent,Respondent,

v.

South Carolina Department of Health and Environmental ControlRespondent.

**SECOND MOTION FOR EXTENSION OF TIME FOR FILING
REPLY BRIEF OF APPELLANT**

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 Reply Brief. The Reply Brief is due on April 22, 2021, and the League seeks an extension of ten days until May 3, 2021. This is the second extension request to file its reply brief. The basis for this request is that one of the undersigned counsel is the executive director of the non-profit organization and has had work and travel commitments over the last several weeks. Further both counsel have other pending appellate cases requiring their

attention and has prevented them from completing the reply brief and

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 Reply Brief until May 3, 2021.

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

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Attorneys for the Appellants

Georgetown, South Carolina

April 21, 2021

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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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

Docket No. 18-ALJ-07-0047-CC
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Ex Parte: South Carolina Conservation LeagueAppellant,

In Re:

KDP, II, LLC, Respondent,Respondent,

v.

South Carolina Department of Health and Environmental ControlRespondent.

CERTIFICATE OF SERVICE

I hereby certify that on this date I served Appellant’s motion for extension for filing Appellant’s reply brief on all parties by emailing a copy of same, on April 22, 2021, to the Attorney Information System provided email addresses below, via the attached E-mail:

Trenholm Walker
walker@wgflaw.com

s/ Leslie S. Lenhardt
Leslie S. Lenhardt

Tom Gressette
gressette@wgflaw.com

Mt. Pleasant, SC
April 22, 2021

Sallie Phelan
phelansp@dhec.sc.gov

KDP motion for extension

From: [Leslie Lenhardt <leslie@scelp.org>](mailto:leslie@scelp.org)
To: [Thomas P. Gressette, Jr. <Gressette@WGFLAW.com>](mailto:Gressette@WGFLAW.com), [Sallie Phelan <phelansp@dhec.sc.gov>](mailto:phelansp@dhec.sc.gov)
Cc: [Amy Armstrong <Amy@scelp.org>](mailto:Amy@scelp.org)
Subject: KDP motion for extension
Date: Thursday, April 22, 2021 8:54 AM
Size: 276 KB

Tom and Sallie,
Please find attached CCL's Second Motion for Extension to File Reply Brief in the above-referenced matter.
Thank you for your consent.
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

Be a Champion #ForTheWildSide this May 4-5th
Gifts made on [Palmetto Giving Day](#) will be matched up to \$50,000!
[Click to Help Raise \\$100,000 for SC's Natural Assets](#)

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**SOUTH CAROLINA
ENVIRONMENTAL
LAW PROJECT**

Lawyers for the Wild Side

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April 22, 2021

VIA E-MAIL & U.S. MAIL

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

RECEIVED
Apr 22 2021
SC Court of Appeals

Re: Ex Parte KDP, II, LLC v. SCDHEC
Appellate Case No. 2020-001090

Dear Ms. Kitchings:

Enclosed please find the Coastal Conservation League's Second Motion for Extension to File Appellant's Reply Brief in the above-referenced matter. The \$50.00 filing fee is being placed in the mail today. Thank you for your kind consideration.

Respectfully,

Leslie S. Lenhardt
Staff Attorney

Enclosure

Cc: Thomas Gressette, Esq. (via e-mail)
Sallie P. Phelan, Es. (via e-mail)

Our Mission To protect the natural environment of South Carolina by providing legal services and advice to environmental organizations and concerned citizens and by improving the state's system of environmental regulation.