

TENDERED

JUL 10 2018

IN THE ARKANSAS COURT OF APPEALS

CAROL BITTING, et al

APPELLANTS

VS.

CASE NO. CV-18-427

**ARKANSAS POLLUTION CONTROL
& ECOLOGY COMMISSION AND
ELLIS CAMPBELL d/b/a EC FARMS**

APPELLEES

REPLY TO RESPONSE TO MOTION TO DISMISS APPEAL

Comes the separate appellee, Ellis Campbell d/b/a EC Farms, and for his reply to the response of the appellants to his Motion to Dismiss Appeal, states:

1. The appellants agree that the date of the Order appealed from was January 10, 2018 and that the first date of the thirty-day appeal period was January

11. The thirty-day period ended on Friday, February 9, 2018:

Day 1 of Appeal Period: January 11
Day 2 of Appeal Period: January 12
Day 3 of Appeal Period: January 13
Day 4 of Appeal Period: January 14
Day 5 of Appeal Period: January 15
Day 6 of Appeal Period: January 16
Day 7 of Appeal Period: January 17
Day 8 of Appeal Period: January 18
Day 9 of Appeal Period: January 19
Day 10 of Appeal Period: January 20
Day 11 of Appeal Period: January 21
Day 12 of Appeal Period: January 22
Day 13 of Appeal Period: January 23
Day 14 of Appeal Period: January 24

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Day 15 of Appeal Period: January 25
Day 16 of Appeal Period: January 26
Day 17 of Appeal Period: January 27
Day 18 of Appeal Period: January 28
Day 19 of Appeal Period: January 29
Day 20 of Appeal Period: January 30
Day 21 of Appeal Period: January 31
Day 22 of Appeal Period: February 1
Day 23 of Appeal Period: February 2
Day 24 of Appeal Period: February 3
Day 25 of Appeal Period: February 4
Day 26 of Appeal Period: February 5
Day 27 of Appeal Period: February 6
Day 28 of Appeal Period: February 7
Day 29 of Appeal Period: February 8
Day 30 of Appeal Period: February 9 (Friday)

Notice of Appeal Filed: February 12 (Monday)

Therefore, the notice of appeal was untimely and the appeal should be dismissed.

WHEREFORE, Ellis Campbell d/b/a EC Farms moves the Court to dismiss the appellants' appeal and for all other proper relief to which he may be entitled.

Respectfully submitted,

/s/ William A. Waddell, Jr.

WILLIAM A. WADDELL, JR.

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CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2018, I served the foregoing document via electronic mail on the following:

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