

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION VII  
11201 RENNER BOULEVARD  
LENEXA, KANSAS 66219

BEFORE THE ADMINISTRATOR

IN THE MATTER OF	)	RESPONDENT'S MOTION FOR
	)	LEAVE TO FILE OUT OF TIME
ADAMAS CONSTRUCTION AND	)	
DEVELOPMENT SERVICES, PLLC	)	Docket No. CWA-07-2019-0262
	)	
AND	)	
NATHAN PIERCE,	)	
	)	
Respondents	)	
Proceedings under Section 309(g) of the	)	
Clean Water Act, 33 U.S.C. § 1319(g)	)	
	)	
	)	
	)	

**MOTION FOR LEAVE TO FILE OUT OF TIME A MOTION TO CONTINUE THE  
SCHEDULED HEARING**

Comes now Respondent and moves this Court to grant Respondent's Motion for Leave to File Out of Time; and Respondent's Motion To Continue The Scheduled Hearing, filed March 24<sup>th</sup> 2023, and All Exhibits Thereto, and in support thereof show as follows:

I.

Since the order scheduling the hearing the Respondent Nathan Pierce has learned from a recent doctors visit that the respondent has more than 25% blockage to the right side of the heart and is scheduled to undergo a cardiovascular surgical procedure on April 15<sup>th</sup> 2023, it is the recommendation of the respondents physician that stress is to avoid as much as possible leading up to and after the surgical procedure.

Respondent has contacted the Complainant and Complainant does not oppose or support this motion.

In support hereof, Respondent has attached an Affidavit in accordance with 40 C.F.R. § 22.S(b)(2).

RESPECTFULLY SUBMITTED this 24<sup>th</sup> day of March 2023.

/s/ Nathan Pierce  
Nathan Pierce  
Respondent  
16550 Cottontail TR  
Shepherd, Montana 59079  
Email: adams.mt.406@gmail.com

CERTIFICATE OF SERVICE

I certify that the foregoing Respondent's MOTION FOR LEAVE TO FILE OUT OF TIME, Docket No. CWA-07-2019-0262, has been submitted electronically using the OALJ E-Filing System. A copy was sent by email to:

Copy by Electronic Mail to:  
Christopher Muehlberger, Esq.  
Katherine Kacsur, Esq.  
Assistant Regional Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
Email: muehlberger.christopher@epa.gov  
Email: kacsur.katherine@epa.gov  
Attorneys for Complainant

Date: Friday, March 24<sup>th</sup>, 2023

/s/ Nathan Pierce  
Nathan Pierce  
Respondent  
16550 Cottontail TR  
Shepherd, Montana 59079  
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