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**Aug 02 2022**  
**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM THE ORANGEBURG  
COURT OF COMMON PLEAS

Edgar J. Dickson, Circuit Court Judge

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Case Numbers:

2018-CP-38-01036  
2018-CP-38-01038  
2018-CP-38-01039

Malcolm E. Livingston, Jr. as the Personal Representative  
Of the Estate of Rebecca Livingston and personally . . . . . Respondent,

v.

The Regional Medical Center of Orangeburg and Calhoun Counties Appellant.

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RESPONDENT’S MOTION FOR AN  
EXTENSION OF TIME TO FILE INITIAL  
BRIEF

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The Respondent submits this motion for an extension of time to file its Initial Brief. The Appellant’s Initial Brief was served electronically on July 5, 2022, making Respondent’s Initial Brief due on August 4, 2022. Counsel for the Respondent underwent joint replacement surgery on July 12, 2022, has not been medically released to resume normal activities and is still recovering. The Respondent respectfully requests an additional thirty (30) days in which to file Respondent’s Initial Brief, which would make

it due on September 6, 2022. Counsel for the Appellant has been consulted and consents to this motion.

Counsel for Respondent:

sMarion C. Fairey, Jr.

Marion C. Fairey, Jr.(SCB#64998)  
4985 Savannah Highway  
Post Office Box 661  
Hampton, South Carolina 29924  
(803) 943-6444

August 2, 2022  
Hampton, South Carolina

Clyde C. Dean, Jr. (SCB#1606)  
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Orangeburg, South Carolina 29115  
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v.

The Regional Medical Center of Orangeburg and Calhoun Counties Appellant.

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Proof of Service

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I certify that on August 2, 2022, I have served a copy of the Respondent's Motion for an Extension of Time to File Initial Brief by electronic mail and United States Mail, Postage prepaid, addressed to:

Michael C. Tanner  
Morgan R. Long  
Post Office Box 1061  
Bamberg, South Carolina 29003  
[michaelctannerllc@bellsouth.net](mailto:michaelctannerllc@bellsouth.net)  
[morgan.tannerlaw@gmail.com](mailto:morgan.tannerlaw@gmail.com)

The Honorable Jenny Abbott Kitchings  
Clerk of South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

Counsel for Respondent:

s/Marion C. Fairey, Jr.

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MARION C. FAIREY, JR.

[bfairy@faireylaw.com](mailto:bfairy@faireylaw.com)

August 2, 2022

**Via U. S. Mail and Electronic Mail (ctappfilings@sccourts.org)**

The Honorable Jelly Abbot Kitchings  
Clerk of the South Carolina Court of Appeals  
P. O. Box 11629  
Columbia, South Carolina 29211

**Re: Malcolm Livingston v. The Regional Medical Center of Orangeburg and Calhoun Counties, 2018-CP-38-01036, 01038, and 01039**

Dear Ms. Kitchings:

Enclosed please find Respondent's Motion for an Extension of Time to File Initial Brief and Proof of Service for the above-referenced cases, along with a check in the amount of \$150.00 to cover the filing fee in each case. I also filed and served this motion electronically pursuant to Amended Order No. 2020-05-29-02 (Operation of the Appellate Courts During the Coronavirus Emergency). Please do not hesitate to call if there are any questions or concerns.

Please accept my kindest regards.

Respectfully yours,

s/Marion C. Fairey, Jr.

MCFjr

Enclosures

cc: Michael C. Tanner  
Morgan Long  
Clyde C. Dean, Jr.