

9/28/23

**RECEIVED**

AUG 08 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge

Appellate Case No.: 2019-001140  
Civil Action No.: 2018-CP-08-00817

Ronald L. Jones and Gayle Langley Jones, Thomas Huguenin Gaillard, as Trustee of The Thomas Huguenin Gaillard Revocable Trust, Dated April 3, 2007, and Thomas W. Cone, Jr. as Trustee of The Thomas W. Cone, Jr. Revocable Trust, Dated April 3, 2007, ..... Respondents,

v.

Rogers Townsend & Thomas, P.C. Lisa Hostetler; Alexander C. Peabody; and Peabody & Associates, Inc., ..... Defendants,

Of Which Rogers Townsend & Thomas, P.C. and Lisa Hostetler are ..... Appellants.

**APPELLANTS' MOTION FOR EXTENSION OF TIME  
TO FILE PETITION FOR REHEARING**

Appellants, by and through their attorneys, hereby move for an extension of time to file and serve their Petition for Rehearing pursuant to Rule 263(b), SCACR. Appellant requests an extension of fifteen (15) days from August 11, 2022, which would result in a deadline of August 26, 2022. Appellants request this extension due to a date-certain jury trial commencing on August 15, 2022, with pre-trial submissions due August 9, 2022. The trial is expected to take one week. A copy of the roster for the Jury Trial Roster Meeting, noting the date certain, is attached hereto as **Exhibit A**. Due to the impending trial, counsel for Appellants have insufficient time to draft a thorough petition for rehearing and therefore request an extension. Counsel for Appellants

requested consent from opposing counsel by email on July 28, 2022 but have not received a response as of the time of this filing.

Respectfully submitted,

**BRUNER, POWELL, WALL & MULLINS, LLC**

*s/ Chelsea J. Clark*

Warren C. Powell, Jr., Bar No. 4525

Chelsea J. Clark, Bar No. 102211

Post Office Box 61110 (29260)

1735 St. Julian Place, Suite 200 (29204)

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*Attorneys for Appellants*

Columbia, South Carolina  
August 4, 2022

# **EXHIBIT A**

**Richland County Fifth Judicial Circuit - Roster Details**  
**JURY TRIAL ROSTER MEETING AUGUST 15th, 2022 COURTROOM 2-A 9 AM**

Court Agency	Richland County Common Pleas	Judge	Newman	Roster Id	1239		
Roster Type	Jury Trial Roster	Roster Begin Date	08/15/2022	Roster End Date	08/19/2022		
Number of cases = 15							
#	Case	Plaintiff Attorney	Defendant Attorney	Filed Date	Sub Type	Status	Notes
1)	2019CP4005055 National Waterfowl Alliance, plaintiff, et al vs Ryan K Hicks, defendant, et al	Christopher W. Lempesis Jr. (843) 524-9500 Thomas A. Pendarvis (843) 524-9500	Chelsea Jacqueline Clark (803) 252-7693 Warren C. Powell Jr. (803) 252-7693	09/11/2019	Other/Malpract 299	Pending	Date Certain:08/15/2022
2	2018CP4001462 Kendrick Lamar Mcmillian vs Richland County Sheriffs Department , defendant, et al	Vasiliki D Koutsogiannis (864) 593-3805 James Ross Snell Jr. (803) 359-3301	Robert David Garfield (803) 999-1225 Steven R. Spreewuers (803) 399-9970	03/15/2018	Person Inj/Other 399	Pending	Motion and Proposed Order of Continuance filed 07/26/2022
3	2018CP4003004 Dipali Pravin Patel vs Robert Matthew Dawkins , defendant, et al	Maggie Raines Chappell (803) 509-5843 Mark D. Chappell (803) 509-5823 Karl A. Folkens (843) 665-0100	Peter E. Farr (803) 782-4100 Andrew James MacLeod (803) 509-8071	06/07/2018	Motor Veh Accid 320	Pending/ADR Deferred	Not Before Date:08/15/2022 Motion and Proposed Order of Continuance filed 08/03/2022
4	2019CP4003325 Charol Michelle Ortega vs Russell Q Brewton , defendant, et al	James Frederick Berl (843) 689-5771	Robert David Garfield (803) 999-1225 Matthew Clark LaFave (803) 724-5727	06/18/2019	Motor Veh Accid 320	Pending/ADR Deferred	Not Before Date:08/15/2022
5	2019CP4004589 Deloris Wilson Benbow vs State Of South Carolina , defendant, et al	Deloris Wilson Benbow (843) 598-0220	Thomas Parkin C. Hunter (803) 381-7309 Harley Littleton Kirkland (803) 734-0406 Joseph P. McLean (843) 669-2401 David Leon Morrison (803) 661-6285	08/19/2019	Wrongful Death 360	Served	Motion and Proposed Order of Continuance filed 07/18/2022
6	2019CP4005298 Glenda K Carter vs Tri County Electric Cooperative Inc. , defendant, et al	Brian A. Atry (803) 605-5271 Mark Anthony Bible Jr. (864) 242-4899	Paul Edward Allen Jr. (803) 274-3102 J. David Black (803) 771-8900 x2072 Creston William Brown (803) 318-0505 Joshua Daniel Shaw (803) 727-1221	09/23/2019	Person Inj/Other 399	Pending	
7	2019CP4006603 Jason Roberts vs City Of Columbia Police Department , defendant, et al	Katherine R. Myers (803) 904-7929	Robert David Garfield (803) 999-1225 Jacqueline Marie Pavlicek (803) 737-4235	11/23/2019	Slander/Libel 380	Pending	
8	2020CP4001961 Russell Morris vs Sean Fulwood , defendant, et al	Beth Elayne Bernstein (803) 799-7900 x102 Lowell Bernstein (803) 799-7900	Abigail Caroline Bray (803) 227-4371	04/15/2020	Motor Veh Accid 320	Pending/ADR Deferred	Not Before Date:08/01/2022 Proposed Scheduling Order filed 08/02/2022
9	2020CP4002000 Lynneth Mccullough vs Lexington County Health Services District Inc , defendant, et al	Matthew Anderson Nickles (803) 259-3525 Brady Ryan Thomas (803) 281-8146	James Edward Bradley (803) 796-9160 John Calvin Bradley Jr. (803) 796-9160 Sierra Danielle Carini (803) 796-9160	04/17/2020	Medical Malpract 220	Pending	

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<b>Roster Type</b>	Jury Trial Roster	<b>Roster Begin Date</b>	08/15/2022	<b>Roster End Date</b>	08/19/2022

Number of cases = 15							
#	Case	Plaintiff Attorney	Defendant Attorney	Filed Date	Sub Type	Status	Notes
			Kay Gaffney Crowe (803) 799-1111				
10	2020CP4002118 Sandra. Whitney vs. Mary Bonnette , defendant, et al	Bradley Hunter Banyas (843) 881-8644	Demetrius Donte Pyburn (864) 240-3290 Adam Noah Yount (843) 720-4484	04/28/2020	Motor Veh Accid 320	Pending	Not Before Date:07/11/2022
11	2020CP4002146 Kirby Blocker vs C&J Auto Sales Llc , defendant, et al	Page McAulay Kalish (803) 386-7644	C&J Auto Sales Llc (803) 608-7744 John Mitchem III (803) 608-7744	04/30/2020	Conversion 310	Pending/ADR Sanctions	
12	2020CP4002226 Fogle Electric Company Inc , plaintiff, et al vs Kevin Bass , defendant, et al	Jordan Michael Crapps (803) 724-1753 Amy L.B. Hill (803) 724-1716	Page McAulay Kalish (803) 386-7644	05/05/2020	Breach of Cont 140	Pending/ADR Sanctions	
13	2020CP4002742 Jessica Walker vs Richland County Ems , defendant, et al	Barry B. George (803) 254-7222 Paige B George (803) 400-1219	William H. Davidson II (803) 806-8222 David Allan DeMasters (803) 806-8222	06/12/2020	Personal Injury 350	Pending/ADR Sanctions	Not Before Date:08/15/2022
14	2020CP4003664 Marsha Fitchett vs Jordan Travis Jennings	Barry B. George (803) 254-7222 Paige B George (803) 400-1219	John Austin Hood (800) 774-8242	08/03/2020	Motor Veh Accid 320	Pending/ADR Sanctions	
15	2020CP4003666 Linet Fitchett , plaintiff, et al vs Jordan Travis Jennings	Barry B. George. (803) 254-7222 Paige B George (803) 400-1219	John Austin Hood (800) 774-8242	08/03/2020	Motor Veh Accid 320	Pending/ADR Sanctions	

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Rogers Townsend & Thomas, P.C. Lisa Hostetler; Alexander C. Peabody; and Peabody & Associates, Inc., ..... Defendants,

Of Which Rogers Townsend & Thomas, P.C. and Lisa Hostetler are ..... Appellants.

**PROOF OF SERVICE**

I, Olivia Karpe, an employee of the law firm Bruner, Powell, Wall & Mullins, LLC, do hereby certify, pursuant to South Carolina Supreme Court Order No. 2020-03-20-01, that on the 4<sup>th</sup> day of August 2022 I electronically served **Appellants' Motion for Extension of Time to File Petition for Rehearing** upon counsel for Respondents by email to their currently listed AIS email addresses as follows.

Robert W. Maring (8810)  
J. Jay Hulst (71667)

[robert@maringmoyer.com](mailto:robert@maringmoyer.com)  
[jjh@williamsandhulst.com](mailto:jjh@williamsandhulst.com)



**BRUNER, POWELL, WALL & MULLINS, LLC**

ATTORNEYS AND COUNSELORS AT LAW

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BENJAMIN C. BRUNER, P.A.

JAMES L. BRUNER (RETIRED)

CHELSEA J. CLARK

J. COLE HANCOCK

J. KEANE MOSSMAN\*

\* ALSO ADMITTED IN DISTRICT OF COLUMBIA

AUTHOR'S E-MAIL: OKARPE@BRUNERPOWELL.COM

August 4, 2022

**VIA US MAIL:**

Jenny Abbott Kitchings, Clerk of Court

South Carolina Court of Appeals

1220 Senate Street

Columbia, South Carolina 29201

**RECEIVED**

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SC Court of Appeals

**Re: Ronald L. Jones, et al. v Rogers Townsend & Thomas, PC**

**C/A No: 2018-CP-08-817**

**Appellate Case No. 2019-001140**

**BPWM File No.: 3-2120.7**

Dear Ms. Kitchings:

Enclosed please find the original and one (1) copy of the Appellants' Motion for Extension of Time to File Petition for Rehearing along with the Proof of Service evidencing service of same upon counsel of record. We are also enclosing a check for the \$50 motion filing fee.

With my kindest regards, I am,

Sincerely,



Olivia Karpe

Assistant to Warren C. Powell, Jr., and

Chelsea J. Clark

[CJC/otk]

[Encl]

cc: **Robert W. Maring, Esq. (email only)**

**Jary J. Hulst, Esq. (email only)**



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