

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

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Aug 11 2022

SC Court of Appeals

Appeal from Richland County
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2019-CP-40-02295
Appellate Case No. 2020-000501

Vermell Daniels
as Personal Representative of the Estate of Annie Porter,

Respondent,

v.

THI of South Carolina at Columbia, LLC
d/b/a Midlands Health & Rehabilitation Center,

Appellant.

**MOTION FOR EXTENSION OF TIME
TO PETITION FOR REHEARING**

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Russell G. Hines (SC Bar No. 72100)
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Attorneys for Appellant

NOW COMES Appellant, THI of South Carolina at Columbia, LLC, d/b/a Midlands Health & Rehabilitation Center, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for an extension of fifteen (15) days' additional time to file/serve a petition for rehearing of this matter, which the Court decided via opinion filed July 27, 2022. *See Daniels v. THI of S.C. at Columbia, LLC*, Unpublished Op. No. 2022-UP-313.

Rule 221(a), SCACR, provides, "Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court." Based on the July 27, 2022, filing of the Court's opinion in this case, the present deadline to petition for rehearing is today, Thursday, August 11, 2022, which, in accordance with Rule 263(a), SCACR (regarding computation of time), is the 15th day after the opinion's filing. Because of work-related and other time commitments, the undersigned counsel for Appellant requests the Court's allowance of fifteen (15) days' additional time to petition for rehearing.

Respectfully, the undersigned submits there is good cause for the Court to grant the relief requested herein, as it is, under the circumstances, a reasonable dispensation, timely sought, consistent with the interests of justice, posing no threat of undue prejudice to any other party.

WHEREFORE, Appellant requests that the Court grant it an extension of 15 days' time (running from August 11, 2022) to petition for rehearing. By the undersigned's calculations, the grant of this relief would make the new deadline to petition for rehearing August 26, 2022. ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, Appellant requests that the Court hold the present deadline for petitioning for rehearing in abeyance until the Court acts on this motion.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Stephen L. Brown (SC Bar No. 66468)
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PROOF OF SERVICE

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Attorneys for Appellant

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on all other parties to this matter on August 11, 2022, by emailing (see attached) a copy of the same to their following counsel of record:

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Attorneys for Respondent

Respectfully submitted,

CLEMENT RIVERS, LLP

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Charleston, South Carolina

August 11, 2022

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Thursday, August 11, 2022 1:52 PM
To: 'nate@hugheyfirm.com'; 'Jennifer@hugheyfirm.com';
'jordan@hugheyfirm.com'; 'stuart@hugheyfirm.com'; 'Brad Banyas'
Cc: Hines, Russell; Justman, Aimee
Subject: Daniels v. THI ; Appellate Case No. 2020-000501
Attachments: Vermell Daniels v. THI of SC (2020-000501) -- Motion for Extension of Time to Petition for Rehearing.pdf

Enclosed please find Appellant's Motion for Extension of Time to Petition for Rehearing which will be filed today in the above-referenced matter.

Thank you,

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