

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

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Sep 15 2022

SC Court of Appeals

Appeal from Charleston County
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Appellate Case No. 2019-001413
Circuit Court Case No. 2018-CP-10-01251

Richard Ladson, Jr.,
by and through Richard Miles Ladson, Sr., POA,

Respondent,

v.

THI of South Carolina at Charleston, LLC
d/b/a Riverside Health and Rehab,

Petitioner.

**MOTION FOR EXTENSION OF TIME
TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI**

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)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Petitioner

NOW COMES Petitioner, THI of South Carolina at Charleston, LLC d/b/a Riverside Health and Rehab, by and through its undersigned counsel, on the grounds stated below, pursuant to Rule 263(b), SCACR, as well as the Court's order of July 16, 2014, regarding Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals, and hereby moves for an extension of ten (10) days' time to file/serve its petition to this Court for issuance of a writ of certiorari to the Court of Appeals to review its decision in this matter.

The Court of Appeals denied rehearing on August 18, 2022, making the deadline to file/serve a petition for writ of certiorari Monday, September 19, 2022. *See* Rule 242(c), SCACR ("A petition for writ of certiorari shall be served on opposing counsel and filed with proof of service with the Clerk of the Court of Appeals and the Clerk of the Supreme Court within thirty (30) days after the petition for rehearing or reinstatement is finally decided by the Court of Appeals."); Rule 263(a), SCACR ("In computing any period of time prescribed or allowed by these Rules . . . the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a state or federal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor such holiday.").

Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioner requests ten (10) additional days, beyond September 19, 2022, to prepare Petitioner's petition seeking this Court's review of the Court of Appeals' decision via writ of certiorari, and the undersigned submits that there is good cause to allow the requested dispensation: It is in furtherance of the interests of justice; it will not work any undue prejudice upon any other party; and it is consistent with the extension protocol established by the Court's aforementioned order of July 16, 2014.

WHEREFORE, Petitioner respectfully requests that this Honorable Court grant it an extension of ten (10) days' time to file/serve its petition for writ of certiorari. With the extension requested herein, the new deadline for filing/serving a petition for writ of certiorari would be September 29, 2022, according to the undersigned's calculations. Further, Petitioner respectfully requests that the Court hold its present deadline in abeyance until it acts upon this motion.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
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Charleston, South Carolina

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Richard Ladson, Jr.,
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d/b/a Riverside Health and Rehab,

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PROOF OF SERVICE

CLEMENT RIVERS, LLP
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I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioner, hereby certify that the **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI** was served on Respondent, on September 15, 2022, by emailing (see attached) a copy of the same to Respondent's counsel of record:

Carl E. Pierce, II, Esquire
Benjamin C. Smoot, II, Esquire
PIERCE, HERNS, SLOAN & WILSON, LLC
321 East Bay Street
Charleston, South Carolina 29401
carlpierce@piercesloan.com
bensmoot@piercesloan.com

Attorneys for Respondent

I also certify that Petitioner's **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI** and **PROOF OF SERVICE** was filed with the South Carolina Court of Appeals on September 15, 2022, via email (see attached) to ctappfilings@sccourts.org.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)

Attorneys for Petitioner

Charleston, South Carolina

September 15, 2022

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Thursday, September 15, 2022 2:44 PM
To: 'carlpierce@piercesloan.com'; 'bensmoot@piercesloan.com'; Trey Pierce III; Kelly Forrester
Cc: Hines, Russell; Justman, Aimee
Subject: Ladson v. THI // Appellate Case No. 2019-001413
Attachments: Mtn for Ext to Serve-File Petition for Writ of Cert.pdf

Enclosed please find Petitioner's Motion for Extension of Time to Serve/File Petition for Writ of Certiorari which will be filed today in the above-referenced matter.

Thank you,

Pollyana Bell
Project Assistant
Commercial Litigation Practice Group
Phone:(843)720-5488 | Fax:(843)579-1369



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