

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

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Oct 07 2022

SC Court of Appeals

Appeal from Greenville County
Court of Common Pleas

Robin B. Stilwell, Circuit Court Judge

Case No. 2019-CP-23-00473
Court of Appeals Case No. 2019-001955
Unpublished Opinion No. 2022-UP-203 (S.C. Ct. App. Filed May 18, 2022)

Estate of Patricia Royston, by and through
the appointed Personal Representative, Marianne McCoig,
Individually, and on behalf of the statutory beneficiaries, Respondent,

v.

Hunt Valley Holdings, LLC
a/k/a Fundamental Long Term Care Holdings, LLC;
Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; and
THI of South Carolina at Magnolia Place at Greenville, LLC,
d/b/a Magnolia Place-Greenville, Petitioners.

**MOTION FOR EXTENSION OF TIME
TO SERVE/FILE PETITION FOR A 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 Petitioners

NOW COME Petitioners, Hunt Valley Holdings, LLC a/k/a Fundamental Long Term Care Holdings, LLC; Fundamental Clinical and Operational Services, LLC; Fundamental Administrative Services, LLC; and THI of South Carolina at Magnolia Place at Greenville, LLC, d/b/a Magnolia Place-Greenville, by and through their 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 move for an extension of ten (10) days' time to file/serve their 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 Petitioners' timely petition for rehearing on September 7, 2022, making the deadline to file/serve a petition to this Court for a writ of certiorari today, Friday, October 7, 2022, pursuant to Rule 242(c), SCACR. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioners requests ten (10) additional days, beyond today's date, to prepare Petitioners' 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, Petitioners respectfully request that this Honorable Court grant them an extension of ten (10) days' time to file/serve their petition for a writ of certiorari. With the extension requested herein, the new deadline for filing/serving the petition for writ of certiorari would be Monday, October 17, 2022, according to the undersigned's calculations. Further, Petitioners respectfully request that the Court hold the present deadline in abeyance until it acts upon this motion.

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)
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 Petitioners

Charleston, South Carolina

October 7, 2022

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THI of South Carolina at Magnolia Place at Greenville, LLC,
d/b/a Magnolia Place-Greenville, Petitioners.

PROOF OF SERVICE

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 Petitioners

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioners, hereby certify that Petitioners' **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR A WRIT OF CERTIORARI** was served on all other parties to this appeal on October 7, 2022, via email (see attached) to their following counsel of record:

Gary W. Poliakoff, Esquire
Raymond P. Mullman, Jr., Esquire
Poliakoff & Associates, P.A.
P.O. Box 1571
Spartanburg, SC 29304
atty@gpoliakoff.com
rmullmanjr@gmail.com

and

Matthew W. Christian, Esquire
Christian & Christian, LLC
P.O. Box 332
Greenville, SC 29602
mchristian@cclawfirm.com

and

Jordan C. Calloway, Esquire
McGowan, Hood & Felder, LLC
1539 Health Care Drive
Rock Hill, SC 29732
jcalloway@mcgowanhood.com

Attorneys for Respondent

I also certify that Petitioners' **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR A WRIT OF CERTIORARI** and **PROOF OF SERVICE** was filed with the South Carolina Court of Appeals on October 7, 2022, via email to ctappfilings@sccourts.org.

Respectfully submitted,
CLEMENT RIVERS, LLP

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

Charleston, South Carolina

October 7, 2022

Justman, Aimee

From: Justman, Aimee
Sent: Friday, October 7, 2022 11:06 AM
To: 'atty@gpoliakoff.com'; 'rmullmanjr@gmail.com'; 'mchristian@cclawfirm.com';
'jalloway@mcgowanhood.com'
Cc: Hines, Russell; Bell, Pollyana (Polly)
Subject: Royston v. THI // COA Case No. 19-001955 - Motion for Extension - CR 180896
Attachments: Royston Motion for Extension.pdf

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

Thank you,

*Aimee Justman, Assistant to
Stephen L. Brown, Russell G. Hines,
and Stephen A. Griffith, Jr.
Commercial Litigation & Appellate Group
Clement Rivers, LLP
Phone: (843) 720-5460
Fax: (843) 579-1385*



CLEMENT RIVERS, LLP
25 Calhoun Street • Suite 200 • Charleston, SC 29401
707 676 0001