

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

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**RECEIVED**

**Oct 24 2022**

**SC Court of Appeals**

Appeal from Richland County  
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

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Case No. 2019-CP-40-02295  
Court of Appeals Case No. 2020-000501  
Unpublished Opinion No. 2022-UP-313 (S.C. Ct. App. Filed July 27, 2022)

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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,

Petitioner.

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

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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)  
Gaillard T. Dotterer, III (SC Bar No. 103620)  
25 Calhoun Street, Suite 400  
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P.O. Box 993 (29402)  
(843) 720-5488

*Attorneys for Petitioner*

NOW COMES Petitioner, THI of South Carolina at Columbia, LLC, d/b/a Midlands Health & Rehabilitation Center, 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 Petitioner's timely petition for rehearing on September 22, 2022, making the deadline to file/serve a petition to this Court for a writ of certiorari today, October 24, 2022, pursuant to Rule 242(c), SCACR. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioner requests ten (10) additional days, beyond today's date, 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 a writ of

certiorari. With the extension requested herein, the new deadline for filing/serving the petition for writ of certiorari would be Thursday, November 3, 2022, according to the undersigned's calculations. Further, Petitioner respectfully requests 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)  
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*Attorneys for Petitioner*

Charleston, South Carolina

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

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PROOF OF SERVICE

CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
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(843) 720-5488

*Attorneys for Petitioner*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioner, hereby certify that Petitioner's **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 24, 2022, via email (see attached) to their following counsel of record:

D. Nathan Hughey, Esquire  
[nate@hugheylawfirm.com](mailto:nate@hugheylawfirm.com)  
A. Stuart Hudson, Esquire  
[stuart@hugheylawfirm.com](mailto:stuart@hugheylawfirm.com)  
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Hughey Law Firm, LLC  
1311 Chuck Dawley Boulevard, Suite 201  
Mt. Pleasant, SC 29464  
*Attorneys for Respondent*

I also certify that Petitioner's **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 24, 2022, via email to [ctappfilings@sccourts.org](mailto: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

October 24, 2022

## Bell, Pollyana (Polly)

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**From:** Bell, Pollyana (Polly)  
**Sent:** Monday, October 24, 2022 3:53 PM  
**To:** 'nate@hugheylawfirm.com'; 'stuart@hugheylawfirm.com'; 'Brad Banyas';  
'Jennifer@hugheylawfirm.com'  
**Cc:** Hines, Russell; Justman, Aimee  
**Subject:** Daniels v. THI; Appellate Case No. 2020-000501  
**Attachments:** Mtn for Ext-Petition for Writ of Cert.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,

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



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