

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Dec 21 2022
SC Court of Appeals

Appeal from Sumter County
Court of Common Pleas

Kristi F. Curtis, Circuit Court Judge

Case No. 2017-CP-43-01740
Appellate Case No. 2020-001143

Andrietta Atkinson and Debra Clyburn-Wilson,
individually and as Personal Representatives
of the Estate of Willie Mae Clyburn,

Respondents,

v.

SSC Sumter East Operating Company, LLC
d/b/a Sumter East Health and Rehabilitation Center
and Paul Granger,

Defendants.

Of whom SSC Sumter East Operating Company, LLC
d/b/a Sumter East Health and Rehabilitation Center is

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

Attorneys for Appellant

NOW COMES Appellant, SSC Sumter East Operating Company, LLC d/b/a Sumter East Health and Rehabilitation Center, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for an extension of fifteen (15) days' time to file/serve a petition for rehearing in this matter, which the Court decided via opinion filed December 7, 2022. *See Atkinson v. SSC Sumter East Operating Company, LLC*, Unpublished Opinion No. 2022-UP-438.

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 December 7, 2022, filing of the Court's opinion in this case, the present deadline to petition for rehearing is the close of business Thursday, December 22, 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 December 22, 2022) to petition for rehearing. By the undersigned's calculations, the grant of this relief would make the new deadline to petition for rehearing Friday, January 6, 2023. 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)
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 Appellant

Charleston, South Carolina

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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)
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 Appellant

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that Appellant's **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on all other parties to this appeal on December 21, 2022, via email (see attached) to their following counsel of record:

D. Nathan Hughey, Esquire
nate@hugheylawfirm.com

A. Stuart Hudson, Esquire
stuart@hugheylawfirm.com

Bradley H. Banyas, Esquire
brad@hugheylawfirm.com

Hughey Law Firm, LLC
P.O. Box 348
Mt. Pleasant, SC 29465

and

Jordan C. Calloway, Esquire
jordan@mcgowanhood.com

McGowan, Hood & Felder, LLC
1539 Health Care Drive
Rock Hill, SC 29732

Attorneys for Respondents

Respectfully submitted,
CLEMENT RIVERS, LLP

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

Attorneys for Appellant

Charleston, South Carolina

December 21, 2022

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Wednesday, December 21, 2022 11:29 AM
To: 'nate@hugheyfirm.com'; 'stuart@hugheyfirm.com'; 'Brad Banyas';
'Jennifer@hugheyfirm.com'; 'jordan@hugheyfirm.com';
'jordan@mcgowanhood.com'; 'jcalloway@mcgowanhood.com'
Cc: Justman, Aimee; Hines, Russell
Subject: Atkinson v. SSC Sumter East; Appellate Case No. 2020-001143 (CR 170472)
Attachments: Mtn for Ext 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,

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



CLEMENT RIVERS, LLP
25 Calhoun Street • Suite 600 • Charleston, SC 29401
FOR OFFICE