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Feb 09 2023

SC Court of Appeals

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

Appeal from Spartanburg County
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2018-CP-42-04405
Appellate Case No. 2019-001731

The Estate of Mary Solesbee, by her personal
representative, Connie Bayne,

Respondent,

v.

Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; THI of
South Carolina at Magnolia Manor-Inman, LLC d/b/a
Magnolia Manor-Inman; Inpatient Consultants of North
Carolina, P.C.; and Angela Brown, ACNP,

Defendants,

Of which Fundamental Clinical and Operational
Services, LLC; Fundamental Administrative Services,
LLC; and THI of South Carolina at Magnolia Manor-
Inman, LLC d/b/a Magnolia Manor-Inman are the

Appellants.

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

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Attorneys for Appellants

NOW COME Appellants, Fundamental Clinical and Operational Services, LLC; Fundamental Administrative Services, LLC; and THI of South Carolina at Magnolia Manor-Inman, LLC d/b/a Magnolia Manor-Inman, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for an extension of fifteen (15) days' time to file/serve a petition for rehearing of this matter, which the Court decided via opinion filed January 25, 2023.

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 January 25, 2023, filing of the Court's opinion in this case, the present deadline to petition for rehearing is the close of business today, Thursday, February 9, 2023, 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 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, Appellants request the Court grant them an extension of 15 days' time to petition for rehearing. By the undersigned's calculations, the granting of this relief would make the new deadline to petition for rehearing Friday, February 24, 2023. ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, Appellants request 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

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PROOF OF SERVICE

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, counsel for Appellants, hereby certify that **APPELLANTS' MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on all other parties to this appeal on February 9, 2023, via email (see attached) to their following counsel:

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Respectfully submitted,
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Charleston, South Carolina

February 9, 2023

From: [Hines, Russell](#)
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Subject: Solesbee v. Fundamental (2019-001731) -- Appellants' Motion for Extension of Time to Petition for Rehearing
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Attachments: [image001.png](#)
[Solesbee v. Fundamental \(2019-001731\) Mot. for Ext. re PRH.pdf](#)

Attached regarding the above-referenced matter please find **Appellants' Motion for Extension of Time to Petition for Rehearing.**

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