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May 30, 2023

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Larry Hyman, Circuit Court Judge

Appellate Case No. 2019-001304

Phillippa Smalling, individually and as Next Friend for
Jahmerican M., a minor

Petitioner,

v.

Lisa R. Maselli, M.D., both individually and
as agent/employee of Carolina OB-GYN,

Respondents.

PETITIONER'S MOTION FOR LEAVE TO AMEND PETITION FOR WRIT OF
CERTIORARI

Petitioner filed her Petition for Writ of Certiorari five business days ago, on May 22, 2023. Pursuant to Rule 240, SCAR, Petitioner hereby moves for leave of Court to file an Amended Petition for the reasons stated below. The Amended Petition for Writ of Certiorari is being filed with this motion.

Petitioner's counsel just became aware that an unfinished working draft of the Petition was filed, instead of the completed version which was supposed to be filed. This was an inadvertent administrative error. The filed draft contained uncorrected errors and was not e-signed by counsel. The Amended Petition filed herewith, e-signed by counsel, is the one which should have been filed with the Court as the original Petition.

Petitioner suggests that leave to amend should be freely granted in the interests of justice so the matter can be heard on its merits, without uncorrected errors. Allowing the amendment to be filed five business days after the original filing date would not prejudice Respondents in any way and would not cause meaningful delay.

WHEREFORE, Respondent respectfully requests the Court grant leave for her file an Amended Petition for Writ of Certiorari.

Respectfully submitted,

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May 30, 2023
Anderson, SC