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Jun 30 2023

SC Court of Appeals

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

Appeal from Pickens County
Court of Common Pleas

G.D. Morgan, Jr., Circuit Court Judge

Cases No. 2021-CP-39-01127 and -01128
Appellate Case No. 2023-000033

Deonda Weldon, Individually and as
Personal Representative of the Estate of Earline Cooley, Appellant,

v.

Dominion Clemson, LLC d/b/a Dominion Senior Living at
Patrick Square; Dominion Senior Living, LLC; Dominion
Clemson, II, LLC; Dominion Management Group, LLC; and
Dominion Group, LLC, Respondents.

**MOTION FOR EXTENSION OF TIME
TO FILE/SERVE INITIAL BRIEF OF RESPONDENTS**

Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

-and-

Joshua T. Thompson (SC Bar No. 79137)
BOULIER THOMPSON & BARNES, LLC
101 W. St. John Street, Suite 300
Spartanburg, South Carolina 29306
P.O. Drawer 6470 (29304)
(864) 606-9610

Attorneys for Respondents

NOW COME Respondents, Dominion Clemson, LLC d/b/a Dominion Senior Living at Patrick Square; Dominion Senior Living, LLC; Dominion Clemson, II, LLC; Dominion Management Group, LLC; and Dominion Group, LLC, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the grounds set forth below, move for an extension of thirty (30) days' time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal.

By order filed June 1, 2023, this Court denied Respondents' Motion (1) for Leave to Make Rule 60, SCRCR, Motion, or, alternatively, (2) for Immediate Reversal and Remand Pursuant to *Widener v. Fort Mill Ford*, and, if Necessary, (3) to Stay/Extend Briefing Deadline ("Respondents' Motion Re: Rule 60")¹ and directed Respondents' to file/serve their initial brief and designation of matter within thirty (30) days, i.e., by Monday, July 3, 2023.²

Because of work-related and other time commitments, including those associated with the taking of (and returning to the office following) a recent family

¹ As recognized in the Court's order of June 1, 2023, Respondents' Motion Re: Rule 60 was effectively a motion to dismiss this appeal. Accordingly, the filing of Respondents' Motion Re: Rule 60 on March 29, 2023, had the effect of staying the appeal until the motion was decided. Rule 240(b), SCACR ("A motion to dismiss an appeal . . . shall . . . automatically stay the time limits for perfecting the appeal until the motion is decided.").

² Calculated pursuant to Rule 263(a), SCACR, the 30-day deadline established by the Court's order of June 1, 2023, runs to Monday, July 3, 2023, because the 30th day is Saturday, July 1, 2023.

vacation, the undersigned respectfully requests that Respondents' deadline to file/serve their initial brief and designation of matter be extended by 30 days from July 3, 2023. The undersigned respectfully submits that there is good cause to grant such relief, as it is timely sought, reasonable in scope, consistent with the interests of justice, and not prejudicial to Appellant.

WHEREFORE, Respondents move this Honorable Court to extend the deadline for them to file/serve their initial brief and designation of matter be extended by 30 days from July 3, 2023. With the extension requested herein, the new deadline for filing/serving Respondents' initial brief and designation of matter would be August 2, 2023, according to the undersigned's calculations. Further, Respondents respectfully request the Court hold their present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

<SIGNATURE ON THE FOLLOWING PAGE>

Respectfully submitted,

By: s/Russell G. Hines

Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

-and-

Joshua T. Thompson (SC Bar No. 79137)
BOULIER THOMPSON & BARNES, LLC
101 W. St. John Street, Suite 300
Spartanburg, South Carolina 29306
P.O. Drawer 6470 (29304)
(864) 606-9610

Attorneys for Respondents

Charleston, South Carolina

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v.

Dominion Clemson, LLC d/b/a Dominion Senior Living at
Patrick Square; Dominion Senior Living, LLC; Dominion
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Dominion Group, LLC, Respondents.

PROOF OF SERVICE

Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

-and-

Joshua T. Thompson (SC Bar No. 79137)
BOULIER THOMPSON & BARNES, LLC
101 W. St. John Street, Suite 300
Spartanburg, South Carolina 29306
P.O. Drawer 6470 (29304)
(864) 606-9610

Attorneys for Respondents

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Respondents, hereby certify that **MOTION FOR EXTENSION OF TIME TO FILE/SERVE INITIAL BRIEF OF RESPONDENTS** was served on all other parties to this matter on June 30, 2023, by emailing (see attached email) a copy of the same to their counsel of record:

Matthew W. Christian, Esquire
mchristian@cclawfirm.com
Christian & Christian, LLC

Joshua T. Thompson, Esquire
jthompson@btblawfirm.com
Boulter Thompson & Barnes, LLC

-and-

Additional Attorneys for Respondents

Jordan C. Calloway, Esquire
jcalloway@mcgowanhood.com
McGowan, Hood, Felder & Phillips, LLC

Attorneys for Appellants

Respectfully submitted,

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
Attorneys for Respondents

Charleston, South Carolina

June 30, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Friday, June 30, 2023 12:18 PM
To: 'mchristian@cclawfirm.com'; 'jcalloway@mcgowanhood.com';
'jthompson@btblawfirm.com'; 'pboulier@btblawfirm.com'; 'aylaluers@gmail.com';
'jbynum@btblawfirm.com'; 'eboles@btblawfirm.com'
Cc: Hines, Russell; Justman, Aimee
Subject: Weldon v. Dominion Clemson, LLC; 2023-000033 (CR 230229)
Attachments: Motion for Extension - Initial Brief of Respondents.pdf

Enclosed please find Respondents' Motion for Extension of Time to File/Serve their Initial Brief 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