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SC Court of Appeals

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

Appeal from Spartanburg County
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Appellate Case No. 2023-000432
Case No. 2021-CP-42-03701

The Estate of Jo Eva Rice, deceased,
by her Personal Representative Sonya Lovett,

Respondent,

v.

Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; and
THI of South Carolina at Magnolia Place–Spartanburg,
a/k/a Physical Rehab and Wellness of Spartanburg,

Appellants,

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

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
James D. Gandy, III (SC Bar No. 11925)
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(843) 720-5488

Attorneys for Appellants

NOW COME Appellants, Fundamental Clinical and Operational Services, LLC, Fundamental Administrative Services, LLC, and THI of South Carolina at Magnolia Place–Spartanburg, a/k/a Physical Rehab and Wellness of Spartanburg, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for an extension of thirty (30) days’ additional time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal.

Presently, pursuant to Rule 208(a)(1), SCACR, the deadline for Appellants’ initial brief and designation of matter is July 14, 2023. On account of work-related and other time commitments, Appellants respectfully request this deadline be extended by 30 days. Respectfully, Appellants believe this relief is consistent with the interests of justice and will not work any undue prejudice upon Respondent.

WHEREFORE, Appellants move this Honorable Court to grant them an additional extension of 30 days’ time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal. With the extension requested herein, the new deadline for filing/serving their initial brief and designation of matter would be August 14, 2023, according to the undersigned’s calculations. Further, Appellants respectfully request the Court hold their present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

[signature on next page]

[Signature page for First Motion for Extension of Time to File/Serve Initial Brief of Appellants, Appellate Case No. 2023-000432]

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Stephen L. Brown (SC Bar No. 66468)
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Charleston, South Carolina

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Appellants,

PROOF OF SERVICE

CLEMENT RIVERS, LLP
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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellants' **FIRST MOTION FOR EXTENSION OF TIME TO FILE/SERVE INITIAL BRIEF OF APPELLANTS** was served on Respondent on July 14, 2023, by emailing (see attached service email) a copy of the same to Respondent's counsel of record:

W. Harold Christian, Jr., Esquire
hchristian@cclawfirm.com
Matthew W. Christian, Esquire
mchristian@cclawfirm.com
CHRISTIAN & CHRISTIAN, LLC
Attorneys for Respondent

Respectfully submitted,
CLEMENT RIVERS, LLP

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

Charleston, South Carolina

July 14, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Friday, July 14, 2023 11:08 AM
To: 'hchristian@cclawfirm.com'; 'mchristian@cclawfirm.com'; 'jordan@mcgowanhood.com'; 'jbogle@cclawfirm.com'; 'ggoodwin@cclawfirm.com'
Cc: Hines, Russell; Justman, Aimee
Subject: Rice v. Fundamental Clinical; Appellate Case No. 2023-000432 (CR 210593)
Attachments: 1st Mot. for Ext. for Appellants' Initial Brief.pdf

Enclosed please find Appellants' First Motion for Extension of Time to File/Serve their Initial Brief for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell
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