

**RECEIVED**

**Sep 15 2023**

**SC Court of Appeals**

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

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Appeal from Pickens County  
Court of Common Pleas

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

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

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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.

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**CONSENT MOTION FOR EXTENSION OF TIME TO SEPTEMBER 19,  
2023, TO FILE/SERVE INITIAL BRIEF OF RESPONDENTS**

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Russell G. Hines (SC Bar No. 72100)  
CLEMENT RIVERS, LLP  
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*-and-*

Joshua T. Thompson (SC Bar No. 79137)  
BOULIER THOMPSON & BARNES, LLC  
101 W. St. John Street, Suite 300  
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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—**with the consent of counsel for Appellant**—to extend the time for them to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal to September 19, 2023.

By order filed August 8, 2023, the Court extended the time for filing/serving Respondents' initial brief and designation of matter to Friday, September 1, 2023. And previously, via motions served/filed September 1<sup>st</sup> and 8<sup>th</sup>, respectively, because of work-related and other time commitments, including those associated with the unexpected disruption to work caused by Hurricane Idalia and the consequences thereof and lost office time between the afternoon of Friday, September 1<sup>st</sup> through Monday, September 4<sup>th</sup> due to a long scheduled trip to see family out of state over Labor Day Weekend, the undersigned respectfully requested—with the consent of counsel for Appellant—that Respondents' deadline to file/serve their initial brief and designation of matter be extended by a total of two (2) weeks: first, by the September 1<sup>st</sup> motion, from Friday, September 1, 2023, to Friday, September 8, 2023, then, by the September 8<sup>th</sup> motion, from Friday, September 8, 2023, to today, Friday, September 15, 2023. To the undersigned's

knowledge, as of the instant filing, the Court has not acted on the September 1<sup>st</sup> motion or the September 8<sup>th</sup> motion.

In making each of the prior motions, the undersigned counsel for Respondents believed in good faith that the extensions sought would allow him sufficient time to complete the Initial Brief of Respondents and designation. But here again, because of the exceptionally intense demands of recent work-related and other time commitments, the undersigned remains in need of a modest amount of additional time—two (2) business days—to complete the Initial Brief of Respondents and designation.

Having communicated with opposing counsel prior to making this motion and obtained their courteous consent to the relief requested herein, the undersigned respectfully asks the Court to consider the circumstances that occasion the instant motion sufficient to warrant such relief, which, it is submitted, 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 to Tuesday, September 19, 2023. Further, Respondents respectfully request that the Court hold their present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

Respectfully submitted,

By: s/Russell G. Hines

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*Attorneys for Respondents*

Charleston, South Carolina

September 15, 2023

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

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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.

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**PROOF OF SERVICE**

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*Attorneys for Respondents*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Respondents, hereby certify that **CONSENT MOTION FOR EXTENSION OF TIME TO SEPTEMBER 19, 2023, TO FILE/SERVE INITIAL BRIEF OF RESPONDENTS** was served on all other parties to this matter on September 15, 2023, by emailing (see attached email) a copy of the same to their counsel of record:

Matthew W. Christian, Esquire  
[mchristian@cclawfirm.com](mailto:mchristian@cclawfirm.com)  
Christian & Christian, LLC

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*-and-*

*Additional Attorneys for Respondents*

Jordan C. Calloway, Esquire  
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*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

September 15, 2023

## Bell, Pollyana (Polly)

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**From:** Bell, Pollyana (Polly)  
**Sent:** Friday, September 15, 2023 4:02 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:** Weldon v. Dominion Clemson (2023-000033) -- Motion for Ext to 9-19-23 re Initial Br. of Respondents.pdf

Enclosed please find Respondents' Consent Motion for Extension of Time to September 19, 2023, 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



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