

THE STATE OF SOUTH CAROLINA **RECEIVED**
IN THE COURT OF APPEALS **Sep 19 2023**

Appeal from Pickens County
Court of Common Pleas

SC Court of Appeals

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.

**CONSENT MOTION FOR EXTENSION OF TIME TO SEPTEMBER 22,
2023, TO FILE/SERVE INITIAL BRIEF OF RESPONDENTS**

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-and-

Joshua T. Thompson (SC Bar No. 79137)
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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 22, 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 1st, 8th, and 15th 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 1st through Monday, September 4th due to a long scheduled trip to see family out of state over Labor Day Weekend, as well as another family trip the following 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 eighteen (18) days: first, via the September 1st motion, by seven (7) days, from Friday, September 1, 2023, to Friday, September 8, 2023; then, via the September 8th motion, by seven (7) days,

from Friday, September 8, 2023, to Friday, September 15, 2023; and then, via the September 15th motion, by four (4) days, from Friday, September 15, 2023, to today, Tuesday, September 19, 2023. To the undersigned's knowledge, as of the instant filing, the Court has not acted on the September 1st, 8th, or 15th motions.

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 late of his work-related and other time commitments, the undersigned remains in need of a modest amount of additional time—three (3) days—to complete the Initial Brief of Respondents and designation.

Having again 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 Friday, September 22, 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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September 19, 2023