

**RECEIVED**

**Oct 23 2023**

**SC Court of Appeals**

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

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Appeal from Spartanburg County  
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

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

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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,

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

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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)  
Russell G. Hines (SC Bar No. 72100)  
T. Ashton Phillips, III (SC Bar No. 104227)  
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P.O. Box 993 (29402)  
(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 a second extension of ten (10) days’ additional time to file/serve their initial reply brief.

Presently, pursuant to Rule 208(a)(3), the deadline for Appellants’ initial reply brief is October 23, 2023. On account of work-related and other time commitments, Appellants respectfully request this deadline be extended by 10 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 10 days’ time to file/serve their initial reply brief. With the extension requested herein, the new deadline for filing/serving their initial reply brief would be November 2, 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 Second Motion for Extension of Time to File/Serve Initial  
Reply 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)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
James D. Gandy, III (SC Bar No. 11925)  
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Charleston, South Carolina

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Rehab and Wellness of Spartanburg,

Appellants,

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**PROOF OF SERVICE**

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**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' **MOTION FOR EXTENSION OF TIME TO FILE/SERVE INITIAL REPLY BRIEF OF APPELLANTS** was served on Respondent on October 23, 2023, by emailing (see attached service email) a copy of the same to Respondent's counsel of record:

W. Harold Christian, Jr., Esquire  
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Matthew W. Christian, Esquire  
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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

October 23, 2023

## Justman, Aimee

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**From:** Justman, Aimee  
**Sent:** Monday, October 23, 2023 3:16 PM  
**To:** hchristian@cclawfirm.com; mchristian@cclawfirm.com; jordan@mcgowanhood.com;  
jbogle@cclawfirm.com; ggoodwin@cclawfirm.com  
**Cc:** Hines, Russell; Bell, Pollyana (Polly)  
**Subject:** Rice v. Fundamental Clinical; Appellate Case No. 2023-000432 (CR 210593)  
**Attachments:** Rice Motion.pdf

Attached, please find Appellants' Motion for Extension to file Initial Reply Brief for service upon you in the above-referenced matter.

Thank you,

*Aimee Justman, Assistant to  
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