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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,

**SECOND MOTION FOR EXTENSION OF TIME TO
FILE/SERVE INITIAL REPLY 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)
Russell G. Hines (SC Bar No. 72100)
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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 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 was October 23, 2023. Previously, via motion filed on October 23, 2023, Appellants sought a 10-day extension of its reply-briefing deadline, extending the deadline to November 2, 2023. This motion has not yet been acted upon by the Court. 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 13, 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)
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November 2, 2023

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Court of Common Pleas

J. Derham Cole, Circuit Court Judge

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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' **SECOND MOTION FOR EXTENSION OF TIME TO FILE/SERVE INITIAL REPLY BRIEF OF APPELLANTS** was served on Respondent on November 2, 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

November 2, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Thursday, November 2, 2023 2:42 PM
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: 2nd Motion for extension - initial reply brief.pdf

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

Thank you,

Pollyana Bell
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