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**Nov 21 2023**

**SC Court of Appeals**

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

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Appeal from Spartanburg County  
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

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Case No. 2019-CP-42-03075

Appellate Case No. 2020-000500

Unpublished Opinion No. 2023-UP-299

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Betty Nanney,  
by and through her Attorney-in-Fact, Leslie Nanney,

Respondent,

v.

THI of South Carolina at Spartanburg, LLC,  
d/b/a Magnolia Manor-Spartanburg, Rusty Flathmann,  
Laura Anne Winn, and Olishia Gaffney,

Petitioners.

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**MOTION FOR EXTENSION OF TIME  
TO SERVE/FILE PETITION FOR A WRIT OF CERTIORARI**

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CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
Russell G. Hines (SC Bar No. 72100)  
Gaillard T. Dotterer, III (SC Bar No. 103620)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 720-5488

*Attorneys for Petitioners*

NOW COME Petitioners, THI of South Carolina at Spartanburg, LLC, d/b/a Magnolia Manor-Spartanburg, Rusty Flathmann, Laura Anne Winn, and Olishia Gaffney, by and through their undersigned counsel, on the grounds stated below, pursuant to Rule 263(b), SCACR, as well as the Court's order of July 16, 2014, regarding Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals, and hereby move for an extension of ten (10) days' time to file/serve their petition to this Court for issuance of a writ of certiorari to the Court of Appeals to review its decision in this matter.

Pursuant to Rule 242(c), SCACR, the deadline to petition for a writ of certiorari is tomorrow, November 22, 2023.<sup>1</sup> Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioners requests ten (10) additional days, beyond November 22, 2023, to prepare Petitioners' petition seeking this Court's review of the Court of Appeals' decision via a writ of certiorari, and the undersigned submits that there is good cause to allow the requested dispensation: It is in furtherance of the interests of justice; it will not work any undue prejudice upon any other party; and it is consistent with the extension protocol established by the Court's aforementioned order of July 16, 2014.

WHEREFORE, Petitioners respectfully request that this Honorable Court grant them an extension of ten (10) days' time to file/serve their petition for a writ

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<sup>1</sup> The Court of Appeals entered an order denying the petition for rehearing on October 23, 2023.

of certiorari. With the extension requested herein, the new deadline for filing/serving their petition for a writ of certiorari would be Monday, December 4, 2023, according to the undersigned's calculations.<sup>2</sup> Further, Petitioners respectfully request the Court hold the present deadline in abeyance until it acts upon this motion.

*[Signature page for Motion for Extension of Time to serve/file Petition for Writ of Certiorari, Appellate Case No. 2020-000500]*

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)  
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*Attorneys for Petitioners*

Charleston, South Carolina

November 21, 2023

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<sup>2</sup> See Rule 263(a), SCACR (“In computing any period of time prescribed or allowed by these Rules, by order of court, or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a state or federal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor such holiday.”).

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d/b/a Magnolia Manor-Spartanburg, Rusty Flathmann,  
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Petitioners.

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**PROOF OF SERVICE**

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CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
Russell G. Hines (SC Bar No. 72100)  
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P.O. Box 993 (29402)  
(843) 720-5488

*Attorneys for Petitioners*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioners, hereby certify that Petitioners' **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR A WRIT OF CERTIORARI** was served on Respondent on November 21, 2023, by emailing (see attached) a copy of the same to her counsel of record:

Gary W. Poliakoff, Esquire  
[atty@gpoliakoff.com](mailto:atty@gpoliakoff.com)  
Raymond P. Mullman, Jr., Esquire  
[rmullmanjr@gmail.com](mailto:rmullmanjr@gmail.com)  
POLIAKOFF & ASSOCIATES, P.A.

Jordan C. Calloway, Esquire  
[jcalloway@mcgowanhood.com](mailto:jcalloway@mcgowanhood.com)  
MCGOWAN HOOD FELDER &  
PHILLIPS

I also certify that Petitioners' **PETITION FOR A WRIT OF CERTIORARI** and **PROOF OF SERVICE** were filed with the South Carolina Court of Appeals on November 21, 2023, via email to [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org).

Respectfully submitted,  
CLEMENT RIVERS, LLP

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

Charleston, South Carolina

November 21, 2023

## Bell, Pollyana (Polly)

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**From:** Bell, Pollyana (Polly)  
**Sent:** Tuesday, November 21, 2023 10:49 AM  
**To:** atty@gpoliakoff.com; rmullmanjr@gmail.com; jcalloway@mcgowanhood.com  
**Cc:** Hines, Russell; Justman, Aimee  
**Subject:** Nanney v. THI; Ct. App. Case No. 2020-000500 (CR 190411)  
**Attachments:** Motion for Extension - Petition for Writ.pdf

Enclosed please find Petitioners' Motion for Extension of Time to Serve/File Petition for a Writ of Certiorari for service upon you 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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