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Dec 04 2023

SC Court of Appeals

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

Appeal from Spartanburg County
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2019-CP-42-03075

Appellate Case No. 2020-000500

Unpublished Opinion No. 2023-UP-299

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.

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

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)
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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 a second 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 today, December 4, 2023. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioners requests ten (10) additional days, beyond December 4, 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 of certiorari. With the extension requested herein, the new deadline for

filing/serving their petition for a writ of certiorari would be Thursday, December 14, 2023, according to the undersigned's calculations. Further, Petitioners respectfully request the Court hold the present deadline in abeyance until it acts upon this motion.

[Signature page for Second 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
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Charleston, South Carolina

December 4, 2023

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PROOF OF SERVICE

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Attorneys for Petitioners

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioners, hereby certify that Petitioners' **SECOND MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR A WRIT OF CERTIORARI** was served on Respondent on December 4, 2023, by emailing (see attached) a copy of the same to her counsel of record:

Gary W. Poliakoff, Esquire
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POLIAKOFF & ASSOCIATES, P.A.

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PHILLIPS

I also certify that Petitioners' **SECOND MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR A WRIT OF CERTIORARI** were filed with the South Carolina Court of Appeals on December 4, 2023, via email to 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

December 4, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Monday, December 4, 2023 2:13 PM
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: 2nd Motion for Extension - Petition for Writ.pdf

Enclosed please find Petitioners' Second 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
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