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**Dec 27 2023**

**SC Court of Appeals**

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

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Appeal from Calhoun County  
Court of Common Pleas

Honorable Maite Murphy, Circuit Court Judge

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Appellate Case No. 2021-000700  
Circuit Court Case No. 2019-CP-09-00220

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Jeffery White, individually and as Personal Representative of the  
Estate of Lizzie White,

Respondent,

v.

St. Matthews Healthcare, LLC, d/b/a Calhoun Convalescent Center,

Appellant.

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**MOTION FOR EXTENSION OF TIME  
TO PETITION FOR REHEARING**

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CLEMENT RIVERS, LLP  
Stephen L. Brown  
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T. Ashton Phillips, III  
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(843) 720-5488  
*Attorneys for Appellant*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COMES NOW Appellant, St. Matthews Healthcare, LLC, d/b/a Calhoun Convalescent Center, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for an extension of fifteen (15) days' additional time to file/serve a petition for rehearing of this matter, which the Court decided via opinion filed December 13, 2023. *See White v. St. Matthews Healthcare, LLC*, Unpublished Op. No. 2023-UP-393.

Rule 221(a), SCACR, provides, "Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court." Based on the December 13, 2023, filing of the Court's opinion in this case, the present deadline to petition for rehearing is the close of business Thursday, December 28, 2023, which, in accordance with Rule 263(a), SCACR (regarding computation of time), is the 15<sup>th</sup> day after the opinion's filing. Because of work-related and other time commitments, the undersigned counsel for Appellant requests the Court's allowance of fifteen (15) days' additional time to petition for rehearing.

Respectfully, the undersigned submits there is good cause for the Court to grant the relief requested herein, as it is, under the circumstances, a reasonable dispensation, timely sought, consistent with the interests of justice, posing no threat of undue prejudice to any other party.

WHEREFORE, Appellant requests the Court grant an extension of 15 days' time to petition for rehearing. By the undersigned's calculations, the grant of this relief would make the new deadline to petition for rehearing January 12, 2024. ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, Appellant requests the Court hold the present deadline for petitioning for rehearing in abeyance until the Court acts on this motion.

*[Signature page for Motion for Extension of Time to Petition for Rehearing,  
Appellate Case No. 2021-000700]*

Respectfully submitted,

CLEMENT RIVERS, LLP

By: *s/Russell G. Hines*  
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Charleston, South Carolina

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**PROOF OF SERVICE**

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*Attorneys for Appellant*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that the **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on all other parties to this appeal on December 27, 2023, via email (see attached) to their following counsel of record:

Jessica L. Fickling  
Matthew B. Robins  
Strom Law Firm, LLC  
6923 N. Trenholm Road, Suite 200  
Columbia, SC 29206  
*Attorneys for Respondent*

CLEMENT RIVERS, LLP

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

Charleston, South Carolina

December 27, 2023

## Bell, Pollyana (Polly)

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**From:** Bell, Pollyana (Polly)  
**Sent:** Wednesday, December 27, 2023 5:01 PM  
**To:** jfickling@stromlaw.com; 'mrobins@stromlaw.com'  
**Cc:** Hines, Russell; Justman, Aimee  
**Subject:** White v. St. Matthews Healthcare; Appellate Case No. 2021-000700 (CR 190573)  
**Attachments:** White - Motion for Extension.pdf

Enclosed please find Appellant's Motion for Extension of Time to Petition for Rehearing 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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