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Dec 27 2023

SC Court of Appeals

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

Appeal from Dorchester County
Court of Common Pleas

Maite Murphy, Circuit Court Judge

Case No. 2020-CP-18-01027

Paulette Walker
as Personal Representative of the Estate of Albert Walker,

Respondent,

v.

Hallmark Longterm Care, LLC
d/b/a Hallmark Healthcare Center
and Durena Stinson,

Defendants,

Of whom Hallmark Longterm Care, LLC
d/b/a Hallmark Healthcare Center is

Appellant.

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

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)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
(843) 720-5488

Attorneys for Appellant

COMES NOW Appellant, Hallmark Longterm Care, LLC d/b/a Hallmark Healthcare 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 *See Walker v. Hallmark Longterm Care, LLC*, Unpublished Op. No. 2023-UP-400.

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 15th 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,
Appeal No. 2021-000594)*

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)
Russell G. Hines (SC Bar No. 72100)
T. Ashton Phillips, III (SC Bar No. 104227)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488
Attorneys for Appellant

Charleston, South Carolina

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PROOF OF SERVICE

CLEMENT RIVERS, LLP

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25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

P.O. Box 993 (29402)

(843) 720-5488

Attorneys for Appellant

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that the **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on Respondent, Paulette Walker, as Personal Representative of the Estate of Albert Walker, on December 27, 2023, by emailing (see attached) a copy of the same to Respondent's counsel of record:

D. Nathan Hughey, Esquire
nate@hugheylawfirm.com

A. Stuart Hudson, Esquire
stuart@hugheylawfirm.com

Bradley H. Banyas, Esquire
brad@hugheylawfirm.com

Hughey Law Firm, LLC
1311 Chuck Dawley Boulevard, Suite 201
Mt. Pleasant, SC 29464

Attorneys for Respondent

Respectfully submitted,

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)

From: Bell, Pollyana (Polly)
Sent: Wednesday, December 27, 2023 4:52 PM
To: 'nate@hugheylawfirm.com'; 'stuart@hugheylawfirm.com'; 'brad@hugheylawfirm.com'
Cc: Hines, Russell; Justman, Aimee
Subject: Walker v. Hallmark Longterm Care; Appellate Case No. 2021-000594 (CR 20200220)
Attachments: Walker - 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



CLEMENT RIVERS, LLP
25 Calhoun Street • Suite 600 • Charleston, SC 29401
www.clementrivers.com