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Jan 11 2024

SC Court of Appeals

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

Appeal from Spartanburg County
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2020-CP-42-03593
Appellate Case No. 2021-000707

Trina Dawkins,
as Personal Representative of the Estate of William Dawkins,

Respondent,

v.

Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC;
THI of South Carolina, LLC;
THI of South Carolina at Spartanburg, LLC;
THI of South Carolina at Magnolia Manor-Spartanburg, LLC
d/b/a Magnolia Manor-Spartanburg,

Appellants.

**SECOND 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)
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Attorneys for Appellants

COME NOW Appellants, Fundamental Clinical and Operational Services, LLC; Fundamental Administrative Services, LLC; THI of South Carolina, LLC; THI of South Carolina at Spartanburg, LLC; THI of South Carolina at Magnolia Manor-Spartanburg, LLC d/b/a Magnolia Manor-Spartanburg, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move 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 *See Dawkins v. Fundamental Clinical and Operational Services, LLC*, Unpublished Op. No. 2023-UP-392.

Presently, by order of this Court filed January 3, 2024, the deadline to petition for rehearing is January 12, 2024. Because of work-related and other time commitments, the undersigned counsel for Appellants 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, Appellants request 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 29, 2024.

ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, Appellants request the Court hold the present deadline for petitioning for rehearing in abeyance until the Court acts on this motion.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
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PROOF OF SERVICE

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that the foregoing **SECOND MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on Respondent on January 11, 2024, by emailing (see attached email) a copy of the same to Respondent's counsel of record:

William A. Jordan III, Esquire
william@jordanlawcenter.com
JORDAN LAW CENTER, LLC
622 Wade Hampton Boulevard
Greenville, SC 29609

Attorney 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

January 11, 2024

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Thursday, January 11, 2024 9:54 AM
To: 'william@jordanlawcenter.com'
Cc: Hines, Russell; Justman, Aimee
Subject: Dawkins v. Fundamental Clinical; Appellate Case No. 2021-000707 (CR 200461)
Attachments: 2nd Motion for Extension - Petition for Rehearing.pdf

Enclosed please find Appellants' Second Motion for Extension of Time to Petition for Rehearing for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell
Project Assistant
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