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Jan 11 2024

SC Court of Appeals

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

Appeal from Dorchester County
Court of Common Pleas

Robert Bonds, Circuit Court Judge
R. Markley Dennis, Jr., Circuit Court Judge

Case No. 2021-CP-18-01030
Appellate Case No. 2022-001807

Tammy China,
as Personal Representative of the
Estate of Emma Lee James,

Respondent,

v.

Palmetto Hallmark Operating, LLC
d/b/a Hallmark Healthcare Center, and
Elite Patient Care of South Carolina, PC,

Defendants,

Of which Palmetto Hallmark Operating, LLC
d/b/a Hallmark Healthcare Center is

Appellant.

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

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Attorneys for Appellant

COMES NOW Appellant, Palmetto Hallmark Operating, 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 *See China v. Palmetto Hallmark Operating, LLC*, Unpublished Op. No. 2023-UP-394.

Presently, by order of this Court filed December 29, 2023, the deadline to petition for rehearing is January 12, 2024. 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 29, 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 Second Motion for Extension of Time to Petition for Rehearing, Appellate Case No. 2022-001807]

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 Appellant, hereby certify that the **SECOND MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on Respondent and Defendant Elite Patient Care of South Carolina, PC, on January 11, 2024, by emailing (see attached email) a copy of the same to their counsel of record:

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Respectfully submitted,
CLEMENT RIVERS, LLP

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Attorneys for Appellant

Charleston, South Carolina

January 11, 2024

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Thursday, January 11, 2024 10:06 AM
To: 'mpacella@stromlaw.com'; 'jfickling@stromlaw.com'; 'awillbanks@stromlaw.com'; 'Joseph Tierney, Jr'; 'Hunter A. Morgan'
Cc: Hines, Russell; Justman, Aimee
Subject: China v. Palmetto Hallmark; Appellate Case No. 2022-001807 (CR 200829)
Attachments: 2nd Motion for Extension - Petition for Rehearing.pdf

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

Thank you,

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