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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 for the First Circuit

The Honorable Diane S. Goodstein

Case No.: 2022-CP-18-00295
Appellate Case No.: 2023-000655

LAURA ABERNATHY.....Plaintiff /*Appellant*,

v.

ERVIN W. LAMBERT, SR., PERSONAL REPRESENTATIVE OF THE ESTATE OF ERVIN
E. LAMBERT, JR., DECEASED,.....Defendant/*Respondent*.

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

COMES NOW Appellant, Laura Abernathy, by and through her undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for a fifteen- (15) day extension of time to file/serve a petition for rehearing of this matter, which the Court decided on January 10, 2024.

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 January 10, 2024 filing of the Court’s order in this case, the present deadline to petition for rehearing is the close of business January 25, 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.

Respectfully submitted:

EPTING & RANNIK, LLC

This 11th day of January, 2024
Charleston, South Carolina

/s/ Jaan Rannik
Jaan G. Rannik
Clinton T. Magill
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Charleston, SC 29401
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ATTORNEYS FOR PLAINTIFF/APPELLANT

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PROOF OF SERVICE

I certify that I have served Appellant’s Motion for Extension of Time to Petition for Rehearing on opposing counsel via e-mail this 11th day of January, 2024, addressed to Respondents’ attorneys of record as follows:

Lionel S. Lofton, Esq. – lionel@loftonandlofton.com

V. Lynn Lofton, Esq. – lynn@loftonandlofton.com

A copy of the e-mail is attached to this Proof of Service as Exhibit A.

By s/Angela

Angela Gross
Legal Assistant to
Jaan G. Rannik
46A State Street, Charleston, SC 29401
Phone: 843-377-1871; Fax: 843-377-1310

EXHIBIT A

Angela Gross

From: Angela Gross
Sent: Thursday, January 11, 2024 11:47 AM
To: Angela Gross; lynn@loftonandlofton.com; lionel@loftonandlofton.com
Cc: Jaan Rannik
Subject: RE: Abernathy v. Lambert / Appellate Case No.: 2023-000655
Attachments: 2024 01 11 - Motion for Extension to file Petition for Rehearing.pdf

Dear Counsel,

Attached for service please find Appellant's Motion for Extension of Time to Petition for Rehearing in the above referenced appeal. A proof of service will follow under separate email.

With kindest regards,



Angela Gross
Legal Assistant to Andrew K. Epting, Jr., Esq.
Jaan G. Rannik, Esq.
Clinton T. Magill, Esq.
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