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SC Court of Appeals

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

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
Unpublished Opinion No. 2023-UP-394 (S.C. Ct. App. filed Dec. 13, 2023)

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

Petitioner.

**MOTION FOR EXTENSION OF TIME TO
SERVE/FILE PETITION FOR WRIT OF CERTIORARI**

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Matthew O. Riddle (SC Bar No. 76650)
Kara S. Grevey (SC Bar No. 101742)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488
Attorneys for Petitioner

COMES NOW Appellant, Palmetto Hallmark Operating, LLC d/b/a Hallmark Healthcare Center, by and through its undersigned counsel, on the grounds stated below, pursuant to Rule 263(b), SCACR, as well as the Court's order of July 16, 2014, regarding Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals, and hereby moves for an extension of ten (10) days' time to file/serve its petition to this Court for issuance of a writ of certiorari to the Court of Appeals to review its decision in this matter.

Pursuant to Rule 242(c), SCACR, the present deadline for the petition for writ of certiorari is March 6, 2024. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioner requests ten (10) additional days, beyond March 6, 2024, to prepare Petitioner's petition seeking this Court's review of the Court of Appeals' decision via writ of certiorari, and the undersigned submits that there is good cause to allow the requested dispensation: It is in furtherance of the interests of justice; it will not work any undue prejudice upon any other party; and it is consistent with the extension protocol established by the Court's aforementioned order of July 16, 2014.

WHEREFORE, Petitioner respectfully requests that this Honorable Court grant it an extension of ten (10) days' time to file/serve its petition for writ of certiorari. With the extension requested herein, the new deadline for filing/serving

the petition for writ of certiorari would be March 18, 2024,¹ according to the undersigned's calculations. Further, Petitioner respectfully requests the Court hold the present deadline in abeyance until it acts upon this motion.

[Signature page for Motion for Extension of Time to Serve/File Petition for Writ of Certiorari, Appellate Case No. 2022-001807]

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)
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Attorneys for Petitioner

Charleston, South Carolina

March 5, 2024

¹ Calculating the 10-day period in accordance with Rule 263(a), SCACR, it runs until Monday, March 18, 2024, because the 10th day is Saturday, March 16, 2024.

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PROOF OF SERVICE

CLEMENT RIVERS, LLP
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Attorneys for Petitioner

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioner, hereby certify that the **MOTION FOR EXTENSION OF TIME TO FILE/SERVE PETITION FOR WRIT OF CERTIORARI** was served on Respondent and Defendant Elite Patient Care of South Carolina, PC, on March 5, 2024, by emailing (see attached email) a copy of the same to their counsel of record:

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ROGERS TOWNSEND, LLC
*Attorneys for Defendant
Elite Patient Care of South Carolina, PC*

I also certify that Petitioner's **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI** and **PROOF OF SERVICE** were filed with the South Carolina Court of Appeals on March 5, 2024, via email (see attached) to ctappfilings@sccourts.org.

Respectfully submitted,
CLEMENT RIVERS, LLP

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

Charleston, South Carolina

March 5, 2024

From: [Bell, Pollyana \(Polly\)](#)
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)
Date: Tuesday, March 5, 2024 3:24:05 PM
Attachments: [Mot. for Ext.-Petition for Writ of Cert - China.pdf](#)
[image001.png](#)

Enclosed please find Petitioner's Motion for Extension of Time to Serve/File Petition for Writ of Certiorari for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell
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