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**Mar 05 2024**

**SC Court of Appeals**

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

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Appeal from Dorchester County  
Court of Common Pleas

Maite Murphy, Circuit Court Judge

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Case No. 2020-CP-18-01027

Unpublished Opinion No. 2023-UP-400 (S.C. Ct. App. filed Dec. 13, 2023)

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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

Petitioner.

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

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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 Petitioner*

NOW COMES Petitioner, Hallmark Longterm Care, 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 this Honorable Court grant an extension of ten (10) days' time to file/serve the 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,<sup>1</sup> according to the undersigned's calculations. Further, Petitioner respectfully requests that the Court hold his 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]*

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)  
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P.O. Box 993 (29402)  
(843) 720-5488  
*Attorneys for Petitioner*

Charleston, South Carolina

March 5, 2024

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

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d/b/a Hallmark Healthcare Center is

Petitioner.

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**PROOF OF SERVICE**

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CLEMENT RIVERS, LLP

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25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

(843) 720-5488

*Attorneys for Petitioner*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioner, hereby certify that the **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI** was served on Respondent, Paulette Walker, as Personal Representative of the Estate of Albert Walker, on March 5, 2024, by emailing (see attached) a copy of the same to Respondent's counsel of record:

D. Nathan Hughey, Esquire  
[nate@hugheylawfirm.com](mailto:nate@hugheylawfirm.com)

A. Stuart Hudson, Esquire  
[stuart@hugheylawfirm.com](mailto:stuart@hugheylawfirm.com)

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

*Attorneys for Respondent*

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](mailto: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:** [nate@hugheylawfirm.com](mailto:nate@hugheylawfirm.com); [stuart@hugheylawfirm.com](mailto:stuart@hugheylawfirm.com); [brad@hugheylawfirm.com](mailto:brad@hugheylawfirm.com); [jennifer@hugheylawfirm.com](mailto:jennifer@hugheylawfirm.com)  
**Cc:** [Hines, Russell](#); [Justman, Aimee](#)  
**Subject:** Walker v. Hallmark Longterm; Appellate Case No. 2021-000594 (CR 200220)  
**Date:** Tuesday, March 5, 2024 5:04:38 PM  
**Attachments:** [Mot. for Ext. Petition for Writ of Cert -Walker.pdf](#)  
[image001.png](#)

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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  
Project Assistant  
Commercial Litigation Practice Group  
Phone:(843)720-5488 | Fax:(843)579-1369



**CLEMENT RIVERS, LLP**  
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