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Mar 05 2024

SC Court of Appeals

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

Appeal from Calhoun County
Court of Common Pleas

Honorable Maite Murphy, Circuit Court Judge

Unpublished Opinion No. 2023-UP-393, (S.C. Ct. App. filed Dec. 13, 2023)
Circuit Court Case No. 2019-CP-09-00220

Jeffery White, individually and as Personal Representative of the
Estate of Lizzie White,

Respondent,

v.

St. Matthews Healthcare, LLC, d/b/a Calhoun Convalescent Center,

Petitioner.

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

CLEMENT RIVERS, LLP
Stephen L. Brown
D. Jay Davis, Jr.
Russell Grainger Hines
T. Ashton Phillips, III
25 Calhoun Street, Suite 400 (29401)
P.O. Box 993
Charleston, South Carolina 29402
(843) 720-5488
Attorneys for Petitioner

NOW COMES Petitioner, St. Matthews Healthcare, LLC, d/b/a Calhoun Convalescent 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 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, 2024,¹ 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
D. Jay Davis, Jr.
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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 SERVE/FILE PETITION FOR WRIT OF CERTIORARI** was served on all other parties to this appeal on March 5, 2024, via email (see attached) to their following counsel of record:

Jessica L. Fickling
Matthew B. Robins
Strom Law Firm, LLC
6923 N. Trenholm Road, Suite 200
Columbia, SC 29206
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.

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: jfickling@stromlaw.com; mrobins@stromlaw.com
Cc: [Justman, Aimee](#); [Hines, Russell](#)
Subject: White v. St. Matthews Healthcare; Appellate Case No. 2021-000700 (CR 190573)
Date: Tuesday, March 5, 2024 5:16:25 PM
Attachments: [image001.png](#)
[Mot. for Ext. Petition for Writ of Cert -White.pdf](#)

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
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