

**The State of South Carolina
In the Supreme Court**

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 /*Petitioner*,

v.

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

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

COMES NOW Petitioner, Laura Abernathy (“Ms. Abernathy”), by and through her undersigned counsel, pursuant to Rule 263(b), SCACR, and 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 a ten (10) days extension of time to file/serve a petition for writ of certiorari in this matter.

The Court of Appeals dismissed this appeal on January 10, 2024 and denied Ms. Abernathy’s petition for rehearing on May 14, 2024. Rule 242(c), SCACR, provides, “A petition for writ of certiorari shall be served on opposing counsel and filed with proof of service with the

Clerk of the Court of Appeals and the Clerk of the Supreme Court within thirty (30) days after the petition for rehearing or reinstatement is finally decided by the Court of Appeals.” Based on the May 14, 2024, filing of the Court’s order denying the petition for rehearing in this case, the present deadline to petition for a writ of certiorari is June 13, 2024. Because of work-related and other time commitments, the undersigned counsel for Petitioner requests the Court’s allowance of ten (10) days’ additional time to petition for a writ of certiorari. With the extension requested herein, the new deadline for serving/filing the petition for writ of certiorari would be Monday, June 24, 2024.

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, and posing no threat of undue prejudice to any other party.

Respectfully submitted:

EPTING & RANNIK, LLC

This 29th day of May, 2024
Charleston, South Carolina

/s/ Jaan Rannik
Jaan G. Rannik
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ATTORNEYS FOR PETITIONER

The State of South Carolina
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PROOF OF SERVICE

I certify that I have served Petitioner’s Motion for Extension of Time to Serve/File
Petition for Writ of Certiorari on opposing counsel via e-mail this 29th day of May, 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

From: [Angela Gross](#)
To: lynn@loftonandlofton.com; lionel@loftonandlofton.com
Cc: [Jaan Rannik](#); [Angela Gross](#)
Subject: Abernathy v. Lambert / Appellate Case No.: 2023-000655
Date: Wednesday, May 29, 2024 1:43:00 PM
Attachments: [2024 05 29 - Motion for Extension to Serve Petition for Certiorari \(agg\).pdf](#)

Dear Counsel:

Attached for filing please find Petitioner's Motion for Extension of Time to Serve/File Petition for Writ of Certiorari in the above 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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RECEIVED

May 29 2024

SC Court of Appeals

EPTING & RANNIK

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CLINTON T. MAGILL · CTM@EPTING-LAW.COM

May 29, 2024

**VIA E-Filing and U.S.P.S**

The Honorable Patricia A. Howard  
Clerk of Court  
South Carolina Supreme Court  
P.O. Box 11330  
Columbia, SC 29211

RE: *Laura Abernathy v. Ervin W. Lambert, Sr.*  
Case No. 2022-CP-18-00295  
Appellate Case No.: 2023-000655

Dear Ms. Howard:

Enclosed please find Petitioner Laura Abernathy's Motion for Extension of Time to Serve/File Petition for Writ of Certiorari and Proof of Service in the above matter.

I enclose my firm's check in the amount of \$50.00 for the filing fee.

With kindest regards,

EPTING & RANNIK



Jaen G. Rannik  
JGR/agg

cc:

The Honorable Jenny Abbott Kitchings, Clerk of Court  
All counsel of record (*via email only*)