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Jun 20 2024

SC Court of Appeals

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

Appeal from Spartanburg County
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2021-CP-42-03701
Court of Appeals Case No. 2023-000432

The Estate of Jo Eva Rice, deceased,
by her Personal Representative Sonya Lovett,

Respondent,

v.

Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; and
THI of South Carolina at Magnolia Place–Spartanburg,
a/k/a Physical Rehab and Wellness of Spartanburg,

Petitioners,

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

Attorneys for Petitioners

NOW COME Petitioners Fundamental Clinical and Operational Services, LLC, Fundamental Administrative Services, LLC, and THI of South Carolina at Magnolia Place–Spartanburg, a/k/a Physical Rehab and Wellness of Spartanburg, by and through their undersigned counsel, 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 move for an extension of ten (10) days’ time to file/serve their 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 today, June 20, 2024. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioners request ten (10) additional days, beyond today’s date, to prepare Petitioners’ 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, Petitioners respectfully request this Honorable Court grant them an extension of ten (10) days' time to file/serve their petition for writ of certiorari. With the extension requested herein, the new deadline for filing/serving the petition for writ of certiorari would be July 1, 2024, according to the undersigned's calculations. Further, Petitioners respectfully request the Court hold this present deadline in abeyance until it acts upon this motion.

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)
Russell G. Hines (SC Bar No. 72100)
T. Ashton Phillips, III (SC Bar No. 104227)
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PROOF OF SERVICE

CLEMENT RIVERS, LLP
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Charleston, South Carolina 29401
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Attorneys for Petitioners

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioners, hereby certify that Appellants' **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI** was served on Respondent on June 20, 2024, by emailing (see attached service email) a copy of the same to Respondent's counsel of record:

W. Harold Christian, Jr., Esquire
hchristian@cclawfirm.com
Matthew W. Christian, Esquire
mchristian@cclawfirm.com
CHRISTIAN & CHRISTIAN, LLC
Attorneys for Respondent

Respectfully submitted,
CLEMENT RIVERS, LLP

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

Charleston, South Carolina

June 20, 2024

From: [Bell, Pollyana \(Polly\)](#)
To: hchristian@cclawfirm.com; mchristian@cclawfirm.com; jbogle@cclawfirm.com; ggoodwin@cclawfirm.com
Cc: [Justman, Aimee](#); [Hines, Russel](#)
Subject: Rice v. Fundamental Clinical; Ct. App. Case No. 2023-000432 (CR 210593)
Date: Thursday, June 20, 2024 10:40:38 AM
Attachments: [image001.png](#)
[1st Motion for Extension - Petition for Writ of Cert.pdf](#)

Enclosed please find Petitioners' Motion for Extension of Time to Serve/File their 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
25 Calhoun Street • Suite 400 • Charleston, SC 29401
yclaw.com