

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

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Aug 14 2024

SC Court of Appeals

Appeal from Spartanburg County
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Appellate Case No. 2022-001059
Circuit Court Cases No. 2019-CP-42-03708 and -03709

Kenneth Pace,
Individually and as Personal Representative of
the Estate of Earl E. Pace,

Respondent,

v.

Lake Emory Post Acute Care; THI of South Carolina at Camp Care,
LLC; THI of South Carolina, LLC; THI of Baltimore, Inc.; Fundamental
Administrative Services, LLC; Fundamental Clinical and Operational
Services, LLC; Fundamental Clinical Consulting, LLC; Fundamental
Long Term Care Holdings, LLC; and Kerry L. Wheeler, DO,

Defendants,

Of which Lake Emory Post Acute Care; THI of South Carolina at Camp
Care, LLC; THI of South Carolina, LLC; THI of Baltimore, Inc.;
Fundamental Administrative Services, LLC; Fundamental Clinical and
Operational Services, LLC; and Fundamental Long Term Care
Holdings, LLC, are

Appellants.

**SECOND MOTION FOR EXTENSION OF
TIME TO PETITION FOR REHEARING**

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NOW COME Appellants, Lake Emory Post Acute Care, THI of South Carolina at Camp Care, LLC, THI of South Carolina, LLC, THI of Baltimore, Inc., Fundamental Administrative Services, LLC, Fundamental Clinical and Operational Services, LLC, and Fundamental Long Term Care Holdings, LLC, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for a second extension of fifteen (15) days' additional time to file/serve a petition for rehearing of this matter, which the Court decided via opinion filed July 17, 2024. *See Pace v. Lake Emory Post Acute Care*, Unpublished Op. No. 2024-UP-261.

Presently, by order of this Court dated August 2, 2024, the deadline to petition for rehearing is August 15, 2024. Because of work-related and other time commitments, the undersigned counsel for Appellants request the Court's allowance of fifteen (15) days' additional time to petition for rehearing.

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

WHEREFORE, Appellants request the Court grant them an extension of 15 days' time to petition for rehearing. By the undersigned's calculations, the grant of this relief would make the new deadline to petition for rehearing August 30, 2024. ADDITIONALLY, for the same reasons set forth in support of the within request for

an extension of time, Appellants request the Court hold the present deadline for petitioning for rehearing in abeyance until the Court acts on this motion.

Respectfully submitted,
CLEMENT RIVERS, LLP

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August 14, 2024