

IN THE STATE OF SOUTH CAROLINA
In the Supreme Court

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APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

S.C. SUPREME COURT

The Honorable G.D. Morgan, Jr., Circuit Court Judge

Supreme Court Appeal No.: 2024-001366

Anthony Wise,Appellant,

-v-

Kenneth W. Leap, Newberry Hospital, LLC d/b/a
Newberry County Memorial Hospital, and
West Fraser, Inc.,

Of Whom, West Fraser, Inc. isRespondent.

RESPONDENT’S MOTION FOR EXTENSION OF TIME TO FILE RETURN TO
PETITION FOR WRIT OF CERTIORARI

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ATTORNEYS FOR RESPONDENT WEST FRASER, INC.

Respondent West Fraser, Inc. (“Respondent”) files this Motion for Extension of Time to file its Return to the Petition for Writ of Certiorari filed by Petitioner Anthony Wise. As grounds, Respondent respectfully submits as follows:

1. On September 19, 2024, Petitioner file his petition for writ of certiorari.
2. Pursuant to South Carolina Appellate Court Rule 242(f), Respondent’s return currently is due October 21, 2024.
3. The undersigned counsel for Respondent begins a one-week trial in another matter on October 21, 2024 that will require significant time and preparation, including considerable motion practice, during the approximately two (2) weeks leading up to the trial.
4. Because Respondent’s counsel’s time will be consumed with trial and/or trial preparation from approximately October 7 until October 28, 2024, an extension of the current return deadline is necessary.
5. In accordance with the Court’s July 16, 2014 Order, No. 2014-07-16-01, Respondent seeks a single extension of the return deadline by twenty (20) days, until November 8, 2024.
6. Good cause exists for granting this Motion because:
 - (i.) The need for an extension is not the result of a lack of diligence or planning by Respondent’s counsel. The trial in Respondent’s other matter was set prior to the filing of Petitioner’s Petition, and Respondent could not have foreseen or done anything to resolve the close timing of the trial and the deadline for Respondent’s return in the instant appeal.
 - (ii.) Prior to filing this Motion, Respondent’s counsel conferred with lead counsel for Petitioner and confirmed Petitioner does not oppose the requested 20-day extension. Because both parties are agreeable to the requested extension, no unfair prejudice will result if this Motion is granted.
 - (iii.) Additionally, this is Respondent’s first request for extension, and

Respondent does not contemplate that any further requests for extension will be necessary. As such, Respondent submits that granting this Motion also will not result in excessive delay.

Based on the foregoing, Respondent respectfully requests that its Motion for Extension be granted by extending the deadline for Respondent to file a return to the petition for writ of certiorari no later than November 8, 2024.

Respectfully submitted this the 7th day of October 2024,

/s/ Christopher B. Major
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