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Oct 09 2024

SC Court of Appeals

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

Appeal from Spartanburg County
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2022-CP-42-02595
Appellate Case No. 2023-001371

Steven McCarson,
as Personal Representative of the Estate of Louie Arches,

Respondent,

v.

THI of South Carolina at Magnolia Manor–Inman, LLC
d/b/a Magnolia Manor–Inman, THI of South Carolina at Inman, LLC,
THI of South Carolina, LLC, Hunt Valley Holdings, LLC,
Fundamental Administrative Services, LLC,
Fundamental Clinical And Operational Services, LLC,
THI of Baltimore, LLC, and James H. Mack,

Appellants.

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

CLEMENT RIVERS, LLP
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D. Jay Davis, Jr. (SC Bar No. 12084)
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Attorneys for Appellants

COME NOW Appellants THI of South Carolina at Magnolia Manor–Inman, LLC d/b/a Magnolia Manor–Inman, THI of South Carolina at Inman, LLC, THI of South Carolina, LLC, Hunt Valley Holdings, LLC, Fundamental Administrative Services, LLC, Fundamental Clinical And Operational Services, LLC, THI of Baltimore, LLC, and James H. Mack, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for an extension of fifteen (15) days’ additional time to file/serve a petition for rehearing of this matter, which the Court decided via opinion filed September 25, 2024. *See McCarson v. THI of South Carolina at Magnolia Manor-Inman, LLC*, Unpublished Op. No. 2024-UP-320.

Rule 221(a), SCACR, provides, “Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court.” Based on the September 25, 2024, filing of the Court’s opinion in this case, the present deadline to petition for rehearing is the close of business October 10, 2024, which, in accordance with Rule 263(a), SCACR (regarding computation of time), is the 15th day after the opinion’s filing. Because of work-related and other time commitments, the undersigned counsel for Appellants requests 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 October 25, 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

By: s/Russell G. Hines
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PROOF OF SERVICE

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellants' **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on Respondent on October 9, 2024, by emailing (see attached email) a copy of the same to his counsel of record:

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Respectfully submitted,
CLEMENT RIVERS, LLP

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Charleston, South Carolina

October 9, 2024

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Subject: McCarson v. THI; Appellate Case No. 2023-001371 (CR 220432)
Date: Wednesday, October 9, 2024 11:04:11 AM
Attachments: [Motion for extension - Petition for Rehearing \(2\).pdf](#)
[image001.png](#)

Enclosed please find Appellants' Motion for Extension of Time to Petition for Rehearing for service upon you in the above-referenced matter.

Thank you,

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