

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

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Oct 17 2024

S.C. SUPREME COURT

Appeal from Spartanburg County
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Court of Appeals Case No. 2022-001059
Circuit Court Cases No. 2019-CP-42-03708 and -03709
Unpublished Opinion No. 2024-UP-261 (S.C. Ct. App. filed July 17, 2024)

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

Petitioners.

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

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NOW COME Petitioners, 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, on the grounds stated below, 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 October 18, 2024. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioners requests 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 October 28, 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

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October 17, 2024