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SC Court of Appeals

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

Appeal from Dorchester County
Court of Common Pleas

Heath P. Taylor, Circuit Court Judge

Case No. 2023-CP-18-00722
Appellate Case No. 2024-000910

Beverly Calloway,
as Personal Representative of the Estate of Hattie Admore,

Respondent,

v.

Oakbrook Healthcare, LLC d/b/a Oakbrook Health and
Rehabilitation Center and Patricia Castle,

Appellants.

**THIRD MOTION FOR EXTENSION OF TIME TO
FILE/SERVE RETURN TO MOTION TO DISMISS APPEAL**

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)
T. Ashton Phillips III (SC Bar No. 104227)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
P.O. Box 993 (29402)
Charleston, South Carolina 29401
(843) 720-5488

Attorneys for Appellants

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COME NOW Appellants, Oakbrook Healthcare, LLC d/b/a Oakbrook Health and Rehabilitation Center and Patricia Castle, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for a third extension of ten (10) days' additional time to file/serve their return to the motion to dismiss appeal.

Presently, by order of this Court filed November 22, 2024, the deadline for Appellants' return to the motion to dismiss appeal is December 3, 2024. Appellants' counsel recognizes the notice in the Court's November 22, 2024 order that no further extensions will be granted absent extraordinary circumstances. Mr. Hines had hoped to be able to complete the return to the motion to dismiss appeal in a timely manner, but on account of the recent Thanksgiving holiday and his related out-of-town travel, he was unable to do so, and he humbly asks that the Court consider the circumstances (disruption to his normal work schedule) as sufficiently out of the ordinary to merit granting the dispensation requested herein, which he most respectfully submits is consistent with the interests of justice and will not unduly prejudice any other party.

WHEREFORE, Appellants move this Honorable Court to grant them an extension of 10 days' time to file/serve their return to the motion to dismiss appeal. With the extension requested herein, the new deadline to file/serve their return to the motion to dismiss appeal would be December 13, 2024, according to the

undersigned's calculations. Further, Appellants respectfully request the Court hold the present deadline in abeyance until it acts upon this motion.

[Signature page for Third Motion for Extension of Time to File/Serve Return to Motion to Dismiss Appeal, Appellate No. 2024-000910]

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)
T. Ashton Phillips III (SC Bar No. 104227)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
P.O. Box 993 (29402)
Charleston, South Carolina 29401
(843) 720-5488
Attorneys for Appellants

Charleston, South Carolina

December 2, 2024

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Court of Common Pleas

Heath P. Taylor, Circuit Court Judge

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Beverly Calloway,
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Rehabilitation Center and Patricia Castle,

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PROOF OF SERVICE

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)
T. Ashton Phillips III (SC Bar No. 104227)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
P.O. Box 993 (29402)
Charleston, South Carolina 29401
(843) 720-5488

Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellants' **THIRD MOTION FOR EXTENSION OF TIME TO FILE/SERVE RETURN TO MOTION TO DISMISS APPEAL** was served on Respondent on December 2, 2024, by emailing (see attached email) a copy of the same to Respondent's counsel of record:

PARKER LAW GROUP, LLP
Lee D. Cope, Esquire
lcope@parkerlawgroupsc.com
John E. Parker, Jr., Esquire
jayparker@parkerlawgroupsc.com

-and-

BRIGHT MATTHEWS LAW FIRM, LLC
Margie Bright Matthews, Esquire
margie@brightmatthewslaw.com

Attorneys for Respondent

Respectfully submitted,
CLEMENT RIVERS, LLP

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

Attorneys for Appellants

Charleston, South Carolina

December 2, 2024

From: [Bell, Pollyana \(Polly\)](#)
To: lcope@parkerlawgroupsc.com; margie@brightmatthewslaw.com; jayparker@parkerlawgroupsc.com; teamcope@parkerlawgroupsc.com; teamjohnny@parkerlawgroupsc.com; ccartier@parkerlawgroupsc.com
Cc: [Hines, Russell](#); [Justman, Aimee](#)
Subject: Calloway v. Oakbrook Healthcare, LLC; Appellate Case No. 2024-000910 (CR 230144)
Date: Monday, December 2, 2024 2:30:16 PM
Attachments: [3rd Motion for Extension - Return to Motion to Dismiss.pdf](#)
[image001.png](#)

Enclosed please find Appellants' Third Motion for Extension of Time to File/Serve their Return to Motion to Dismiss Appeal 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
ycrlaw.com