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**Dec 02 2024**

**SC Court of Appeals**

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

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Appeal from Fairfield County  
Court of Common Pleas

Patrick C. Fant, III, Circuit Court Judge

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Case No. 2023-CP-20-00268  
Appellate Case No. 2024-000596

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Thomas D. Kilpatrick  
as Special Administrator for the Estate of Anthony Lemon,

Respondent,

v.

Pruitthealth-Ridgeway, LLC f/k/a Unihealth Post-Acute Care-Tanglewood, LLC, United Health Services of South Carolina, Inc., Pruitthealth Consulting Services, Inc., Pruitthealth Therapy Services, Inc. f/k/a United Rehab, Inc., Pruitthealth, Inc., Neil Pruitt, Jr., THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and Operational Services, LLC, Fundamental Clinical Consulting, LLC, Fundamental Long Term Care Holdings, Inc., Fundamental Administrative Services, LLC, and Hunt Valley Holdings, LLC,

Defendants,

Of which THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and Operational Services, LLC, Fundamental Administrative Services, LLC, and Hunt Valley Holdings, LLC, are the

Appellants.

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

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*\*Counsel identified on the next page*

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D. Jay Davis, Jr. (SC Bar No. 12084)

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*Attorneys for Appellants*

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

COME NOW Appellants, Appellants THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and Operational Services, LLC, Fundamental Administrative Services, LLC, and Hunt Valley Holdings, LLC, 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 2, 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 12, 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.

**<SIGNED ON THE FOLLOWING PAGE>**

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
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Charleston, South Carolina

December 2, 2024

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Pruitthealth-Ridgeway, LLC f/k/a Unihealth Post-Acute Care-Tanglewood, LLC, United Health Services of South Carolina, Inc., Pruitthealth Consulting Services, Inc., Pruitthealth Therapy Services, Inc. f/k/a United Rehab, Inc., Pruitthealth, Inc., Neil Pruitt, Jr., THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and Operational Services, LLC, Fundamental Clinical Consulting, LLC, Fundamental Long Term Care Holdings, Inc., Fundamental Administrative Services, LLC, and Hunt Valley Holdings, LLC,

Defendants,

Of which THI of South Carolina at Columbia, LLC d/b/a Midlands Health and Rehabilitation Center, THI of South Carolina, LLC, Fundamental Clinical and Operational Services, LLC, Fundamental Administrative Services, LLC, and Hunt Valley Holdings, LLC, are the

Appellants.

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**PROOF OF SERVICE**

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*\*Counsel identified on the next page*

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*Attorneys for Appellants*

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

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*Attorneys for Defendants Pruitthealth-Ridgeway, LLC f/k/a Unihealth Post-Acute Care-Tanglewood, LLC, United Health Services of South Carolina, Inc., Pruitthealth Consulting Services, Inc., Pruitthealth Therapy Services, Inc. f/k/a United Rehab, Inc., Pruitthealth, Inc., Neil Pruitt, Jr.*

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

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**Cc:** [Justman, Aimee](#); [Hines, Russell](#)  
**Subject:** Kilpatrick v. Pruitthealth - Ridgeway, LLC ; Appellate Case No. 2024-000596 (CR 230463)  
**Date:** Monday, December 2, 2024 2:46:51 PM  
**Attachments:** [3rd Motion for Extension - Return to MTD.pdf](#)  
[image001.png](#)

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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



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