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Dec 30 2024

THE STATE OF SOUTH CAROLINA IN
THE SUPREME COURT

Appeal from Spartanburg County Court of
Common Pleas

S.C. SUPREME COURT

R. Keith Kelly, Circuit Court Judge

Cases No. 2019-CP-42-03708 and 2019-CP-42-03709

Court of Appeals Case No. 2022-001059

Supreme Court Case No. 2024-001764

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 the

Petitioners.

--PROOF OF SERVICE--

HARBIN & BURNETT, LLP

s/ Jennifer Spragins Burnett

Jennifer Spragins Burnett

Harbin & Burnett, LLP

P.O. Box 35

Anderson, SC 29622

Ph: 864-964-0333

Fax: 864-964-0930

Attorneys for Respondent

I, Jennifer Spragins Burnett, of Harbin & Burnett, LLP, attorneys for Respondent, hereby certify that Respondent's' **RETURN TO PETITION FOR A WRIT OF CERTIORARI** was served on Petitioners and on Defendant Kerry L. Wheeler, DO, on December 30, 2024, by emailing (see attached) a copy of the same to their counsel of record:

Russell G. Hines, Esquire

Clement Rivers, LLP

rhines@ycrlaw.com

Attorneys for Petitioners

Russell W. Harter, Jr., Esquire

CHAPMAN, HARTER & HARTER, P.A.

rwhjr@chhlaw.net

Attorney for Defendant Kerry L. Wheeler,

I also certify that Respondent's' **RETURN TO PETITION FOR A WRIT OF CERTIORARI** and **PROOF OF SERVICE** were filed with the South Carolina Court of Appeals on December 30, 2024, via email to suptfilings@sccourts.org

Respectfully submitted,

HARBIN & BURNETT, LLP

s/ Jennifer Spragins Burnett _____

Jennifer Spragins Burnett

Harbin & Burnett, LLP

P.O. Box 35

Anderson, SC 29622

Ph: 864-964-0333

Fax: 864-964-0930

Attorneys for Respondent

Anderson, South Carolina
December 30, 2024

(no subject)

1 message

Jennifer Burnett <jennifer@harbinlaw.com>

Mon, Dec 30, 2024 at 1:10 AM

To: Russell Harter <rwhjr@chhlaw.net>, "Hines, Russell" <RHines@ycrlaw.com>, "Davis, Jay" <jdavis@ycrlaw.com>, Sandy Cromer <sandy@harbinlaw.com>, pancearl@harbinlaw.filevineapp.com

Gentlemen:

Please see attached Return to the Petition for Writ of Certiorari, being served upon you as well as the Corrected Proof of Service. This document will be filed promptly with the Supreme Court. Should you have questions or comments, please let me know. I inadvertently included the Court of Appeals filing email in my first Proof of Service.

Jennifer Burnett

2 attachments



Pace Proof of Service.pdf

164K



Petitioners Return to Petition for Writ of Certiorari.pdf

280K