

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Mark Hayes, II, Circuit Court Judge

Case No. 2017-CP-42-00219
Appellate Case No. 2024-001546

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Mar 10 2025

SC Court of Appeals

Jo Ann Blackwell, Michelene Brooks, and Samuel H. Owens, Jr., individually and on behalf of all others similarly situated,

Respondents,

v.

Mary Black Health System, LLC, d/b/a Mary Black Memorial Hospital; CHSPSC, LLC;
Professional Account Services, Inc.,

Appellants,

APPELLANTS' STATUS REPORT

Appellants Mary Black Health System, LLC, d/b/a Mary Black Memorial Hospital; CHSPSC, LLC; and Professional Account Services, Inc. (collectively, "Appellants") submit this status update in compliance with the Court's Order (filed January 14, 2025) granting Appellants' motion to hold this appeal in abeyance until a final decision is issued in the related appeal, Appellate Case No. 2020-001613 (the "First Appeal").

On January 27, 2025, the Court denied Appellants' Petition for Rehearing in the First Appeal. On February 26, 2025, Appellants filed timely a Petition for a Writ of Certiorari with the South Carolina Supreme Court. *See Harleysville Mut. Ins. Co. v. State*, 401 S.C. 15, 23, 736 S.E.2d 651, 655 (2012) ("The timely filing of a petition for rehearing stays the sending of the remittitur,

thereby depriving the decision of finality.”). Respondents Jo Ann Blackwell, Michelene Brooks, and Samuel H. Owens, Jr. have until April 7, 2025, to file a Return to Appellants’ Petition for a Writ of Certiorari. The South Carolina Supreme Court has not yet provided the parties with any indication as to when the First Appeal will be finally resolved. *See id.* (“An opinion of an appellate court is not final until the remittitur is filed in the lower court.”).

As the First Appeal remains ongoing, Appellants will provide the Court with another status update within the next sixty (60) days so that Appellants remain in compliance with the Court’s January 14, 2025, Order holding this appeal in abeyance.

s/James Lynn Werner

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March 10, 2025
Columbia, South Carolina