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Apr 11 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY

Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2020-CP-42-00055

Appellate Case No. 2024-001239

Dr. Lad Santiago,

Appellant.

v.

Stephen N. Garcia, as Attorney for

Oscar Avila Hernandez, et.al.,

Respondents.

**APPELLANT'S MOTION FOR EXTENSION OF TIME
TO FILE THE RECORD ON APPEAL**

Dr. Lad Santiago
5041 N. Blackstock Rd.
Spartanburg, SC 29303
Telephone: (864)576-2983
drladsantiago@gmail.com

Stephen N. Garcia, Esquire
604 Pettigru Street
Greenville, South Carolina 29601
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Pro Se for Appellant

Attorney for Respondents

NOW COMES Appellant, Dr. Lad Santiago, and brings this Appellant's Motion For Extension Of Time To File The Record On Appeal. Appellant Dr. Lad Santiago, pursuant to Rule 263 of the South Carolina Rules of Appellate Procedure, respectfully requests and moves that this Honorable Court grant an extension of time to file his Record on Appeal. Appellant originally motioned for an extension of time on February 25, 2025, with a modification filed on March 3, 2025, that would grant an extension until April 15, 2025. This motion was not answered by this Honorable Court until April 8, 2025, wherein the extension of time was granted until April 15, 2025.

Appellant has endured unexpected, extraordinary circumstances most recently with further complications regarding his health, that have directly caused his inability to comply with the time deadlines imposed by the Court ruling granting the Appellant's requested extension until April 15, 2025.

Because of Appellant's diminished and compromised immune system due to a septic infection that was caused by an abscessed root of a tooth, the Appellant became more prone to other infections, and as a result, subsequently contracted a very severe infection of the RSV virus.

Since the Appellant's filing for an extension of time previously, (February 25, modified on March 3, 2025), the Appellant underwent a dental extraction of the abscessed tooth in the first week of March 2025, which resulted in a longer recovery from this procedure due to his diminished and compromised immune system.

Since this filing noted above, Appellant was diagnosed on March 15, 2025, with a very serious RSV (Respiratory Syncytial Virus) infection that has been and continues to be severe because of his immune compromised condition, elderly age and consequential frailty. The following are symptoms that the Appellant has experienced as a result of this condition: fever, congestion, very severe cough, body aches, lethargy and fatigue, headache, dizziness, confusion, mental fogginess, runny nose, sore throat, difficulty breathing, respiratory distress, bronchiolitis, dehydration with reduced appetite, difficulty drinking, and significant weight loss. This situation

compels persistent ongoing bedrest. RSV is long-lasting in immune compromised individuals and in the elderly, of which the Appellant is both.

As a result, he underwent treatment with appropriate medications to prevent the potentiality of pneumonia that is often associated with RSV infections. This, and other medications to control the severe and productive cough have caused side effects such as a highly elevated PSA, and other aberrant biochemical blood markers, which are being treated at present.

He is now beginning to show signs of improvement. However, he requires more time to adequately recover the capacity to effectuate an appropriate response regarding the record on appeal.

For the foregoing reasons, the Appellant respectfully requests of this Honorable Court this extension of time in order to prepare the record on appeal. The Appellant prays for the indulgence of the Court in this request. This extension would set the deadline to no sooner than May 15, 2025. Please note that a \$50.00 check is being mailed on April 11, 2025.

Respectfully submitted,

/s/ Dr. Lad Santiago

Dr. Lad Santiago
5041 N. Blackstock Rd.
Spartanburg, SC 29303
Telephone: (864)576-2983
drladsantiago@gmail.com

Dated April 11, 2025

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**PROOF OF SERVICE FOR APPELLANT'S MOTION OF
EXTENSION OF TIME TO FILE THE RECORD ON APPEAL**

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Dr. Lad Santiago,

Appellant.

v.

Stephen N. Garcia, as Attorney for
Oscar Avila Hernandez, et.al.,

Respondents.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 11th day of April 2025, he served counsel for the Defendants with a copy of the Appellant's Motion for Extension of Time To File the Record on Appeal in this case by mailing a copy of the same by the United States Mail with postage prepaid to the following address:

Stephen N. Garcia, Esquire
604 Pettigru Street
Greenville, South Carolina 29601

**LETTER TO THE APPELLATE COURT CLERK FILING NOTICE
FOR EXTENSION OF TIME TO FILE THE RECORD ON APPEAL**

Dr. Lad Santiago
5041 North Blackstock Road
Spartaburg, South Carolina 29303

April 11, 2025

The Honorable Jenny Abbott Kitchings Clerk,
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Dr. Lad Santiago, Appellant v. Oscar Avila Hernandez, et.al., Respondents
Appellate Case No. 2024-001239

Dear Ms. Kitchings:

Enclosed for filing is Appellant's Motion For An Extension of Time To File the Record on Appeal in the above case. Also enclosed is the following:

(1) Proof of service of Appellant's Motion For An Extension of Time To File the Record on Appeal on the Respondents.

Please note that a \$50.00 check is being mailed on April 11, 2025.

Sincerely,

/s/ Dr. Lad Santiago

Dr, Lad Santiago
5041 North Blackstock Road
Spartaburg, South Carolina 29303
Pro Se for Appellant

cc: Stephen N. Garcia, Esquire
604 Pettigru Street
Greenville, South Carolina 29601
Attorney for Respondents

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