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Jun 09 2025

SC Court of Appeals

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

Appeal from Charleston County
Court of Common Pleas

Deadra L. Jefferson, Circuit Court Judge
Mikell R. Scarborough, Circuit Court Judge

Case No. 2016-CP-10-02955
Appellate Case No. 2021-000272

TCC of Charleston, Inc.,

Appellant/Respondent,

v.

Concord and Cumberland, LLC, Concord & Cumberland HPR, Leo Hall, Diane Hall, Bea H. Smith, Margaret C. Pope, William D. Foster, Jr., Gene G. Foster, Mattison J. MacGillivray, Teresa MacGillivray, Pamela L. Vaughn, Nelia A. Patricio, Trustee of the Nelia A. Patricio Revocable Trust Agreement, Stuart D. Reeves, Edward T. Strom, Barbara K. Henderson, James R. Clarke, Paul A. Brim, Robert K. Seidl, Jennifer M. Seidl, Robert Kenneth Seidl, II, M. Bert Storey, Thomas R. Mather, Edward T. Strom, 304 Concord & Cumberland, LLC, Marion M. Simpson f/k/a Marion Moore McDonald Simpson, Kathy Gardner, Gregory J. Gardner, Freeman Waterfront Properties, LLC, Jo-Ann Cooper, Betty Y. Segal, Robert M. Levin, and Bonita K. Levin, Donald D. Leonard, Betty L. Beatty, Mattellen, LLC, and Thomas R. Debnam, Trustee of the Trust Agreement of Thomas R. Debnam,

Respondents,

Of which Concord & Cumberland HPR is the

Respondent/Appellant.

**MOTION FOR LEAVE TO SERVE/FILE RETURN TO
PETITION FOR REHEARING OUT OF TIME**

CLEMENT RIVERS, LLP

Edward D. Buckley, Jr. (SC Bar No. 994)

W. Siau Barr, Jr. (SC Bar No. 76353)

Russell G. Hines (SC Bar No. 72100)

25 Calhoun Street, Suite 400

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Attorneys for Respondent Betty L. Beatty

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

COMES NOW Respondent, Betty L. Beatty, by and through her undersigned counsel, and respectfully moves this Honorable Court to accept her Return to Appellant/Respondent's Petition for Rehearing for filing out of time (such return is attached hereto). In support hereof, Respondent would show unto this Court as follows:

1. Pursuant to this Court's letter of May 19, 2025, the deadline for Beatty's return to the petition for rehearing was May 29, 2025.

2. On May 29, 2025, the undersigned filed a motion for extension of time to serve/file return to Appellant/Respondent's petition for rehearing, seeking ten additional days, making the new deadline June 9, 2025. On that same day, the undersigned calendared the requested deadline to file the return.

3. On June 2, 2025, this court filed an Order granting the extension of time, but setting a deadline of June 6, 2025.

4. The undersigned received the Court's Order, but unfortunately did not realize that the Court did not grant the full requested amount of time and set a new deadline. As such, the undersigned never adjusted his calendar and believed the Court granted the new deadline of June 9, 2025.

For the foregoing reasons, and to the extent that such is now necessary and the return to the petition for rehearing is now past due, Respondent Betty L. Beatty

hereby moves to be allowed to file such return out of time. The undersigned submits there is good cause for the granting of such motion as the adjudication of this matter on its merits is in the interest of justice and works no undue prejudice upon any other party.

Respectfully Submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Edward D. Buckley, Jr. (SC Bar No. 994)
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*Attorneys for Respondent Betty L.
Beatty*

Charleston, South Carolina

June 9, 2025

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Respondents,

Of which Concord & Cumberland HPR is the

Respondent/Appellant.

PROOF OF SERVICE

CLEMENT RIVERS, LLP

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Attorneys for Respondent Betty L. Beatty

I, Russell G. Hines, of Clement Rivers, LLP, counsel for Respondent Betty L. Beatty, do hereby certify that the foregoing **MOTION FOR LEAVE TO SERVE/FILE RETURN TO PETITION FOR REHEARING OUT OF TIME** was served on all other parties to this matter on June 9, 2025, via email (see attached) to their counsel of record:

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Attorneys for Respondent/Appellant

Respectfully submitted,

CLEMENT RIVERS, LLP

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

Attorneys for Respondent Betty L. Beatty

Charleston, South Carolina

June 9, 2025

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Monday, June 9, 2025 12:26 PM
To: Jaan Rannik; Angela Gross; Ford, Cordes; Grimball, Henry; Walden, Andrew; Casey, Carol; mendemann@clarksonwalsh.com
Cc: 'Hines, Russell'; 'Buckley, Edward D. (Ed)'; Justman, Aimee
Subject: TCC of Charleston, Inc. v. Concord and Cumberland, LLC; Appellate Case No. 2021-000272 (CR 160538)
Attachments: TCC v. Concord (21-000272) -Motion for Leave to File Return to Petition for Rehearing Out of Time.pdf; TCC v. Concord (21-000272) -- Respondent Betty L. Beatty's Return to TCC's Petition for Rehearing.pdf

Enclosed please find Respondent Betty L. Beatty's Motion for Leave to Serve/File their Return to Petition for Rehearing Out of Time **and** Return to Appellant/Respondent TCC of Charleston's Inc.'s Petition for Rehearing for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell

Legal Secretary to Stephen L. Brown,
Russell G. Hines, Stephen A. Griffith, Jr.

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