

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
Jennifer B. McCoy, Circuit Court Judge

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Appellate Case No. 2025-000237

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Joe Bryan,

Respondent,

v.

THI of South Carolina at Charleston, LLC d/b/a  
Riverside Health and Rehab,

Appellant.

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MOTION FOR EXTENSION OF TIME TO FILE/SERVE  
INITIAL BRIEF OF RESPONDENT

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CLAWSON FARGNOLI UTSEY, LLC

Samuel R. Clawson, Jr. (SC# 76065)  
Christy R. Fagnoli (SC# 77528)  
Bert G. Utsey, III (SC# 10093)  
Laura Wilkes-D'Amato (SC# 104294)  
The Presqu'ile House  
2 Amherst Street  
Charleston, South Carolina 29403  
843.970.2700

Attorneys for Respondent

**RECEIVED**  
**Oct 07 2025**  
**SC Court of Appeals**

COMES NOW Respondent, Joe Bryan, by and through his undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for an extension of thirty (30) days' additional time to file/serve his initial brief and corresponding designation of matter to be included in the record on appeal.

Presently, in accordance with Rule 208(a)(2), the deadline for Respondent's initial brief and designation of matter is Thursday, October 9. Respondent respectfully requests this deadline be extended by 30 days. Respectfully, Respondent believes this relief is consistent with the interests of justice and will not work any undue prejudice upon Appellant.

WHEREFORE, Respondent moves this Honorable Court to grant it an extension of 30 days' time to file/serve his initial brief and corresponding designation of matter to be included in the record on appeal. With the extension requested herein, the new deadline for filing/serving its initial brief and designation of matter would be Monday, November 10, according to the undersigned's calculations. Further, Respondent respectfully requests the Court hold the present initial briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

Respectfully submitted,

CLAWSON FARGNOLI UTSEY, LLC

/s/ Laura Wilkes-D'Amato

Samuel R. Clawson, Jr. (SC# 76065)

Christy R. Fagnoli (SC# 77528)

Bert G. Utsey, III (SC# 10093)

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843.970.2700

Attorneys for Respondent

October 7, 2025  
Charleston, South Carolina

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from Charleston County  
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Case No. 2024-CP-10-03732  
Appellate Case No. 2025-000237

Joe Bryan,

Respondent,

v.

THI of South Carolina at Charleston, LLC  
d/b/a Riverside Health and Rehab,

Appellant.

PROOF OF SERVICE

/s/Laura K. Wilkes-D'Amato

Laura K. Wilkes-D'Amato, Esquire

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CLAWSON FARGNOLI UTSEY, LLC

*Attorneys for Respondent*

I, Laura K. Wilkes-D'Amato , of Clawson Fagnoli Utsey, LLC attorneys for Respondent hereby certify that the **Respondent's Motion for Extension of Time** were served on Appellant on October 7, 2025, by emailing (see attached email) a copy of the same to all counsel of record:

CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis Jr. (SC Bar No. 12084)  
James D. Gandy III (SC Bar No. 11925)  
T. Ashton Phillips III (SC Bar No. 104227)  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
P.O. Box 993 (29402)  
Charleston, South Carolina 29401 (843) 720-5488

*Attorneys for Appellant*

Respectfully submitted,

CLAWSON FARGNOLI UTSEY, LLC

By: Laura K. Wilkes-D'Amato

Laura K. Wilkes-D'Amato

*Attorney for Respondent*

Charleston, South Carolina

October 7, 2025

## Molly Duncan

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**To:** 'Court Of Appeals Filings'  
**Cc:** Brown, Stephen L.; Davis, Jay; Gandy, III, James D. (Tripp); Phillips, Ashton; Justman, Aimee; Bell, Pollyana (Polly); Eversole, Amy R.; Peterson, Susan; Sam Clawson; Christy Fagnoli; Bert Utsey; Laura Wilkes-D'Amato; Hines, Russell  
**Subject:** RE: Bryan v. THI (2025-000237) -- Respondent's Motion to Dismiss and Memo in Support  
**Attachments:** Mtn Extension of Time (SIGNED) .pdf; CFU to The Honorable Jenny Abbott Kitchings re filing fee for Respondents MTN for Extension of time (SIGNED).pdf

Good afternoon,

Please see attached **Respondent's Motion for Extension of Time and Proof of Service.**

Also attached is the correspondence enclosing the \$50.00 filing fee, this is being sent via US mail.

Thank you,



**Molly E. Duncan**

**Legal Assistant**

Clawson | Fagnoli | Utsey

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October 7, 2025

**VIA US MAIL**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

RE: Joe Bryan v. THI of South Carolina at Charleston, LLC  
Appellate Case No. 2025-000237

Dear Ms. Kitchings:

Enclosed please find our firm's check in the amount of \$50.00 to cover the filing fee for Respondent's Motion for Extension of Time, which was filed electronically on 10/7/2025 in the above-referenced matter.

With kind regards, I am

Sincerely,

CLAWSON FARGNOLI UTSEY, LLC

*s/Samuel R. Clawson, Jr.*

Samuel R. Clawson, Jr.  
Christy R. Fagnoli  
Bert G. Utsey, III  
Laura Wilkes-D'Amato

Enclosures: Check #5341

Cc: Donald Jay Davis, Jr., Esquire James D. Gandy, III, Esquire Russell Grainger Hines, Esquire Ted Ashton Phillips, III, Esquire Stephen Lynwood Brown, Esquire