

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

Appeal from Charleston County
Court of Common Pleas

Eugene P. Warr, Jr., Circuit Court Judge

Appellate Case No. 2026-000211
Circuit Court Case No. 2025-CP-10-03621

Joel Ndunda,

Appellant,

v.

Brandi Pfeil, LP-A, Crisis Intervention Employee, individually and officially;
Caitlyn McGarty, Crisis Intervention Employee, individually and officially; South
Carolina Department of Behavioral and Developmental Disabilities, Office of
Mental Health; and Charleston Dorchester Mental Health Center,

Defendants,

Of which Brandi Pfeil, Caitlin McGarty, and Charleston Dorchester Mental
Health Center are the

Respondents.

**MOTION FOR EXTENSION OF TIME TO AUGUST 14, 2026,
TO FILE/SERVE RETURN TO APPELLANT'S MOTION FOR SUMMARY
REVERSAL AND VACATUR OF ORDER OF DISMISSAL**

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Health Center, Caitlin McGarty, and Brandi Pfeil*

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

COME NOW Respondents, Charleston Dorchester Mental Health Center, Caitlin McGarty, and Brandi Pfeil, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move to extend the time for them to file and serve their Return to Appellant's Motion for Summary Reversal and Vacatur of the Order of Dismissal or, Alternatively, to Supplement the Record Pursuant to Rule 212, SCACR.

The Appellant served his Motion for Summary Reversal and Vacatur of the Order of Dismissal on the Ground of Extrinsic Fraud on the Tribunal or, in the alternative, to Supplement the Record Pursuant to Rule 212, SCACR on July 6, 2026. Thereafter, on July 16 and 27, 2026, Respondents filed motions for extensions of time to respond to Appellant's motion, together requesting extension of this deadline through August 6, 2026. These motions have not yet been acted upon by the Court.

On account of work-related and other time commitments (including some recent lost office time due to family vacation), Respondents' undersigned counsel respectfully requests that this deadline be extended through next Friday, August 14, 2026. Respectfully, Respondents believe this relief is consistent with the interests of justice and will not work any undue prejudice upon Appellant. Indeed, Appellant's motion itself states, "Appellant does not request that this Court act on this motion before Respondents file their initial brief; Appellate requests that it be considered alongside the merits of the appeal and decided whatever time this Court deems appropriate." (Appellant's Mot. p. 2.) This appeal is still in the initial briefing stage, and accordingly, it will be some time before the merits of the appeal are considered by the Court in due course.

WHEREFORE, Respondents respectfully move this Honorable Court to extend the deadline for them to file and serve their Return to Appellant's Motion for Summary Reversal and Vacatur or, Alternatively, to Supplement the Record to Friday, August 14, 2026. Respondents further request that the present deadline be held in abeyance pending the Court's ruling on this motion.

Respectfully submitted,

CLEMENT RIVERS, LLP

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Pfeil*

Charleston, South Carolina

August 6, 2026

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IN THE COURT OF APPEALS

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Aug 06 2026

SC Court of Appeals

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Joel Ndunda,

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PROOF OF SERVICE

CLEMENT RIVERS, LLP
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Health Center, Caitlin McGarty, and Brandi
Pfeil*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Respondents, hereby certify that the **MOTION FOR EXTENSION OF TIME TO AUGUST 14, 2026, TO FILE/SERVE RETURN TO APPELLANT'S MOTION FOR SUMMARY REVERSAL AND VACATUR OF ORDER OF DISMISSAL** was emailed to the Appellant on August 6, 2026, and will be placed in the mail to him on August 7, 2026, at the respective email and mailing addresses below:

Joel Ndunda
4015 Laurelwood Drive
Charleston, SC 29414
geospatial02@outlook.com
pro se Appellant

Respectfully submitted,
CLEMENT RIVERS, LLP

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

Charleston, South Carolina

August 6, 2026

Hines, Russell

From: Hines, Russell
Sent: Thursday, August 6, 2026 10:15 PM
To: 'geospatial02@outlook.com'
Cc: Kern, Zachary (Zach); Justman, Barbara; Justman, Aimee; Quisenberry, Brian
Subject: Appeal 2026-000211 – Ndunda v. Pfeil – CR250791 – Motion for Extension to August 14, 2026
Attachments: Ndunda v. Pfeil (2026-000211) -- Motion for Extension to August 14, 2026.pdf

Attached please find our **Motion for Extension of Time to August 14, 2026, to File/Serve Return to Appellant's Motion for Summary Reversal and Vacatur of Order of Dismissal.**

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