

RECEIVED

Sep 14 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable G.D. Morgan, Circuit Court Judge
The Honorable Jessica A. Salvini, Circuit Court Judge

Appellate Case No. 2026-001503

Ward Benjamin McClain, Jr., individually, and as the Personal
Representative of and on behalf of the Estate of Ward Benjamin McClain, III,
and Sonja Gay McClain, Plaintiffs,

of whom Ward Benjamin McClain, Jr., individually, and as the Personal
Representative of and on behalf of the Estate of Ward Benjamin McClain, III,
is the Appellant,

v.

Greenville, S.C. City Police Department, The City of Greenville, S.C., Officer Justin Janicke, Officer
Jeffrey Smith, Officer Noel Tuck, Officer C.J. Clingan, and Sergeant Michelle Lentz, Respondents.

NOTICE OF MOTION AND MOTION FOR EXTENSION

That the undersigned has experienced a series of unexpected medical problems, which required
multiple hospitalizations and caused the undersigned to be confined to a wheelchair at least
temporarily.

Respectfully submitted,

Dated: September 14th, 2026
Greenville, S.C.

s/Ward Benjamin McClain, Jr.
W. Benjamin McClain, Jr., Esquire
W. Benjamin McClain, Jr., L.L.C.
Attorney at Law
S.C. Bar No.: 3740
P.O. Box 205

Other Counsel of Record:
Vincent Clark Price, SCB No. 04567
(1052 North Church Street, 29601)
Post Office Box 10529
Greenville, SC 29603
864.349.2600 - Telephone
864.349.0303 - Facsimile
cprice@cassidycoates.com - E-mail
Attorney for Respondents

William A. Coates, SCB No. 01289
(1052 North Church Street, 29601)
Post Office Box 10529
Greenville, SC 29603
864.349.2600 - Telephone
864.349.0303 - Facsimile
wac@cassidycoates.com - E-mail
Attorney for Respondents

Greenville, S.C. 29602
Telephone: (864) 271-9097;
(864) 271-9098
Facsimile: (864) 271-9099
Attorney for the Appellant Ward
Benjamin McClain, Jr., as the
personal representative of and on
behalf of the Estate of Ward
Benjamin McClain, III

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

Sep 14 2026

SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable G.D. Morgan, Circuit Court Judge
The Honorable Jessica A. Salvini, Circuit Court Judge

Appellate Case No. 2026-001503

Ward Benjamin McClain, Jr., individually, and as the Personal
Representative of and on behalf of the Estate of Ward Benjamin McClain, III,
and Sonja Gay McClain, Plaintiffs,

of whom Ward Benjamin McClain, Jr., individually, and as the Personal
Representative of and on behalf of the Estate of Ward Benjamin McClain, III,
is the Appellant,

v.

Greenville, S.C. City Police Department, The City of Greenville, S.C., Officer Justin Janicke, Officer
Jeffrey Smith, Officer Noel Tuck, Officer C.J. Clingan, and Sergeant Michelle Lentz, Respondents.

PROOF OF SERVICE

I certify that I have served the Notice Of Motion And Motion For Extension on the attorneys for
the Respondents, Vincent Clark Price and William A. Coates, via AIS email, pursuant to the Order of
The Supreme Court Of South Carolina dated April 24, 2024.

Dated: September 14th, 2026
Greenville, S.C.

s/Ward Benjamin McClain, Jr.

W. Benjamin McClain, Jr., Esquire

W. Benjamin McClain, Jr., L.L.C.

Attorney at Law

S.C. Bar No.: 3740

P.O. Box 205

Greenville, S.C. 29602

Telephone: (864) 271-9097;

(864) 271-9098

Facsimile: (864) 271-9099

Attorney for the Appellant Ward

Benjamin McClain, Jr., as the

Other Counsel of Record:
Vincent Clark Price, SCB No. 04567
(1052 North Church Street, 29601)
Post Office Box 10529
Greenville, SC 29603
864.349.2600 - Telephone
864.349.0303 - Facsimile
cprice@cassidycoates.com - E-mail
Attorney for Respondents

personal representative of and on
behalf of the Estate of Ward
Benjamin McClain, III

William A. Coates, SCB No. 01289
(1052 North Church Street, 29601)
Post Office Box 10529
Greenville, SC 29603
864.349.2600 - Telephone
864.349.0303 - Facsimile
wac@cassidycoates.com - E-mail
Attorney for Respondents

W. Benjmain McClain, Jr., L.L.C.

Attorney at Law
Mailing Address: P.O. Box 205
Greenville, S.C. 29602
Telephone: (864) 271-9097;
(864) 271-9098
Facsimile: (864) 271-9099
Email: mcclainwb@gmail.com

RECEIVED

Sep 14 2026

SC Court of Appeals

August 14th, 2026

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

Re.: Ward Benjamin McClain, Jr., individually, and as the Personal Representative of and on behalf of the Estate of Ward Benjamin McClain, III, and Sonja Gay McClain, Plaintiffs, of whom Ward Benjamin McClain, Jr., individually, and as the Personal Representative of and on behalf of the Estate of Ward Benjamin McClain, III, is the Appellant, v. Greenville, S.C. City Police Department, The City of Greenville, S.C., Officer Justin Janicke, Officer Jeffrey Smith, Officer Noel Tuck, Officer C.J. Clingan, and Sergeant Michelle Lentz, Respondents; Appellate Case No.: 2026-001503

Dear Ms. Kitchings:

Enclosed herein, please find a check/money order in the amount of \$50.00, filing fee for the Appellant's Notice Of Motion And Motion For Extension.

Sincerely,

s/Ward Benjamin McClain, Jr.
W. Benjamin McClain, Jr., Esquire
W. Benjamin McClain, Jr., L.L.C.
Attorney at Law
S.C. Bar No.: 3740
Mailing Address: P.O. Box 205
Greenville, S.C. 29602
Telephone: (864) 271-9097;
(864) 271-9098
Facsimile: (864) 271-9099
Email: mcclainwb@gmail.com



Ward McClain <mcclainwb@gmail.com>

Ward McClain, Jr. v. Greenville, S.C., 2026-001503

1 message

Ward McClain <mcclainwb@gmail.com>

Fri, Sep 11, 2026 at 2:30 PM

To: Court Of Appeals Filings <ctappfilings@sccourts.org>

Cc: Clark Price <cprice@cassidycoates.com>, Bill Coates <wac@cassidycoates.com>, Traci Larkins <tlarkins@cassidycoates.com>, rpharr@cassidycoates.com

I have been having some medical problems of late, and I am requesting an extension of the time in which to file and serve the Appellant's initial brief and designation of matter to be included on appeal.

Best regards,
Ben McClain

--

CONFIDENTIALITY NOTICE: This facsimile or email transmission is from the law firm of Attorney W. Benjamin McClain, Jr., L.L.C. , and any documents, files, or previous facsimiles, or email messages attached to it, may contain confidential information, which is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply email or by telephone at (864)-271-9097 and destroy the original transmission and its attachments without reading or saving it in any form.

RECEIVED

Sep 14 2026

SC Court of Appeals



Ward McClain <mcclainwb@gmail.com>

Ward McClain, Jr. v. Greenville, S.C., 2026-001503

1 message

Ward McClain <mcclainwb@gmail.com>

Mon, Sep 14, 2026 at 11:00 AM

To: Bill Coates <wac@cassidycoates.com>

Cc: Clark Price <cprice@cassidycoates.com>

--
CONFIDENTIALITY NOTICE: This facsimile or email transmission is from the law firm of Attorney W. Benjamin McClain, Jr., L.L.C. , and any documents, files, or previous facsimiles, or email messages attached to it, may contain confidential information, which is legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify us by reply email or by telephone at (864)-271-9097 and destroy the original transmission and its attachments without reading or saving it in any form.

2 attachments

 **Notice Of Motion And Motion For Extension.pdf**
133K

 **Proof Of Service.pdf**
132K

RECEIVED
Sep 14 2026
SC Court of Appeals