

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable S. Phillip Lenski, Administrative Law Judge

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MAR 04 2015

Appellate Case No. 2015-000056
Lower Court Docket No. 11-ALJ-07-0575-CC

SC Court of Appeals

15237

Amisub of South Carolina, Inc. d/b/a Piedmont Medical Center
d/b/a Fort Mill Medical CenterRespondent,

v.

South Carolina Department of Health and Environmental Control
and The Charlotte-Mecklenburg Hospital Authority, d/b/a Carolinas
Medical Center-Fort Mill Respondents,

Of whom The Charlotte-Mecklenburg Hospital Authority, d/b/a Carolinas
Medical Center-Fort Mill, is Appellant.

APPELLANT’S MOTION FOR SECOND EXTENSION OF TIME

Pursuant to South Carolina Appellate Court Rule 263(b), Appellant The
Charlotte-Mecklenburg Hospital Authority, d/b/a Carolinas Medical Center-Fort Mill,
moves for an extension of thirty (30) days from the existing deadline to file its Initial
Brief in this matter. Appellant filed its Notice of Appeal on January 14, 2015, and
Appellant’s Initial Brief was originally due on or before February 13, 2015. On February
3, 2015, Appellant filed a Motion for Extension, requesting an extension of thirty (30)
days to file the Initial Brief, on the grounds that the transcript in this matter is extensive,
covering several weeks of testimony and argument and consisting of nearly three

thousand pages of testimony and hundreds of exhibits. The Court granted the Motion for Extension on February 6, 2015, thereby making March 17, 2015 the deadline for Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Appellant requests an additional extension of thirty (30) days to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal. The grounds for this extension are that Appellant sought a stay and supersedeas under Rule 241, SCACR, from the Administrative Law Court, which initially granted the stay on February 10, 2014 but then reversed its decision on February 20, 2015, and Appellant needs to renew its petition for supersedeas in this Court, fully brief the issues connected with that petition, complete a thorough review of the extensive trial transcript, and prepare and file its Initial Brief. If this Motion is granted, the Initial Brief and Designation of Matter to be Included in the Record on Appeal will be due on or before April 16, 2015. Appellant's counsel has conferred with counsel for Respondents regarding this motion, and Respondent DHEC consents the thirty (30) day extension. Respondent Amisub of South Carolina, Inc. d/b/a Piedmont Medical Center d/b/a Fort Mill Medical Center does not consent to the extension.

For the reasons set forth herein, Appellant requests a thirty (30) day extension to serve and file its Initial Brief and Designation of Matter to be Included in the Record on Appeal.

E. B. M.

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Attorneys for Appellant The Charlotte-
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Carolinas Medical Center – Fort Mill

March 3, 2015

THE STATE OF SOUTH CAROLINA
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APPEAL FROM THE ADMINISTRATIVE LAW COURT
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And The Charlotte-Mecklenburg Hospital Authority, d/b/a Carolinas
Medical Center-Fort Mill Respondents,

Of whom The Charlotte-Mecklenburg Hospital Authority, d/b/a Carolinas
Medical Center-Fort Mill, is Appellant.

PROOF OF SERVICE

This is to certify that I have this day served counsel of record in the foregoing matter with a copy of the foregoing *Appellant's Motion for Second Extension of Time* by overnight mail with proper postage affixed, addressed as follows:

Daniel J. Westbrook, Esquire
Stuart M. Andrews, Jr., Esquire
Nelson, Mullins, Riley &
Scarborough, L.L.P.
1320 Main Street, 17th Floor
Columbia, SC 29201

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Attorneys for Petitioner The Charlotte-
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Carolinas Medical Center – Fort Mill

March 3, 2015

Charleston, South Carolina

March 3, 2015

VIA OVERNIGHT MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

**Re: Amisub of South Carolina, Inc., d/b/a Piedmont Medical Center d/b/a Fort Mill
Medical Center v. South Carolina Department of Health and Environmental
Control and The Charlotte-Mecklenburg Hospital Authority d/b/a Carolinas
Medical Center-Fort Mill
Appellate Case No. 2015-000056**

Dear Ms. Kitchings:

Please find enclosed for filing an original and seven (7) copies of Appellant's Motion for Second Extension of Time and a Proof of Service in the above referenced case. I have also enclosed a check in the amount of \$25.00 for the requisite filing fee.

Please file the originals and return a date-stamped copy to me in the enclosed self-addressed stamped envelope provided.

By copy of this letter, I am serving all counsel of record with a copy of the same.

Thank you for your assistance in this matter.

Sincerely,

Moore & Van Allen PLLC



E. Brandon Gaskins

EBG/hm

Enclosures: as stated

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