

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

Appeal from Charleston County
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Appellate Case No. 2014-001833
Circuit Court Case No. 2011-CP-10-0934

Virginia L. Marshall and Todd W. Marshall,

Appellants,

v.

Kenneth A. Dodds, M.D., Charleston Nephrology Associates,
LLC, Georgia Roane, M.D., and Rheumatology Associates, P.A.,

Respondents.

**CONSENT MOTION
OF DR. ROANE AND RHEUMATOLOGY ASSOCIATES, P.A.,
FOR EXTENSION OF TIME
TO PETITION FOR REHEARING**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
James E. Scott, IV (SC Bar No. 09063)
Perry M. Buckner, IV (SC Bar No. 100031)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
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*Attorneys for Respondents
Georgia Roane, M.D., and
Rheumatology Associates, P.A.*

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SC Court of Appeals

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

COME NOW Respondents Georgia Roane, M.D., and Rheumatology Associates, P.A. (collectively, these “Respondents”), by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and hereby move this Honorable Court for an extension of fifteen (15) days’ time to petition for rehearing of this matter, which the Court decided via opinion filed on May 4, 2016. See Marshall v. Dodds, Op. No. 5403 (S.C. Ct. App. filed May 4, 2016) (Shearouse Adv. Sh. No. 18 at 54).

Rule 221(a), SCACR, provides, “Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court.” Based on the May 4th filing of the Court’s opinion in this case, the present deadline for these Respondents to petition for rehearing is the close of business tomorrow, May 19, 2016, which, in accordance with Rule 263(a), SCACR (regarding computation of time), is the 15th day after the filing of the opinion.

On account of work-related and other time commitments,¹ the undersigned counsel for these Respondents humbly requests the allowance of additional time for these Respondents to petition for rehearing. Respectfully, the undersigned submits that there is good cause for the Court to grant the relief requested herein, such relief being in the interests of justice and posing no threat of undue prejudice to any other party. Moreover, prior to making this motion, the undersigned consulted with Appellants' counsel (specifically, Blake A. Hewitt, Esquire) and can represent to the Court that Mr. Hewitt has kindly given his consent to the relief these Respondents request herein.

WHEREFORE, these Respondents request that the Court grant them an extension of 15 days' time (running from May 19, 2016) to petition for rehearing; by the undersigned's calculations, if this request is granted, the new deadline for these Respondents to petition for rehearing would be June 3, 2016. ADDITIONALLY, these Respondents request that the Court hold their present deadline for petitioning for rehearing in abeyance until the Court acts on this motion.

¹ With respect to other, extraordinary time commitments of late, the undersigned represents to the Court that he and his family are in the process of moving into a new home (purchased on May 2, 2016), which process includes self-performing certain work on the home (painting, in particular), and which has disrupted the undersigned's typical work schedule.

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By:



Stephen L. Brown (SC Bar No. 66468)

D. Jay Davis, Jr. (SC Bar No. 12084)

James E. Scott, IV (SC Bar No. 09063)

Perry M. Buckner, IV (SC Bar No. 100031)

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Attorneys for Respondents

Georgia Roane, M.D., and

Rheumatology Associates, P.A.

Charleston, South Carolina

Dated: 5/18/16

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Appellants,

v.

Kenneth A. Dodds, M.D., Charleston Nephrology Associates,
LLC, Georgia Roane, M.D., and Rheumatology Associates, P.A.,

Respondents.

PROOF OF SERVICE

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
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*Attorneys for Respondents
Georgia Roane, M.D., and
Rheumatology Associates, P.A.*

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Respondents Georgia Roane, M.D., and Rheumatology Associates, P.A., do hereby certify that I have served the **CONSENT MOTION OF DR. ROANE AND RHEUMATOLOGY ASSOCIATES, P.A., FOR EXTENSION OF TIME TO PETITION FOR REHEARING** on all other parties of record by depositing a copy of the same in the United States Mail, postage prepaid, on May 18, 2016, addressed as follows to their counsel of record:

Blake A. Hewitt, Esquire
John S. Nichols, Esquire
Bluestein Nichols Thompson Delgado, LLC
P.O. Box 7965
Columbia, SC 29202

-and-

J. Edward Bell, III, Esquire
Bell Legal Group, LLC
P.O. Box 2590
Georgetown, SC 29442

-and-

C. Carter Elliott, Jr., Esquire
Elliott & Phelan, LLC
P.O. Box 1405
Georgetown, SC 29442

***Attorneys for Appellants
Virginia L. Marshall and Todd W. Marshall***

James B. Hood, Esquire
Robert H. Hood, Esquire
H. Cooper Wilson, III, Esquire
Deborah Harrison Sheffield, Esquire
Hood Law Firm, LLC
172 Meeting Street
Charleston, SC 29401
Attorneys for Respondents
Kenneth A. Dodds, M.D. and
Charleston Nephrology Associates, LLC

Thomas R. Goldstein, Esquire
Belk, Cobb, Infinger & Goldstein, P.A.
P.O. Box 71121
Charleston, SC 29415-1121
Attorney for Respondent
Kenneth A. Dodds, M.D.

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

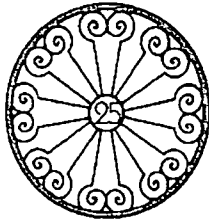
By:



Russell G. Hines (SC Bar No. 72100)
Attorneys for Respondents
Georgia Roane, M.D., and
Rheumatology Associates, P.A.

Charleston, South Carolina

Dated: 5/18/16



YCR LAW

Young Clement Rivers, LLP

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50 YEARS

Kathleen B. Barnes
Secretary

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May 18, 2016

VIA FED EX OVERNIGHT AND FASCIMILE

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Virginia L. Marshall and Todd W. Marshall vs. Georgia Roane, M.D. and
Rheumatology Associates, P.A.
Appellate Case No.: 2014-001833
Case No.: 2011-CP-10-0934
YCR File: 2466-20110384

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter, please find the original and seven (7) copies of a Consent Motion of Dr. Roane and Rheumatology Associates, P.A., for Extension of Time to Petition for Rehearing, the original and two (2) copies of a proof of service regarding the same and a check in the amount of \$25.00.

Kindly file the originals and return court-stamped copies to me using the pre-stamped envelope provided. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes
Secretary

Enclosures

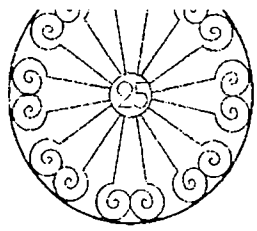
(All below via E-Mail and US Mail)

Blake A. Hewitt, Esquire, Bluestein Nichols Thompson Delgado, LLC
John S. Nichols, Esquire, Bluestein Nichols Thompson Delgado, LLC
J. Edward Bell, III, Esquire, Bell Legal Group, LLC
C. Carter Elliott, Jr., Esquire, Elliott & Phelan, LLC
James B. Hood, Esquire, Hood Law Firm, LLC
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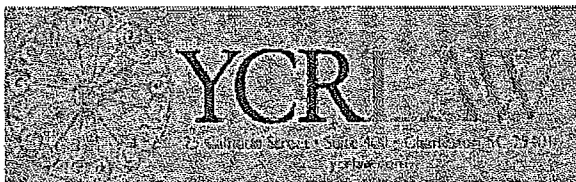
To: 18037341839
From: kbarnes@ycrlaw.com
Date: May 18, 12:58:42 PM EDT
Subj: Marshall v. Roane, et al Appeal - Motion for Extension
Pages: 10

Dear Ms. Kitchings,

Attached please find correspondence being overnighted to the court today in the above-referenced matter. Please let us know if you need anything further.

Thank you!

Katy B. Barnes
Commercial Litigation Secretary
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