

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

Appeal from Charleston County
Court of Common Pleas

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

Opinion No. 5403 (S.C. Ct. App. filed May 4, 2016)

Virginia L. Marshall and Todd W. Marshall,

Respondents,

v.

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

Petitioners.

**SECOND MOTION OF PETITIONERS
GEORGIA ROANE, M.D., AND RHEUMATOLOGY ASSOCIATES, P.A.,
FOR EXTENSION OF TIME TO FILE/SERVE REPLY
TO RESPONDENTS' RETURN TO THE CERTIORARI PETITIONS**

YOUNG CLEMENT RIVERS, LLP
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D. Jay Davis, Jr. (SC Bar No. 12084)
James E. Scott, IV (SC Bar No. 09063)
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*Counsel for Petitioners
Georgia Roane, M.D., and
Rheumatology Associates, P.A.*

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S.C. SUPREME COURT

TO: THE HONORABLE JUSTICES OF THE SUPREME COURT OF SOUTH CAROLINA

COME NOW Petitioners Georgia Roane, M.D., and Rheumatology Associates, P.A. (hereinafter collectively referred to in the singular as “Dr. Roane”), by and through their undersigned counsel, on the grounds stated below, and, pursuant to Rule 263(b), SCACR, as well as the Court’s order of July 16, 2014, regarding Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals, hereby move this Honorable Court to allow the instant second request for an extension of five (5) days’ time to file/serve a reply to Respondents’ return to the petitions for a writ of certiorari in this matter.

1. Respondents served their Return to the Certiorari Petitions on October 26, 2016; therefore, Dr. Roane’s original deadline for reply was November 7, 2016. *See* Rules 242(g) and 263(a), SCACR.

2. By order filed today, November 14, 2016, the Court has granted Dr. Roane’s request (of November 8, 2016) to file/serve her reply to Respondents’ return out of time, extending Dr. Roane’s reply deadline until today.

3. Due to other time commitments, both work- and non-work-related, and the substance of this case (which the Court of Appeals decided via published opinion, *see* Marshall v. Dodds, Op. No. 5403 (Ct. App. filed May 4, 2016) (Shearouse Adv. Sh. No. 18 at 54)) the undersigned again asks the Court for five

(5) days' additional time, beyond *today's* date, i.e., beyond November 14, 2016, to finish preparation of Dr. Roane's reply, and the undersigned humbly submits that there is good cause to allow the requested dispensation: It is in furtherance of the interests of justice; it will not work any undue prejudice upon any other party; and it is consistent with the extension protocol established by the Court's aforementioned order of July 16, 2014.

WHEREFORE, Dr. Roane respectfully requests that this Honorable Court allow her five (5) days from today, November 14th, to file/serve her reply, i.e., to extend the deadline through next Monday, November 21, 2016, by the undersigned's calculations.¹

<SIGNED ON THE FOLLOWING PAGE>

¹ Computing time pursuant to Rule 263(a), because the period of time involved, five (5) days, "is less than seven (7) days, intermediate Saturdays, Sundays and holidays [are to] be excluded in the computation." Excluding Saturday the 19th and Sunday the 20th from the computation, the five-day period (beginning on Monday, November 14th) runs through Monday, November 21st.

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: 

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Charleston, South Carolina

Dated: 11/14/16

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Respondents.

PROOF OF SERVICE

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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 **SECOND MOTION OF PETITIONERS GEORGIA ROANE, M.D., AND RHEUMATOLOGY ASSOCIATES, P.A., FOR EXTENSION OF TIME TO FILE/SERVE REPLY TO RESPONDENTS' RETURN TO THE CERTIORARI PETITIONS** on all other parties of record by depositing a copy of the same in the United States Mail, postage prepaid, on November 14, 2016, addressed as follows to their counsel of record:

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Kenneth A. Dodds, M.D.

Respectfully submitted,
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By: 

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Georgia Roane, M.D., and
Rheumatology Associates, P.A.

Charleston, South Carolina

Dated: 11/14/16