

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

Appeal from Dorchester County
Court of Common Pleas

Diane Schafer Goodstein, Circuit Court Judge

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FEB 15 2017

SC Court of Appeals

Appellate Case No. 2015-000058
Trial Court Case No. 2013-CP-18-00735

William McFarland and Jennifer McFarland,

Appellants,

v.

Mansour Rashtchian and Amy Rashtchian,

Respondents.

**APPELLANTS' MOTION FOR EXTENSION OF TIME
TO PETITION FOR REHEARING**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488
Attorneys for Appellants

COME NOW Appellants William McFarland and Jennifer McFarland (collectively "Appellants"), by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the grounds set forth below, 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Court for an extension of fifteen (15) days' time to petition for rehearing of this matter, which the Court decided via Unpublished Opinion No. 2017-UP-067 filed February 1, 2017.


1. 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 February 1, 2017 filing of the Court's opinion in this case, the present deadline for Appellants to petition for rehearing is the close of business tomorrow, Thursday, February 16, 2017, i.e., the 15th day after the filing of the opinion, as computed under Rule 263(a), SCACR.

2. On account of other time commitments, both work- and non-work-related, the undersigned requests an extension of fifteen (15) days' time for Appellants to petition for rehearing.

3. The undersigned submits that, under the circumstances, there exists good cause for the Court to grant the relief requested herein, such relief constituting a reasonable dispensation, timely sought and consistent with the interests of justice, posing no threat of undue prejudice to any other party.

WHEREFORE, Appellants request that the Court grant them an extension of 15 days' time (from Thursday, February 16, 2017) to petition for rehearing; by the undersigned's calculations, if this request is granted, the new deadline for the Court's actual receipt of Appellants' petition for rehearing would be Friday, March 3, 2017. Additionally, Appellants request that the Court hold this matter in abeyance (and not send down the remittitur) while the present motion is pending.

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: 

Stephen L. BROWN (SC Bar No. 66468)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
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(843) 720-5488
Attorneys for Appellants

Charleston, South Carolina

Dated: 2/15/17

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PROOF OF SERVICE

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Russell G. Hines (SC Bar No. 72100)
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P.O. Box 993 (29402)
(843) 720-5488
Attorneys for Appellants

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellants above-named, do hereby certify that I have served the **Appellants' Motion for Extension of Time to Petition for Rehearing** on the above-named Respondents by depositing a copy of the same in the United States Mail, postage prepaid, on February 15, 2016, addressed as follows to their counsel of record:

David C. Cleveland, Esquire
Michael L. Leech, Esquire
Clawson & Staubes, LLC
126 Seven Farms Drive, Suite 200
Charleston, SC 29492-7595

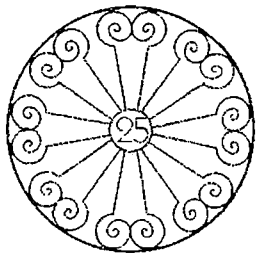
YOUNG CLEMENT RIVERS, LLP

By 

Russell G. Hines

Charleston, South Carolina

Dated: 2/15/17



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Young Clement Rivers, LLP

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To: 18037341839
From: kbarnes@ycrlaw.com
Date: February 15, 12:33:30 PM EST
Subj: McFarland v. Rashtchian; Case No.: 2015-000058
Pages: 8

Dear Ms. Kitchings,

Attached please find Appellants' Motion for Extension to Petition for Rehearing. The original along with the filing fee is being sent via FedEx Overnight and a copy will follow via US Mail. Please do not hesitate to let me know if you have any questions or concerns.

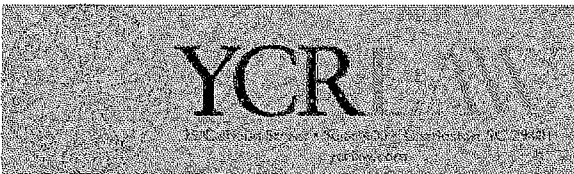
Thank you!

Katy B. Barnes
Commercial Litigation Secretary
Stephen L. Brown, Russell G. Hines & Joanna B. Stroud
Young Clement Rivers, L.L.P.
25 Calhoun Street, Suite 400
Charleston, SC 29401
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SC Court of Appeals



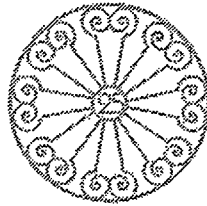
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YCR LAW

Kathleen B. Barnes
Secretary

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February 15, 2017

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SC Court of Appeals

VIA FACSIMILE, US MAIL AND FEDEX OVERNIGHT

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: William McFarland and Jennifer McFarland v. Mansour Rashtchian and Amy Rashtchian
Appellate Case No.: 2015-000058
Circuit Court Case No.: 2013-CP-18-0735
YCR File: 15508-20150131

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter, please find the original and seven (7) copies of **Appellants' Motion for Extension of Time to Petition for Rehearing** and the original and one (1) copy of a **Proof of Service** regarding the same. Also enclosed is a firm check in the amount of \$25.00 to cover the cost associated with this request.

Kindly file the original and return one court-stamped copy of each document to me using the pre-stamped envelope provided. Thank you for your assistance with this matter. With best wishes and kindest regards, I am

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Sincerely,

YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes
Secretary

Enclosures

cc: Michael L. Leech, Esquire, Clawson & Staubes, LLC (via US Mail and email)
David C. Cleveland, Esquire, Clawson & Staubes, LLC (via US Mail and email)