

YCR LAW

Kathleen B. Barnes
Secretary

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March 2, 2017

VIA FASCIMILE, US MAIL AND FEDEX OVERNIGHT

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

RECEIVED

MAR 02 2017

SC Court of Appeals

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 Second 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)

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

Appeal from Dorchester County
Court of Common Pleas

Diane Schafer Goodstein, Circuit Court Judge

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 SECOND EXTENSION
OF TIME TO PETITION FOR REHEARING**

YOUNG CLEMENT RIVERS, LLP
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for a second extension of fifteen (15) days' time to petition for rehearing of this matter, which the Court decided via Unpublished Opinion No. 2017-UP-067 filed February 1, 2017.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 Appellants previously made a request for a 15-day extension of time, requesting extension of the deadline through March 3, 2017. This motion has not yet been acted upon by the Court.

2. On account of other time commitments, both work- and non-work-related, the undersigned requests an additional 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 Friday, March 3, 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 Monday, March 20, 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: 

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

Charleston, South Carolina

Dated: 3/2/17

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

Appeal from Dorchester County
Court of Common Pleas

Diane Schafer Goodstein, Circuit Court Judge

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.

PROOF OF SERVICE

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

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 Second 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 March 2, 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

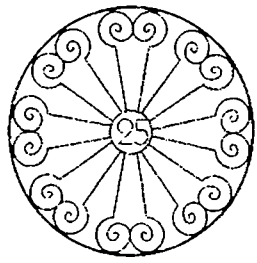
YOUNG CLEMENT RIVERS, LLP

By: 

Russell G. Hines

Charleston, South Carolina

Dated: 3/2/17



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To: 18037341839
From: kbarnes@ycrlaw.com
Date: March 02, 12:46:24 PM EST
Subj: McFarland v. Rashtchian; Case No.: 2015-000058
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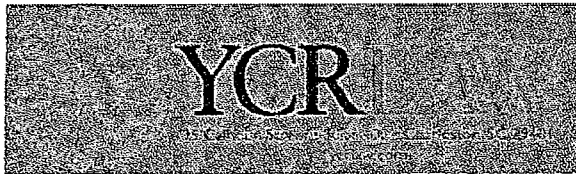
SC Court of Appeals

Dear Ms. Kitchings,

Attached please find correspondence in the above-referenced matter with regard to Appellants' Motion for Second Extension to Petition for Rehearing. The original, all copies and the check will be overnighted to you and a hard copy will follow via US Mail. Please do not hesitate to let me know if you need anything further.

Thank you!

Katy B. Barnes
Commercial Litigation Secretary
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