

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

FEB 21 2018

SC Court of Appeals

Appeal from Charleston County
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Appellate Case No. 2015-001463

Circuit Court Case Nos. 2012-CP-10-2867 and 2011-CP-10-8313

Clair Craver Johnson,

Appellant,

v.

John Roberts, M.D.,

Respondent.

And

Clair Craver Johnson,

Appellant,

v.

Medical University of South Carolina,

Respondent.

MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING

PIERCE, HERNS, SLOAN & WILSON,
LLC
William P. Early (SC Bar No. 15657)
P.O. Box 22437
Charleston, South Carolina 29413
843-722-7733

*Attorneys for Respondent
Medical University of South Carolina*

NOW COMES Respondent Medical University of South Carolina (“MUSC”), by and through the undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the grounds set forth below, hereby moves 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 February 7, 2018. *See Johnson v. Roberts*, Op. No. 5535 (S.C. Ct. App. filed February 7, 2018) (Shearhouse Adv. Sh. No. 6 at 72).

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.”

2. Based on the February 7, 2018, filing date of the Court’s opinion, the present deadline to petition for rehearing of this matter is the close of business tomorrow, Thursday, February 22, 2018, which, pursuant to Rule 263(a), SCACR (regarding computation of time), will be the 15th day after the filing of the opinion.

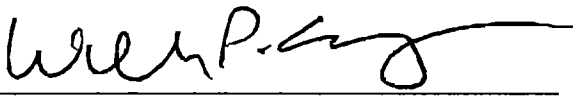
3. On account of work-related and other time commitments, the undersigned requests that the present deadline to petition for rehearing be extended by 15 days, i.e., from Thursday, February 22, 2018, to Friday, March 9, 2018.

4. 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, consistent with the interests of justice, and posing no threat of undue prejudice to any other party.

WHEREFORE, MUSC requests that the Court grant a 15-day extension of the deadline to petition for rehearing in this matter, i.e., an extension of the deadline to petition for rehearing to March 9, 2018. ADDITIONALLY, MUSC requests that the Court hold the present deadline to

petition for rehearing in abeyance (and not send down the remittitur) until the Court acts on this motion.

Respectfully submitted,
PIERCE, HERNS, SLOAN & WILSON,
LLC

By: 

William P. Early (SC Bar No. 15657)
P.O. Box 22437
Charleston, South Carolina 29413
843-722-7733

*Attorneys for Respondent
Medical University of South Carolina*

Charleston, South Carolina

Dated: Feb. 21, 2018

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	v.	
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And		
Clair Craver Johnson,		Appellant,
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PROOF OF SERVICE

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LLC
William P. Early (SC Bar No. 15657)
P.O. Box 22437
Charleston, South Carolina 29413
843-722-7733
Attorneys for Respondent
Medical University of South Carolina

I, William P. Early, of Pierce, Hems, Sloan & Wilson, LLC, counsel for Respondent Medical University of South Carolina, hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on February 21, 2018, properly posted for delivery to the following addressees:


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Columbia, SC 29202

and

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John Roberts, M.D.*

Respectfully submitted,
PIERCE, HERNS, SLOAN & WILSON,
LLC

By: 
William P. Early (SC Bar No. 15657)
*Attorneys for Respondent
Medical University of South Carolina*

Charleston, South Carolina

Dated: Feb. 21, 2018

PIERCE, HERNS, SLOAN & WILSON, LLC

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February 21, 2018

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FEB 21 2018

SC Court of Appeals

Via Federal Express, Next Business Morning Delivery:

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29211

Re: Clair Craver Johnson v. John Roberts, MD
 Clair Craver Johnson v. Medical University of South Carolina
 Appellate Case No. 2015-001463
 Case No. 2012-CP-10-2867
 PHSW File No. D2286.00

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of a Motion for Extension of Time to Petition for Rehearing and original and one (1) copy of the Proof of Service for same and our firm's check in the amount of \$25.00 for the motion fee, concerning the above matter.

Please file the originals and return a filed copy of each to my office in the enclosed, stamped envelope.

Thank you for your assistance in this matter.

With kind regards, I am,

Sincerely,



William P. Early

WPE/mkg

cc: all counsel of record (w/ encl.)

PIERCE, HERNS, SLOAN & WILSON, LLC
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Fax Transmittal Sheet

FEB 21 2018

SC Court of Appeals

Date: 2/21/18

To: Jenny Abbott Kitchings, Clerk of Court, S.C. Court of Appeals

Fax Number: 1-803-734-1839

From: Mary K. Grondines, Paralegal

File Number: D2286.00

Number of Pages Including Cover Sheet: 7

Message: The attached (original and 7 copies) is being mailed via Federal Express next business morning delivery to your office. Thank you.

If you have any problems with the receipt of this fax, please call (843) 722-7733.

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