

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

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Appeal from Charleston County  
Court of Common Pleas  
R. Markley Dennis, Jr., Circuit Court Judge

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**RECEIVED**

FEB 21 2018

SC Court of Appeals

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Appellate Case No. 2015-001463  
Circuit Court Case Nos. 2012-CP-10-2867 and 2011-CP-10-8313

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Clair Craver Johnson,		Appellant,
	v.	
John Roberts, M.D.,		Respondent.
And		
Clair Craver Johnson,		Appellant,
	v.	
Medical University of South Carolina,		Respondent.

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

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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. 69436)  
Russell G. Hines (SC Bar No. 72100)  
P.O. Box 993  
Charleston, South Carolina 29402  
843-720-5488  
*Attorneys for Respondent*  
*John Roberts, M.D.*

NOW COMES Respondent John Roberts, M.D. (“Dr. Roberts”), by and through his 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 15<sup>th</sup> 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, Dr. Roberts 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, Dr. Roberts 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,  
YOUNG CLEMENT RIVERS, LLP

By: 

Stephen L. Brown (SC Bar No. 66468)  
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*Attorneys for Respondent*  
*John Roberts, M.D.*

Charleston, South Carolina

Dated: 2/21/18

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**PROOF OF SERVICE**

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YOUNG CLEMENT RIVERS, LLP  
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James E. Scott, IV (SC Bar No. 69436)  
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P.O. Box 993  
Charleston, South Carolina 29402  
843-720-5488  
*Attorneys for Respondent  
John Roberts, M.D.*

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Respondent John Roberts, M.D., 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:

Johnathan Blake Asbill, Esquire  
Baker Ravenel & Bender, LLP  
P.O. Box 8057  
Columbia, SC 29202

*and*

Bradley Lewis Lanford, Esquire  
The Law Office of Kenneth E. Berger, LLC  
5205 Forest Drive, Suite 2  
Columbia, SC 29206  
*Attorneys for Appellant  
Clair Craver Johnson*

William Peele Early, Esquire  
Pierce, Hems, Sloan & Wilson, LLC  
P.O. Box 22437  
Charleston, SC 29413

*Attorneys for Respondent  
MUSC*

Respectfully submitted,  
YOUNG CLEMENT RIVERS, LLP

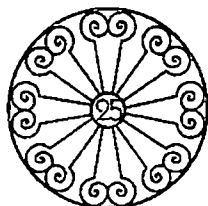
By: 

Russell G. Hines (SC Bar No. 72100)

*Attorneys for Respondent  
John Roberts, M.D.*

Charleston, South Carolina

Dated: 2/21/18



**YCR LAW**

**Kathleen B. Barnes**  
Secretary

Direct Dial: (843) 720-5488  
Direct Fax: (843) 579-1369  
E-mail: kbarnes@ycrlaw.com

February 21, 2018

**VIA FED EX OVERNIGHT, US MAIL AND FASCIMILE**

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

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FEB 21 2018

SC Court of Appeals

Re: Clair Craver Johnson vs. John Roberts, M.D.  
Clair Craver Johnson vs. Medical University of South Carolina  
Appellate Case No. 2015-001463  
Case No.: 2012-CP-10-2867  
YCR File: 2466-20111027

Dear Ms. Kitchings:

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

Please file the originals and return a court-stamped copy of each to me in the enclosed envelope.

With best wishes and kindest regards, I am

Sincerely,

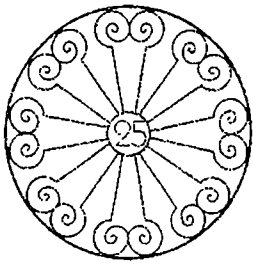
YOUNG CLEMENT RIVERS, LLP

Kathleen B. Barnes  
Secretary

Enclosures

(all via US Mail and email)

cc: Jonathan Blake Asbill, Esquire, Baker Ravenel & Bender, LLP  
William Peele Early, Esquire, Pierce, Hems, Sloan & Wilson, LLC  
Bradley Lewis Landford, Esquire, The Law Office of Kenneth E. Berger, LLC



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**THE FOLLOWING PAGES ARE FOR IMMEDIATE DELIVERY**

To: 18037341839  
From: kbarnes@ycrlaw.com  
Date: February 21, 10:47:47 AM EST  
Subj: Johnson v. MUSC; Case No.: 2015-001463  
Pages: 8

Good morning Ms. Kitchings,

Attached please find correspondence in the above-referenced matter with regard to our Motion for Extension to Petition for Rehearing. The original, all copies and the check are being sent via Fed Ex First Overnight and you should receive them in the morning. We are also mailing a copy via US Mail, but this does not include the copies or check.

Please do not hesitate to let us know if you need anything further.

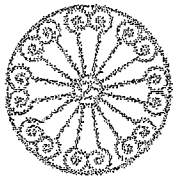
Thank you

Katy B. Barnes  
Commercial Litigation Secretary  
Stephen L. Brown, Russell G. Hines & Joanna B. Stroud  
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