

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

RECEIVED

MAY 21 2018

S.C. SUPREME COURT

Appeal from Charleston County
Court of Common Pleas

R. Markley Dennis, Jr., Circuit Court Judge

Circuit Court Cases No. 2012-CP-10-2867 and 2011-CP-10-8313

Opinion No. 5535 (S.C. Ct. App. filed February 7, 2018)
Appellate Case No. 2015-001463

Clair Craver Johnson, Respondent,

v.

John Roberts, M.D., Petitioner.

And

Clair Craver Johnson, Respondent,

v.

Medical University of South Carolina, Petitioner.

**MOTION OF PETITIONER JOHN ROBERTS, M.D.,
FOR EXTENSION OF TIME TO FILE/SERVE
PETITION FOR A WRIT OF CERTIORARI**

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 Petitioner

John Roberts, M.D.

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

NOW COMES Petitioner John Roberts, M.D. (“Dr. Roberts”), by and through his 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 moves for an extension of five (5) days’ time to file/serve a petition to this Court for issuance of a writ of certiorari to the Court of Appeals to review its decision in this matter.

1. The Court of Appeals denied rehearing (and also rejected the suggestion for a rehearing en banc) on April 18, 2018, making the deadline to file/serve a petition for a writ of certiorari tomorrow, May 18, 2018, pursuant to Rule 242(c), SCACR.

2. Due to other time commitments, both work- and non-work-related, the undersigned asks for the Court’s allowance of five (5) additional days, i.e., five (5) days beyond the present May 18, 2018, deadline, to prepare Dr. Roberts’s petition, submitting, most respectfully, 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. Roberts respectfully requests that this Honorable Court allow him an additional five (5) to file/serve his petition for a writ of certiorari in this matter, i.e., to extend the deadline for such petition through next Friday, May 25, 2018.¹ Additionally, Dr. Roberts respectfully requests that the Court hold the present deadline in abeyance until it acts upon this motion.

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: 

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 Petitioner
John Roberts, M.D.*

Charleston, South Carolina

Dated: 5/17/18

¹ Computing time pursuant to Rule 263, the fifth (5th) day after the present Friday, May 18, 2018, deadline will be the following Friday, May 25, 2018, because the period of time that the Court is being asked to allow via the instant motion is less than seven (7) days and, therefore, “intermediate Saturdays, Sundays and holidays [are to] be excluded in the computation.”

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PROOF OF SERVICE

YOUNG CLEMENT RIVERS, LLP

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James E. Scott, IV (SC Bar No. 69436)

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Charleston, South Carolina 29402

843-720-5488

Attorneys for Petitioner

John Roberts, M.D.

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Petitioner John Roberts, M.D., hereby certify that the foregoing **MOTION OF PETITIONER JOHN ROBERTS, M.D., FOR EXTENSION OF TIME TO FILE/SERVE PETITION FOR A WRIT OF CERTIORARI** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on May 17, 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

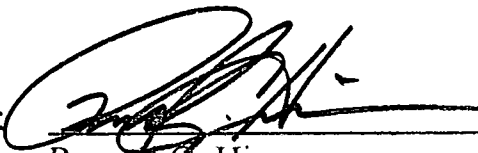
*Attorneys for Respondent
Clair Craver Johnson*

William Peele Early, Esquire
Joseph C. Wilson, IV, Esquire
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P.O. Box 22437
Charleston, SC 29413

*Attorneys for Petitioner
MUSC*

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By:

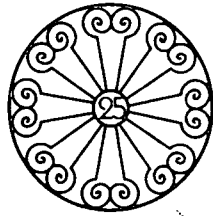


Russell G. Hines (SC Bar No. 72100)

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

Charleston, South Carolina

Dated: 5/17/18



YCR LAW

Kathleen B. Barnes
Secretary

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May 17, 2018

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S.C. SUPREME COURT

VIA US MAIL AND FASCIMILE

Honorable Daniel E. Shearouse, Clerk
South Carolina Supreme Court
P. O. Box 11330
Columbia, SC 29211-1330

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

Dear Mr. Shearouse:

Enclosed please find the original and seven (7) copies of Motion of Petitioner John Roberts, M.D., for Extension of Time to File/Serve Petition for a Writ of Certiorari, the original and one (1) copy of the Proof of Service of same and our firm's check in the amount of \$25.00 representing the filing fee.

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 Sloan Wilson Kennedy & Early, LLC
Joseph C. Wilson, IV, Esquire, Pierce Sloan Wilson Kennedy & Early, LLC
Bradley Lewis Lanford, Esquire, The Law Office of Kenneth E. Berger, LLC



The Supreme Court of South Carolina

Russell Grainger Hines
PO Box 993
Charleston SC 29402-0993

05/21/2018

RECEIPT #86781

Case No:	2018-000914
Case Short Title:	Clair Johnson v. John Roberts (MUSC)
Event:	Motion - Extension of Time (1st)
Fee Type:	Motion Fee
Amount:	\$25.00
Payment Type:	Check
Reference No:	183011
Check/Money Order Date:	05/17/2018
Comments:	