

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

MAY 21 2018

Appeal from Charleston County S.C. SUPREME COURT
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 MEDICAL UNIVERSITY OF SOUTH
CAROLINA FOR EXTENSION OF TIME TO FILE/SERVE
PETITION FOR A WRIT OF CERTIORARI**

PIERCE, SLOAN, WILSON, KENNEDY,
& EARLY, LLC
Joseph C. Wilson, IV (SC Bar No. 63002)
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*

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

NOW COMES Petitioner Medical University of South Carolina (“MUSC”), 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.

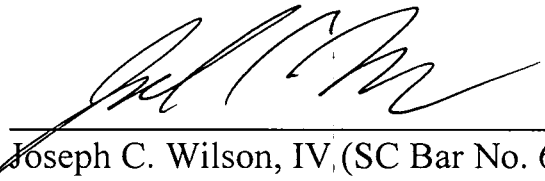
2. Due to other time commitments, both work- and non-work-related, the undersigned asks for the Court’s allowance of five (5) additional days, i.e., five (5) days beyond the present May 18, 2018, deadline, to prepare MUSC’s petition, submitting, most respectfully, that there is good cause to allow the 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, MUSC 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, MUSC respectfully requests that the Court hold the present deadline in abeyance until it acts upon this motion.

Respectfully submitted,

PIERCE, HERNS, SLOAN &
WILSON, LLC

By:



Joseph C. Wilson, IV, (SC Bar No. 63002)
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
May 17, 2018

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

PIERCE, SLOAN, WILSON, KENNEDY, &
EARLY, LLC
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*ATTORNEYS FOR RESPONDENT
MEDICAL UNIVERSITY OF SOUTH CAROLINA*

I, Joseph C. Wilson, IV, of Pierce, Sloan, Wilson, Kennedy & Early, LLC, counsel for Petitioner Medical University of South Carolina, hereby certify that the foregoing **MOTION OF PETITIONER MEDICAL UNIVERSITY OF SOUTH CAROLINA 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
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Clair Craver Johnson*

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P.O. Box 993
Charleston, SC 29402

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

Respectfully submitted,

PIERCE, SLOAN, WILSON,
KENNEDY & EARLY, LLC

By: 

Joseph C. Wilson, IV (SC BAR NO.
63002)

Attorneys for Petitioner

Medical University of South Carolina

Charleston, South Carolina

Dated: 5/17/18

PIERCE, HERNS, SLOAN & WILSON, LLC

ATTORNEYS AND COUNSELORS AT LAW

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BENJAMIN C. SMOOT, II □
J. MORGAN FORRESTER
T.A.C. HARGROVE II

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MAY 21 2018

S.C. SUPREME COURT MEMBER SC & VA BAR

CARL E. PIERCE, II
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● MEMBER SC & TN BAR

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Email: joewilson@piercesloan.com

May 17, 2018

Via Mail:

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

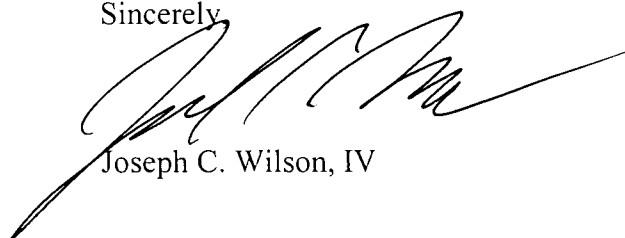
Re: *Clair Johnson v. MUSC (John Roberts)*
Appellate Case No. ~~2015-001463~~
PHSW File No.: P2286.00

Dear Mr. Shearouse:

Enclosed please find the original and seven (7) copies of Motion of Petitioner Medical University of South Carolina for Extension of Time to File/Serve Petition for 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 kind regards,

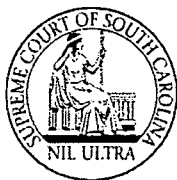
Sincerely,



Joseph C. Wilson, IV

Enclosure

cc: Jonathan Blake Asbill, Esquire
Bradley Lewis Lanford, Esquire
Russell G. Hines, Esquire



The Supreme Court of South Carolina

Joseph C. Wilson, IV
PO Box 22437
Charleston SC 29413

05/21/2018

RECEIPT #86782

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:	72729
Check/Money Order Date:	05/17/2018
Comments:	