

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

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Appeal from Charleston County
Court of Common Pleas

APR 10 2019

J.C. Nicholson, Jr., Circuit Court Judge

S.C. SUPREME COURT

Case No. 2011-CP-10-0934

On Writ of Certiorari to the Court of Appeals

Appellate Case No. 2016-001936
Opinion No. 27872 (S.C. Sup. Ct. filed March 27, 2019)

Virginia L. Marshall and Todd W. Marshall,

Respondents,

v.

Kenneth A. Dodds, M.D., Charleston Nephrology Associates, LLC,
Georgia Roane, M.D., and Rheumatology Associates, P.A.,

Petitioners.

MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING
By Georgia Roane, M.D., and Rheumatology Associates, P.A.

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
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Counsel for Petitioners
Georgia Roane, M.D., and
Rheumatology Associates, P.A.

NOW COME Petitioners Georgia Roane, M.D., and Rheumatology Associates, P.A. (collectively, these “Petitioners”), by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and hereby move 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 March 27, 2019. *See Marshall v. Dodds*, Op. No. 27873 (S.C. Sup. Ct. filed March 27, 2019) (Shearouse Adv. Sh. No. 13 at 37).

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 March 27th filing of the Court’s opinion in this case, the present deadline to petition for rehearing is the close of business tomorrow, April 11, 2019, which, in accordance with Rule 263(a), SCACR (regarding computation of time), is the 15th day after the opinion’s filing.

3. On account of work-related and other time commitments, the undersigned counsel for these Petitioners requests the Court’s allowance of fifteen (15) days’ additional time to petition for rehearing.

4. Respectfully, the undersigned submits there is good cause for the Court to grant the relief requested herein, as it is, under the circumstances, a reasonable dispensation, timely sought, consistent with the interests of justice,

posing no threat of undue prejudice to any other party.¹

WHEREFORE, these Petitioners request that the Court grant an extension of 15 days' time (running from April 11, 2019) to petition for rehearing. By the undersigned's calculations, if this request is granted, the new deadline to petition for rehearing would be Friday, April 26, 2019. ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, these Petitioners request that the Court hold the present deadline for petitioning for rehearing in abeyance until the Court acts on this motion.

<SIGNED ON THE FOLLOWING PAGE>

¹ Counsel for these Petitioners is, of course, mindful of the Court's July 26, 2014, Order "RE: Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals." As these Petitioners' counsel understands it, however, this Order does not apply to the instant extension request. Rather, the Order addresses the provisions of Rule 242, SCACR, in respect of the time for preparing a cert petition/appendix, return, and any reply and, in the event cert is granted, the time for preparing the parties' respective briefs. In short, counsel for these Petitioners understands the Order to apply to the time for preparing the various filings to be made by the parties leading up to the Court's dispositional decision, not to the filing of a petition for rehearing under Rule 221. In the event counsel's interpretation of the Order is mistaken, however, counsel would humbly ask the Court to nonetheless allow some modest extension of time to petition for rehearing, counsel again submitting, most respectfully, that the Court's grant of the same is consistent with the interests of justice and poses no threat of undue prejudice to any other party.

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By:



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Charleston, South Carolina

Dated: 4/10/19

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PROOF OF SERVICE

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Georgia Roane, M.D., and
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I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Petitioners Georgia Roane, M.D., and Rheumatology Associates, P.A., do hereby certify that the **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING By Georgia Roane, M.D., and Rheumatology Associates, P.A.** was served on all other parties to this matter by depositing a copy of the same in the U.S. Mail, postage on April 10, 2019, properly posted for delivery to the following addressees:

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