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

Appeal from Oconee County
Court of Common Pleas

R. Scott Sprouse, Circuit Court Judge

Case No. 2018-CP-37-00271

Betty Herrington;

Respondent,

v.

SSC Seneca Operating Company, LLC,
d/b/a Seneca Health & Rehabilitation Center;
SavaSeniorCare, LLC; SSC Equity Holdings, LLC;
SavaSeniorCare Administrative Services, LLC;
SavaSeniorCare Consulting Services, LLC,

Defendants,

Of whom SSC Seneca Operating Company, LLC,
d/b/a Seneca Health & Rehabilitation Center;
SavaSeniorCare Administrative Services, LLC; and
SavaSeniorCare Consulting Services, LLC,

Appellants.

**MOTION FOR LEAVE TO FILE/SERVE
INITIAL REPLY BRIEF OF APPELLANTS OUT OF TIME**

RECEIVED

JUN 03 2019

SC Court of Appeals

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Perry M. Buckner, IV (SC Bar No. 100031)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29402
P.O. Box 993 (29402)
843-720-5488

Attorneys for Appellants

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COME NOW Appellants, SSC Seneca Operating Company, LLC, d/b/a Seneca Health & Rehabilitation Center; SavaSeniorCare Administrative Services, LLC; and SavaSeniorCare Consulting Services, LLC, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for leave to file/serve their initial reply brief (which is being conditionally filed/served contemporaneously herewith) out of time.

1. By order of this Court filed May 21, 2019, the deadline for Appellants' initial reply brief was May 28, 2019. (The date actually written on the order was May 27th, but presumably the effective deadline was May 28th because May 27th was Memorial Day.)

2. The undersigned inadvertently overlooked this deadline.

3. With apologies to the Court and opposing counsel for such inadvertence, the undersigned asks that Appellants' initial reply brief be accepted for filing/service out of time.

4. The undersigned humbly submits that there is good cause to grant the requested relief given that the failure to meet the May 28th deadline was inadvertent; this motion (for such relief) and the initial reply brief conditionally filed herewith are being submitted sufficiently soon after May 28th so as to avoid undue delay in the progress of this matter; the requested relief is consistent with

the interests of justice; and the requested relief poses no threat of undue prejudice to Respondent.

WHEREFORE, Appellants move this Honorable Court to grant them leave to file/serve their initial reply brief out of time and ask that the Court accept as duly filed/served the initial reply brief conditionally filed/served contemporaneously herewith.

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By: 

Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Perry M. Buckner, IV (SC Bar No. 100031)
Russell G. Hines (SC Bar No. 72100)
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Attorneys for Appellants

Charleston, South Carolina

Dated: 5/31/19

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R. Scott Sprouse, Circuit Court Judge

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Betty Herrington,

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v.

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SavaSeniorCare Consulting Services, LLC,

Defendants,

Of whom SSC Seneca Operating Company, LLC,
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SavaSeniorCare Consulting Services, LLC,

Appellants.

PROOF OF SERVICE

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843-720-5488

Attorneys for Appellants

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellants, SSC Seneca Operating Company, LLC, d/b/a Seneca Health & Rehabilitation Center; SavaSeniorCare Administrative Services, LLC; and SavaSeniorCare Consulting, LLC (misidentified as “SavaSeniorCare Consulting Services, LLC”), hereby certify that the foregoing **MOTION FOR LEAVE TO FILE/SERVE INITIAL REPLY BRIEF OF APPELLANTS OUT OF TIME** was served on all other parties to this matter by depositing a copy of the same in the U.S. Mail on May 31, 2019, properly posted for delivery to the following addressees:

Raymond T. Wooten, Esquire
Smith, Jordan & Lavery, P.A.
1810 East Main Street
Easley, SC 29640

Attorneys for Respondent Betty Herrington

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

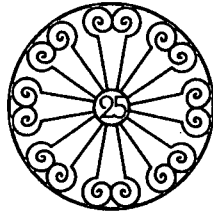
By: 

Russell G. Hines (SC Bar No. 72100)

Attorneys for Appellants

Charleston, South Carolina

Dated: 5/31/19



YCR LAW

Tiffany L. Bates
Legal Secretary

Direct Dial: (843) 724-6616
Direct Fax: (843) 579-2929
E-mail: tbates@ycrlaw.com

May 31, 2019

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JUN 03 2019

SC Court of Appeals

Via Facsimile and U.S. Mail

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

Re: Betty Herrington v. SSC Seneca Operating Company, LLC, D/B/A Seneca Health & Rehabilitation Center, SavaSeniorCare, LLC, SSC Equity Holdings, LLC, SavaSeniorCare Administrative Services, LLC, SavaSeniorCare Consulting Services, LLC
Appellate Case No. 2018-002088
YCR File: 14653-20170810

Dear Ms. Kitchings:

Enclosed herewith with regard to the above-referenced matter please find the following;

1. Original and seven (7) copies of a Motion for Leave to File Reply Brief Out of Time;
2. Original and one (1) copy of a Proof of Service for the Motion for Leave to File Reply Brief Out of Time;
3. This firm's check in the amount of \$50.00 for filing fees;
4. Original and one (1) copy of Appellant's Reply Brief;
5. Original and one (1) copy of a Proof of Service for Appellants' Reply Brief.


Please file these documents and return one file-stamped copy to me in the envelope provided.

By copy of this letter with the enclosures, we are serving counsel for the Respondent with a copy of these documents.

As always, thank you for your assistance. If you have any questions, please do not hesitate to contact our office. With best regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP


Tiffany L. Bates
Legal Secretary

TLB/

Enclosures

cc (w/enc., via email and U.S. Mail): Raymond T. Wooten, Smith, Esquire

Hasler
05/31/2018
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Clerk of Court
South Carolina Court of Appeals
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