

90142

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable H.W. Funderburk, Jr., Administrative Law Judge

RECEIVED

JUN 27 2019

SC Court of Appeals

APPELLATE CASE No.: 2019-000358
ADMINISTRATIVE LAW COURT CASE No.: 16-ALJ-07-0386-CC

Trident Medical Center, LLC, d/b/a Trident Medical
Center,.....Respondent,

v.

South Carolina Department of Health and Environmental Control,
and Roper St. Francis Hospital – Berkeley, Inc., d/b/a Roper St.
Francis Hospital – Berkeley,.....Respondents below,

Of Which Roper St. Francis Hospital – Berkeley, Inc., d/b/a
Roper St. Francis Hospital – Berkeley is the.....Appellant.

**APPELLANT’S MOTION FOR EXTENSION OF TIME
TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER**

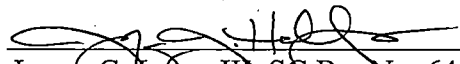
Pursuant to Rules 240 and 263(b), SCACR, Appellant respectfully requests an extension of time in which to file the Initial Brief and Designation of Matter to be included in the Record on Appeal, which is currently due on July 3, 2019. Appellant respectfully requests that the deadline for filing be extended to and through August 9, 2019, an additional 37 days. The reason for this request, which is the second request of Appellant, is based on the trial schedule and other scheduling conflicts of counsel, and allows for this Court’s consideration of the Motion to be Joined as a Party to the Appeal

filed by South Carolina Department of Health and Environmental Control (the “Department”), the outcome of which determines whether the Department will participate in the briefing schedule for this appeal.

Counsel for Trident Medical Center, LLC, and the Department have been consulted and have consented to this request.

Respectfully submitted,

NEXSEN PRUET, LLC



James G. Long, III SC Bar No. 64103
Jennifer J. Hollingsworth, SC Bar No. 73535
1230 Main Street, Suite 700
Post Office Drawer 2426
Columbia, South Carolina 29201
Telephone: 803-771-8900
JLong@nexsenpruet.com
JHollingsworth@nexsenpruet.com

*Attorneys for Appellant, Roper St. Francis Hospital
– Berkeley, Inc., d/b/a Roper St. Francis Hospital –
Berkeley*

June 27, 2019
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
JUN 27 2019
SC Court of Appeals

APPEAL FROM THE ADMINISTRATIVE LAW COURT
The Honorable H.W. Funderburk, Jr., Administrative Law Judge

APPELLATE CASE No.: 2019-000358
ADMINISTRATIVE LAW COURT CASE No.: 16-ALJ-07-0386-CC

Trident Medical Center, LLC, d/b/a Trident Medical
Center,.....Respondent,

v.

South Carolina Department of Health and Environmental Control,
and Roper St. Francis Hospital – Berkeley, Inc., d/b/a Roper St.
Francis Hospital – Berkeley,.....Respondents below,

Of Which Roper St. Francis Hospital – Berkeley, Inc., d/b/a
Roper St. Francis Hospital – Berkeley is the.....Appellant.

PROOF OF SERVICE


I certify that I have served the foregoing *Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter to be Included in Record on Appeal* to be served on all parties of record by hand delivering a copy of the same, addressed as follows, on this 27 day of June, 2019:

William R. Thomas, Esquire
Parker Poe, LLC
1221 Main Street, Suite 1100
Columbia, SC 29202

Attorneys for Respondent, Trident Medical Center, LLC, d/b/a Trident Medical Center

Ashley C. Biggers, Esquire
South Carolina Department of Health
& Environmental Control
2600 Bull Street
Columbia, SC 29078

*Attorneys for Respondent SC Department of Health & Environmental
Control*

A handwritten signature in cursive script that reads "Laura Thomason". The signature is written in black ink and is positioned above a horizontal line.

Laura Thomason

Legal Assistant to Jennifer J. Hollingsworth

Jennifer J. Hollingsworth
Member
Admitted in SC

June 27, 2019

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk of Court, Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

RECEIVED

JUN 27 2019

SC Court of Appeals

**Re: Trident Medical Center, LLC, d/b/a Trident Medical Center
vs. South Carolina Department of Health and Environmental
Control, and Roper St. Francis Hospital – Berkeley, Inc.,
d/b/a Roper St. Francis Hospital – Berkeley County
Appellate Case No.: 2019-000358**

Dear Ms. Kitchings:

Charleston
Charlotte
Columbia
Greensboro
Greenville
Hilton Head
Myrtle Beach
Raleigh

Enclosed please find an original and two (2) copies of *Appellant's Motion for Extension of Time to File Initial Brief and Designation of Matter to Be Included in Record on Appeal* to be clocked and filed in the above captioned matter, together with an original and two (2) copies of the Proof of Service. Please file the originals and return the filed-stamped copies to me via our courier. I have also enclosed our firm's check in the amount of \$50.00 which represents the filing fee for the same.

By copy of this letter, I am hereby serving a copy of the same on opposing counsel.

With highest regards,

Laura L. Thomason
Legal Assistant to Jennifer J. Hollingsworth

Enclosures

cc: William R. Thomas, Esquire (w/enclosure – via Hand Delivery)
Ashley C. Biggers, Esquire (w/enclosure – via Hand Delivery)