

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

Appeal from Greenville County
Court of Common Pleas

Robin B. Stilwell, Circuit Court Judge

Case No. 2018-CP-23-05088

Estate of Mozana Clinkscales, by and through the
appointed Personal Representative Charlie E. Clinkscales,
Individually, and on behalf of Statutory Beneficiaries,

Respondents,

v.

Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; and
THI of South Carolina at Magnolia Place at Greenville, LLC
d/b/a Magnolia Place-Greenville,

Appellants.

**MOTION FOR FINAL EXTENSION OF TIME, UNTIL JANUARY 9, 2020,
TO FILE/SERVE INITIAL BRIEF OF APPELLANTS**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Appellants

RECEIVED

JAN 02 2020

SC Court of Appeals

NOW COME Appellants above named, by and through their undersigned counsel, on the grounds stated below, and, pursuant to Rule 263(b), SCACR, hereby move this Honorable Court to allow them one final extension, until Thursday, January 9, 2020, to file/serve their initial brief and designation of matter to be included in the record on appeal.

1. By order of December 3, 2019, the Court granted Appellants' second motion for an extension of their initial briefing/designation deadline, establishing a deadline of today, January 2, 2020.

2. The undersigned recognizes the notice in the Court's December 3rd order that further extension of the initial briefing/designation deadline would have to be occasioned by extraordinary circumstances.

3. The present January 2nd deadline falls immediately after the conclusion of the recent holiday season.

4. While the undersigned had hoped to be able to complete Appellants' initial brief by the present deadline, on account of work-related and other time commitments (especially those associated with the holidays, which substantially impacted his ordinary work schedule), he was unable to do so, and he humbly asks the Court to deem the circumstances sufficiently out of the ordinary to merit the dispensation requested herein, which he most respectfully submits is consistent with the interests of justice and will not unduly prejudice any other party.

WHEREFORE, Appellants respectfully request that this Honorable Court allow them through Thursday January 9, 2020, to file/serve their initial brief and designation of matter to be included in the record on appeal. Further, Appellants respectfully request that the Court hold their present initial briefing/designation 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)

Russell G. Hines (SC Bar No. 72100)

25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

P.O. Box 993 (29402)

(843) 720-5488

Attorneys for Appellants

Charleston, South Carolina

Dated: 1/2/20

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

Appeal from Greenville County
Court of Common Pleas

Robin B. Stilwell, Circuit Court Judge

Case No. 2018-CP-23-05088

RECEIVED

JAN 02 2020
SC Court of Appeals

Estate of Mozana Clinkscales, by and through the
appointed Personal Representative Charlie E. Clinkscales,
Individually, and on behalf of Statutory Beneficiaries,

Respondents,

v.

Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; and
THI of South Carolina at Magnolia Place at Greenville, LLC
d/b/a Magnolia Place-Greenville,

Appellants.

PROOF OF SERVICE

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Appellants

I, Russell G. Hines, of Young Clement Rivers, LLP, attorney for Appellants, hereby certify that the foregoing MOTION FOR FINAL EXTENSION OF TIME, UNTIL JANUARY 9, 2020, TO FILE/SERVE INITIAL BRIEF OF APPELLANTS was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on January 2, 2020, properly posted for delivery to the following addressees:

Gary W. Poliakoff, Esquire
Raymond P. Mullman, Jr., Esquire
Poliakoff & Associates, PA
215 Magnolia Street
Spartanburg, SC 29306

and

Matthew W. Christian, Esquire
Christian & Davis, LLC
1007 E. Washington Street
Greenville, SC 29601

Attorneys for Respondents

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By:

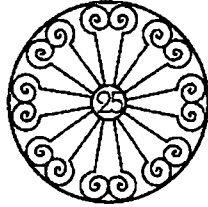


Russell G. Hines (SC Bar No. 72100)

Attorneys for Appellants

Charleston, South Carolina

Dated: 1/2/20



YCR LAW

Kathleen B. Barnes
Secretary

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1369
E-mail: kbarnes@ycrlaw.com

January 2, 2020

VIA US MAIL AND FASCIMILE

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

Re: Estate of Mozana Clinkscales, by and through the appointed Personal Representative Charlie E. Clinkscales, Individually and on behalf of Statutory Beneficiaries vs. Fundamental Clinical and Operational Services, LLC, Fundamental Administrative Services, LLC; THI of South Carolina at Magnolia Place at Greenville, LLC, d/b/a Magnolia Place-Greenville; and Rusty Flathmann
Appellate Case No.: 2019-000887
Case No.: 2018-CP-23-05088
Claim No.: HBLM#1624932
YCR File: 14347-20160580

RECEIVED

JAN 02 2020

SC Court of Appeals

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of a Motion for Final Extension of Time, Until January 9, 2020, to File/Serve Initial Brief of Appellants, the original and one (1) copy of the Proof of Service of same and our firm's check in the amount of \$50.00 representing the filing fee.

Please file the originals and return a court-stamped copy to me in the enclosed envelope.

With best wishes and kindest regards, I am

Sincerely,

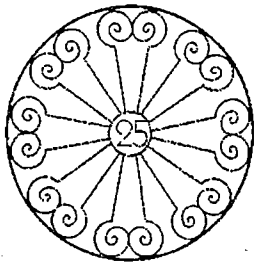
YCR LAW, LLP

Kathleen B. Barnes
Secretary

Enclosures

(all via US Mail and email)

cc: Matthew W. Christian, Christian & Davis LLC
Gary W. Poliakoff, Esquire, Poliakoff & Associates, P.A.
Raymond P. Mullman, Jr., Esquire, Poliakoff & Associates, P.A.



YCR LAW

Young Clement Rivers, LLP

All Business, Insurance, Real Estate and Regulatory Matters
Admiralty/Marine • Appellate • Commercial Litigation
Commercial Real Estate • Commercial Transactions
Community Association Law • Construction Law
Employment and Labor Law • Health Care • Insurance Coverage
Products Liability • Professional Liability • Retail Liability
Special Task Litigation • Tax, Estate Planning and Probate
Trucking and Transportation • Workers' Compensation

THE FOLLOWING PAGES ARE FOR IMMEDIATE DELIVERY

To: 18037341839
From: kbarnes@ycrlaw.com
Date: January 02, 03:04:01 PM EST
Subj: Clinkscales v. FCOS; Appellate Case No.: 2019-000887
Pages: 7

Good afternoon,

I hope this finds you well in the new year. Attached please find correspondence regarding a motion for final extension of time. All copies and the filing fee have been placed in the mail. Please do not hesitate to let us know if you need anything further.

Katy B. Barnes
Commercial Litigation Secretary to
Stephen L. Brown, Russell G. Hines & Michael R. Loignon
YCR LAW
25 Calhoun Street, Suite 400
Charleston, SC 29401
Phone: (843) 720-5488
Fax: (843) 579-1369



YCR LAW
25 Calhoun Street • Suite 400 • Charleston, SC 29401
YCRlaw.com

RECEIVED

JAN 02 2020

SC Court of Appeals

Charleston Office
25 Calhoun Street, Suite 400 * Charleston, SC 29401
P.O. Box 993 * Charleston, SC 29402-0993

TELEPHONE: (843) 577-4000
WEBSITE: www.ycrlaw.com