

91838

**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,

**RECEIVED**  
Respondents,  
JAN 06 2020

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,

**SC Court of Appeals**

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*

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 3<sup>rd</sup> order that further extension of the initial briefing/designation deadline would have to be occasioned by extraordinary circumstances.

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

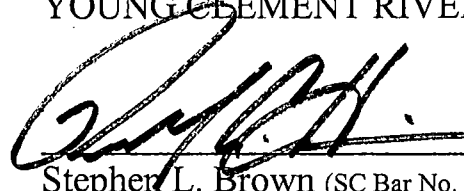
4. While the undersigned had hoped to be able to complete Appellants' initial brief by the present deadline, on account of work-related and other time commitments (especially those associated with the holidays, which substantially impacted his ordinary work schedule), he was unable to do so, and he humbly 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

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*

**RECEIVED**

JAN 06 2020

SC Court of Appeals

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:

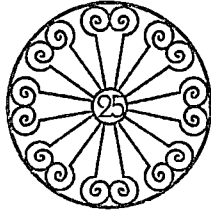


Russell G. Hines (SC Bar No. 72100)

*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

Dear Ms. Kitchings:

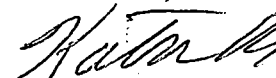
Enclosed please find the original and seven (7) copies of a Motion for Final Extension of Time, Until January 9, 2020, to File/Serve Initial Brief of Appellants, the original and one (1) copy of the Proof of Service of same and our firm's check in the amount of \$50.00 representing the filing fee.

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

**RECEIVED**

JAN 06 2020

SC Court of Appeals

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.

MasterCard  
01/02/2021  
\$001.75

**FIRST CLASS MAIL**



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

AMU  
14347-  
20160580

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

RECEIVED  
JAN 06 2021  
SC Court of Appeals

