

**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
Appellate Case No. 2019-000887

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Apr 20 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.

**SECOND MOTION FOR EXTENSION OF TIME TO
FILE/SERVE INITIAL REPLY 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, 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, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for an extension of ten (10) days' additional time to file/serve their initial reply brief and corresponding designation of matter to be included in the record on appeal.

By order of this Court filed March 24, 2020, the deadline for Appellants' initial reply brief and designation of matter was March 30, 2020. Based on the Supreme Court's Order filed March 20, 2020 (re: Operation of the Appellate Courts During the COVID-19 Emergency) extending the deadline by 20 days, the present deadline is today, April 20, 2020. On account of work-related and other time commitments, Appellants respectfully request that this deadline be extended by 10 days (from April 20, 2020), i.e., through April 30, 2020. Respectfully, Appellants believe that this relief is consistent with the interests of justice and will not work any undue prejudice upon Respondents.

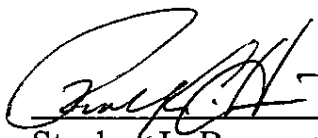
WHEREFORE, Appellants move this Honorable Court to grant them an extension of 10 days' additional time to file/serve their initial reply brief and designation. With the extension requested herein, the new deadline for filing/serving Appellants' initial reply brief and designation would be April 30, 2020, according to the undersigned's calculations. Further, Appellants respectfully

request that the Court hold their present initial-briefing/designation deadline in abeyance until it acts on this motion.

[Signature page for Second Motion for Extension of Time to File/Serve Initial Reply Brief of Appellants, Appellate No. 2019-000887]

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)

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Attorneys for Appellants

Charleston, South Carolina

Dated: 4/20/20

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v.

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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
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(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 EXTENSION OF TIME TO FILE/SERVE INITIAL REPLY BRIEF OF APPELLANTS** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on April 20, 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

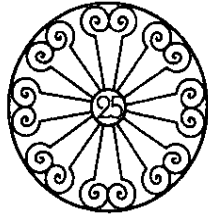
By: 

Russell G. Hines (SC Bar No. 72100)

Attorneys for Appellants

Charleston, South Carolina

Dated: 4/20/20



YCR LAW

Russell G. Hines
Partner

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1327
E-mail: RHines@ycrlaw.com

April 20, 2020

VIA FACSIMILE AND U.S. MAIL

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

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SC Court of Appeals

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 for filing in the above-referenced matter please find the original and one copy of a Second Motion for Extension of Time to File/Serve Initial Reply Brief of Appellants. Also enclosed is the original and one copy of the proof of service regarding the same. It is my understanding that no filing fee is necessary nor additional copies of the motion or proof of service. If additional copies are needed please let me know.

Kindly return one stamped copy to me in the envelope provided. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP



Russell G. Hines
Partner

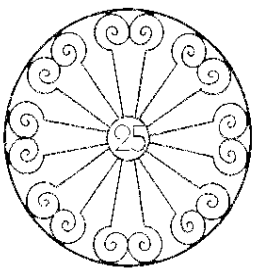
RGH/pbb

Enclosures

cc via e-mail and U.S. mail: Matthew W. Christian, Christian & Davis LLC
Gary W. Poliakoff, Esquire, Poliakoff & Associates, P.A.
Raymond P. Mullman, Jr., Esquire, Poliakoff & Associates, P.A.

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THE FOLLOWING PAGES ARE FOR IMMEDIATE DELIVERY

To: 18037341839
From: pbell@ycrlaw.com
Date: April 20, 11:48:22 AM EDT
Subj: Appeal Case No. 19-887 Clinkscales v. THI
Pages: 7

Please find the attached correspondence and motion in the above-referenced matter. If there are any issues with this filing please let us know.

Thanks,
Pollyana Bell
Project Assistant
Commercial Litigation Practice Group
Phone:(843)720-5488 | Fax:(843)579-1369

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In view of current conditions and for the foreseeable future, YCR will be operating pursuant to its plan for continuous business services. With the imperative of safety in mind, our attorneys and staff will be working remotely as well as in our offices. In any event, we expect and intend to be able to respond in a timely manner to the needs and the requirements of clients, courts, colleagues, and friends. Thank you.

Young Clement Rivers, LLP
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