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**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. 2019-CP-23-00473

RECEIVED
JUN 04 2020
SC Court of Appeals

The Estate of Patricia Royston, by and through
the appointed personal representative, Marianne McCoig,
individually and on behalf of the statutory beneficiaries, Respondent,

v.

Hunt Valley Holdings, LLC,
a/k/a Fundamental Long Term Care Holdings, LLC;
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 TO ACCEPT INITIAL BRIEF OF APPELLANTS
FOR FILING/SERVICE OUT OF TIME**

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)
Kate C. Mettler (SC Bar No. 103762)
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 accept as filed/served their Initial Brief of Appellants, which is conditionally filed/served contemporaneously herewith.

1. By order of May 6, 2020, the Court extended the deadline for Appellants' initial brief to June 1, 2020.

2. The undersigned recognizes that the Court's order stated that further extension of Appellants' initial briefing deadline would have to be occasioned by extraordinary circumstances, and the undersigned believed in good faith that the June 1, 2020, deadline would be met.

3. On account of work-related and other time commitments and disruptions (including those occasioned by the ongoing COVID-19 emergency), the undersigned needed until today to complete the Initial Brief of Appellants, 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.

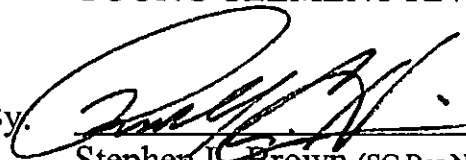
WHEREFORE, Appellants respectfully request that this Honorable Court allow the filing/service of their initial brief out of time and accept the Initial Brief of Appellants (conditionally filed/served herewith, along with Appellants'

Designation of Matter to be Included in the Record on Appeal, which Appellants likewise ask the Court to accept) as duly filed and served.

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)

Kate C. Mettler (SC Bar No. 103762)

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Attorneys for Appellants

Charleston, South Carolina

Dated: 6/2/20

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Respondent,

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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)
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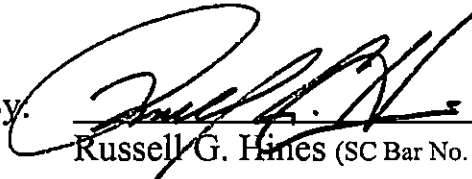
Attorneys for Appellants

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Appellants, hereby certify that the foregoing **MOTION TO ACCEPT INITIAL BRIEF OF APPELLANTS FOR FILING/SERVICE 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 June 2, 2020, properly posted for delivery to the following addressees:

Gary W. Poliakoff, Esquire
Raymond P. Mullman, Jr., Esquire
Poliakoff & Associates, P.A.
P.O. Box 1571
Spartanburg, South Carolina 29304
Attorneys for Respondent

Matthew W. Christian, Esquire
Christian & Davis, LLC
P.O. Box 332
Greenville, South Carolina 29602
Attorneys for Respondent

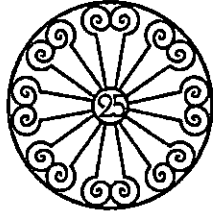
Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By. 

Russell G. Hines (SC Bar No. 72100)
Attorneys for Appellants

Charleston, South Carolina

Dated: 6/2/20



YCR LAW

Russell G. Hines
Partner

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June 2, 2020

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

Re: Estate of Patricia Royston v. Hunt Valley Holdings, LLC
Appellate Case No.: 2019-001955
Case No.: 2019-CP-23-00473
Claim No.: HBLM# 1725803
YCR File: 14347-20180896

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Dear Ms. Kitchings:

Enclosed please find the following:

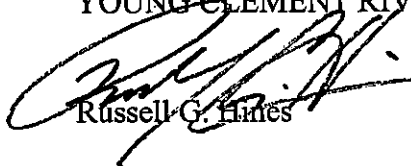
- The original and one (1) copy of both a **Motion to Accept Initial Brief of Appellants for Filing/Service Out of Time** and a **Proof of Service** for the same, as well as our check in the amount of \$50 for the filing fee;
- The original and one (1) copy of both the **Initial Brief of Appellants** (conditionally filed/served in accordance with the above motion) and a **Proof of Service** for the same; and
- The original and one (1) copy of both **Appellants' Designation of Matter to be Included in the Record on Appeal** (conditionally filed/served in accordance with the above motion) and a **Proof of Service** for the same.

Kindly file the originals and return court-stamped copies to me using the envelope provided.

With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP



Russell G. Hines

RGH/amj
Enclosures

cc: 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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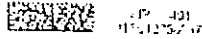
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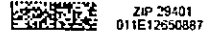
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