

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**  
JUL 01 2020  
SC Court of Appeals

APPEAL FROM ORANGEBURG COUNTY  
Court of Common Pleas

Edgar W. Dickson, Circuit Court Judge

Appellate Case No.: 2020-000768

Ralph C. Williams, Sr., and Linda Williams, ..... Petitioners,

v.

Patricia A. Johnson, Josette Peppers  
and UniHealth Post-Acute Care-Orangeburg, LLC..... Respondents.

**MOTION TO AMEND THE PETITION FOR CERTIORARI TO THE COURT TO  
ACCEPT THE CERTIFICATION BY COUNSEL FOR THE PETITIONER IN RULE  
242 (d) 1 OUT OF TIME**

The Petitioner omitted the Certification by counsel that the Petition for rehearing was made and finally ruled upon by the Court of Appeals.

The Petitioner would show unto the Court that the substance of the certification requirement in Rule 242 (d) 1 was filed as part of the Appendix in the same date as the Petition for Certiorari. See the Court of Appeals denial of the Petition for Rehearing dated March 27, 2020, (App. p. 880), and Petition for Rehearing, January 30, 2020. (App. pgs. 877 – 879)

While the Petition and Appendix were served and sent to the Clerk of the Supreme Court on May 26, 2020, the Petitioners' Counsel Certification was not.

However, the substance of Counsel's certification was served and mailed to the Court and to Respondents by way of the Appendix.

As a result of the COVID 19 pandemic, our firm has had to change the way we practice law. We have gone mostly to remote work from our homes, without the face to face collaboration with our lawyers and staff, as we had enjoyed before.

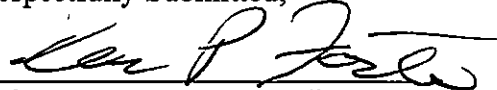
While certainly not making excuses for our mistake, it has been emotionally taxing in these times, and with no end in sight. I take full responsibility for the mistake, and in hopes that the court seeks fit to grant this Motion, and decide the Petition on its merits. The Petitioner apologizes to the Court for the mistake, and is truly sorry for the error.

The Petitioner is informed and believes that Respondents suffer no prejudice from the Petitioner's mistake. None has been alleged.

Petitioner attaches herewith Counsel's Certification that a Petition for Rehearing was made and finally ruled on by the Court of Appeals.

Petitioner believes that justice in the case should be decided by the merits of the Petition, not solely by Petitioner's mistake.

Respectfully Submitted,



Robert P. Foster, SC Bar # 2093  
Foster Law Firm, LLC  
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(864) 242-6200  
(864) 233-0290

Javá O. Warren, pro hac vice  
The Law Offices of Javá O. Warren  
4919 Albemarle Rd., Suite 106  
Charlotte, NC 28205  
warr2131@bellsouth.net  
(704) 568-8439

June 29, 2020

Attorneys for Petitioners

THE STATE OF SOUTH CAROLINA  
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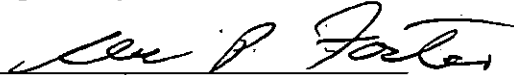
v.

Patricia A. Johnson, Josette Peppers  
and UniHealth Post-Acute Care-Orangeburg, LLC..... Respondents.

**CERTIFICATE OF COUNSEL**

The undersigned certifies that a Petition for Rehearing was made and finally ruled on by  
the Court of Appeals.

Respectfully Submitted,



Robert P. Foster, SC Bar # 2093  
Foster Law Firm, LLC  
25 Mills Avenue  
Greenville, South Carolina 29605  
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(864) 242-6200  
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Attorney for Petitioners

June 29, 2020

THE STATE OF SOUTH CAROLINA  
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v.

Patricia A. Johnson, Josette Peppers  
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**PROOF OF SERVICE**

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The undersigned hereby certifies that on the date indicated below she served the Respondents with a copy of the Motion To Amend The Petition For Certiorari To the Court To Accept The Certification By Counsel For The Petition In Rule 242 (d) 1 Out Of Time and Certificate Of Counsel by mailing a copy of the same by First Class Mail to the following addresses:

The Honorable Jenny Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Jason E. Bring, Esq.  
Tyler Arnold, Esq.  
Arnall Golden Gregory, LLP  
171 17<sup>th</sup> Street, NW, Suite 2100  
Atlanta, Georgia 30363

May 26, 2020

  
\_\_\_\_\_  
Daun Goins, Foster Law Firm

PAUL J. FOSTER, JR., 1928-1999  
ROBERT E. HOSKINS, 1965-2016



**FOSTER LAW FIRM, L.L.C.**

*Attorneys and Counselors at Law*

Robert P. Foster  
rfoster@fosterfoster.com  
GREENVILLE

June 29, 2020

**RECEIVED**  
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SC Court of Appeals

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

The Honorable Daniel E. Shearouse  
Clerk of Court  
Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211

Re: *Ralph C. Williams, Sr. and Linda Williams v. Patricia A. Johnson, Josette Peppers, and UniHealth Post-Acute Care-Orangeburg, LLC*  
Appellate Case No.: 2020-000768

Dear Mr. Shearouse:

Please find enclosed for filing the original and one copy of the *Motion To Amend The Petition For Certiorari To the Court To Accept the Certification By Counsel For the Petitioner In Rule 242 (d) 1 Out Of Time and Certificate Of Counsel* regarding the above matter. I have also enclosed a proof of service on counsel for Respondents and South Carolina Court of Appeals. Our firm's check in the amount of \$50.00 is enclosed for filing this motion.

I have also enclosed a self-addressed envelope for a return copy. Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

With kind regards;

Yours very truly,



Robert P. Foster

RPF/dg  
Enclosure

Cc: The Honorable Jenny Kitchings, South Carolina Court Of Appeals  
Tyler Arnold, Esq.  
Jason Bring, Esq.  
Javá Warren, Esq.

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GREENVILLE

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**SC Court of Appeals**

The Honorable Jenny Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

29211-162929

