

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

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Appeal from Spartanburg County  
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Case No. 2017-CP-42-0326

Appellate Case No. 2020-000357

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**RECEIVED**  
OCT 14 2020  
SC Court of Appeals

Rita St. Aubin, Personal Representative of the Estate of Irene Ramsey,

Respondent,

v.

THI of South Carolina at Camp Care, LLC d/b/a Lake Emory Post Acute Care; THI Of South Carolina, LLC; Hunt Valley Holdings, LLC; THI of Baltimore, Inc.; and Casey Caddell as Officer/Manager of THI of South Carolina at Camp Care, LLC d/b/a Lake Emory Post Acute Care,

Appellants.

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**RESPONDENT'S MOTION TO SERVE AND FILE RESPONDENT'S FINAL BRIEF  
OUTSIDE OF THE FILING DEADLINES SET BY RULE 211, SCACR**

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ANASTOPOULO LAW FIRM, LLC  
Stefan B. Feidler (SC #101918)  
Eric M. Poulin (SC #100209)  
Roy T. Willey, IV (SC #101010)  
32 Ann Street  
Charleston, South Carolina 29403  
Phone (843) 614-8888  
Facsimile (843) 494-5536

*Attorneys for the Respondent*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

COMES NOW Respondent Rita St. Aubin, Personal Representative of the Estate of Irene Ramsey (“Respondent”), by and through undersigned counsel, pursuant to Rule 260, SCACR, and moves to serve and file Respondent’s final brief outside of the filing deadlines set by Rule 211, SCACR.

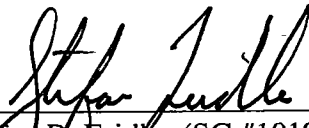
On October 2, 2020, Respondent received notice from the Clerk that both Appellants THI of South Carolina at Camp Care, LLC d/b/a Lake Emory Post Acute Care et al (“Appellants”) and Respondent’s time to serve and file the final briefs had expired, and that each had ten days of the date of the letter to serve and file their final briefs, along with a motion requesting an extension to do the same outside of the filing deadlines set by Rule 211, SCACR. However, as of the date of this motion Appellants have failed to serve and/or file the Record on Appeal and have failed to serve/file Appellants’ final brief. Consequently, Respondent is unable to complete her final brief pursuant to Rule 211, SCACR, and is now up against a deadline pursuant to the October 2, 2020 letter from the Clerk with no Record on Appeal.

On October 5, 2020, Respondent moved to dismiss Appellants’ appeal for failure to comply with Rule 210, SCACR, and subsequently Rule 211, SCACR. On August 24, 2020, Respondent served Respondent’s Initial Brief on Appellants. As of the date of Respondent’s motion to dismiss Appellants’ appeal, Appellants have not served the Record on Appeal on Respondent pursuant to Rule 210, SCACR. Consequently, Respondent is unable to draft, serve, and/or file her final brief pursuant to Rule 211, SCACR, and Appellants have failed to abide by the governing rules.

WHEREFORE, out of precaution, Respondent moves to serve and file Respondent's final brief outside of the filing deadlines set by Rule 211, SCACR, upon receipt of the Record on Appeal and Appellants' final brief.

Respectfully submitted,

ANASTOPOULO LAW FIRM, LLC

By:   
Stefan B. Feidler (SC #101918)  
Eric M. Poylin (SC #100209)  
Roy T. Willey, IV (SC #101010)  
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*Attorneys for the Respondent*

Charleston, South Carolina

Dated: 10/7/2020

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Appellants.

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**PROOF OF SERVICE**

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ANASTOPOULO LAW FIRM, LLC  
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*Attorneys for the Respondent*

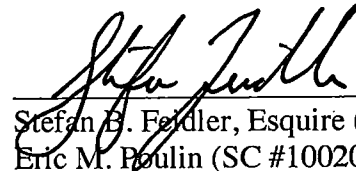
I, Stefan B. Feidler, of the Anastopoulo Law Firm, attorney for Respondent, certify that I have served **Respondent's Motion to Serve and File Respondent's Final Brief Outside of the Filing Deadlines set by Rule 211, SCACR** on all other parties to this matter by depositing a copy of the same in the United States Mail on October 7, 2020, addressed to and properly posted for delivery to the following addresses:

Russel G. Hines, Esquire  
D. Jay Davis, Jr., Esquire  
Stephen L. Brown, Esquire  
Matthew O. Riddle, Esquire  
Gaillard T. Dotterer, III, Esquire  
Young Clement Rivers, LLP  
P.O. Bo. 993  
Charleston, South Carolina 29402

*Attorneys for Appellants*

Respectfully submitted,

ANASTOPOULO LAW FIRM, LLC



Stefan B. Feidler, Esquire (SC #101918)  
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*Attorneys for Respondent*

Charleston, South Carolina

Dated: 10/7/2020

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REPLY TO ANN STREET OFFICE  
STEFAN@AKIMLAWFIRM.COM

# ANASTOPOULO

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## LAW FIRM

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ERIC M. POULIN (SC)(NC)(GA)(CA)  
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BENJAMIN W. LEE (SC)  
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CASEY VAN VALKENBURGH (SC)(IL)(MO)  
P. HEATH WARD (SC)  
DANNY LEE WILLARD, JR. (SC)  
L. CRAYTON WILLIAMS (SC)

October 7, 2020

**Via US Mail**

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

\*OF COUNSEL

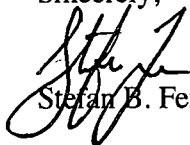
RE: *Estate of Irene Ramsey v. Lake Emory Post-Acute Care, LLC*  
Case No.: 2019-CP-42-03236

Dear Ms. Kitchings:

I hope this letter finds you well. Enclosed, please find Respondent's Motion to Serve and File Respondent's Final Brief outside of the filing deadlines. Respondent previously forwarded a motion to dismiss Appellants' Appeal for reasons outlined in this motion.

Please contact our office if you have any questions.

Sincerely,

  
Stefan B. Feidler

Cc: Stephen L. Brown, Esquire (via U.S. Mail)

Enclosure

**RECEIVED**

OCT 14 2020

SC Court of Appeals

**MAILING: 32 Ann Street, Charleston, South Carolina 29403**

**North Charleston:** 2170 Ashley Phosphate Road, 3<sup>rd</sup> Floor, North Charleston, South Carolina 29406 \* **Greenville:** 418 River Street, Greenville, SC 29601

**Florence:** 150 W. Evans Street, Florence, South Carolina 29501 \* **Myrtle Beach:** 2411 N. Oak Street, Suite 407, Myrtle Beach, South Carolina 29577

**Columbia:** 1201 Main Street, Suite 1100, Columbia, South Carolina 29201 \* **Raleigh, NC:** 8801 Fast Park Drive, Suite 301, Raleigh, NC 27617

**Wilmington, NC:** Appointment Only

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CHARLESTON SC 294

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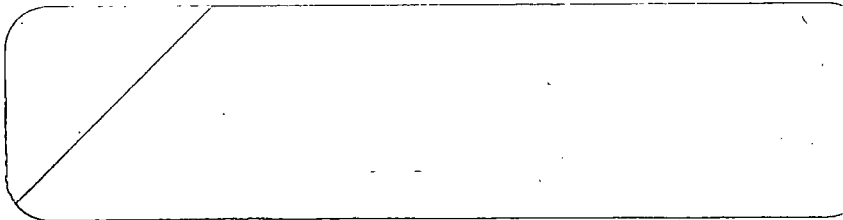
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