

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

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

RECEIVED
Oct 22 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.

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

ANASTOPOULO LAW FIRM, LLC
Stefan B. Feidler (SC #101918)
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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, Respondent did not receive Appellants’ Final Brief and Record on Appeal until October 12, 2020. Consequently, Respondent was unable to complete her final brief pursuant to Rule 211, SCACR, and was unable to comply with the Court’s October 2, 2020 letter given Respondent ten days to file Respondent’s final brief.

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. Respondent did not receive Appellants’ Final Brief and Record on Appeal until October 12, 2020. Regardless, out of abundance of caution Respondent moves to serve and file Respondents final brief outside of the filing deadlines set by Rule 211, SCACR.

WHEREFORE, out of precaution, Respondent moves to serve and file Respondent’s final brief outside of the filing deadlines set by Rule 211, SCACR.

Respectfully submitted,

ANASTOPOULO LAW FIRM, LLC

By: *s/ Stefan B. Feidler*

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Attorneys for the Respondent

Charleston, South Carolina

Dated: October 22, 2020

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Appellants.

PROOF OF SERVICE

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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 the **Final Brief of Respondent** and **Respondent's Motion to Serve and File Respondent's Final Brief Outside of the Filing Deadlines set by Rule 211, SCACR** a on all other parties to this matter via email and by depositing a copy of the same in the United States Mail on October 22, 2020, addressed to and properly posted for delivery to the following addresses:

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D. Jay Davis, Jr., Esquire
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Dated: October 22, 2020