

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Oct 07 2021

SC Court of Appeals

Appeal from Dorchester County
Court of Common Pleas

Maite Murphy, Circuit Court Judge

Case No. 2020-CP-18-01027
Appellate Case No. 2021-000594

Paulette Walker
as Personal Representative of the Estate of Albert Walker,

Respondent,

v.

Hallmark Longterm Care, LLC
d/b/a Hallmark Healthcare Center
and Durena Stinson,

Defendants,

Of whom Hallmark Longterm Care, LLC
d/b/a Hallmark Healthcare Center is

Appellant.

**MOTION FOR EXTENSION OF TIME TO OCTOBER 7, 2021,
TO FILE/SERVE INITIAL BRIEF OF APPELLANT**

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
James D. Gandy, III (SC Bar No. 11925)
Russell G. Hines (SC Bar No. 72100)
T. Ashton Phillips, III (SC Bar No. 104227)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Appellant

NOW COMES Appellant, Hallmark Longterm Care, LLC, d/b/a Hallmark Healthcare Center, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves this Honorable Court for an extension of one (1) more day, i.e., to Thursday, October 7, 2021, to file/serve its initial brief and corresponding designation of matter to be included in the record on appeal.

Previously, on Friday, October 1, 2021, on account of work-related and other time commitments and the recent disruption of his ordinary work schedule due to COVID-19,¹ the undersigned filed a motion for an extension of three (3) business days' time, i.e., to today, Wednesday, October 6, 2021, to file/serve Appellant's initial brief and designation, which motion the Court graciously granted on October 5, 2021.

While the undersigned believed in good faith that the extension sought via the October 1st motion would allow him sufficient time to complete the Initial Brief of Appellant and designation, for the same reasons that prompted that motion, he remains in need of a small amount of additional time (namely, one more (1) day, i.e., to tomorrow, Thursday, October 7, 2021) and hopes the Court will deem the circumstances worthy of the relief requested herein, again humbly submitting that

¹ As explained in October 1st motion, right after Labor Day weekend, the undersigned began feeling sick, which led to a positive COVID-19 test (for himself as well as for his two children), which led to the undersigned being out of the office for some two weeks (and his children "home schooling"), which substantially (and, of course, unexpectedly) disrupted the undersigned's ordinary work schedule.

the grant of such relief is duly supported as an appropriately modest dispensation that is consistent with the interests of justice and will not result in any undue prejudice to Respondent or delay.²

WHEREFORE, Appellant moves for an additional one (1) days' time to file/serve its initial brief and corresponding designation of matter to be included in the record on appeal, i.e., an extension to Thursday, October 7, 2021. Further, Appellant respectfully requests that the Court hold its present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

² Please know that in making the October 1st motion, the undersigned endeavored to request as little additional time as practicable, earnestly believing the extension sought would allow him sufficient time to complete the Initial Brief of Appellant and designation. Please also know that, as with the October 1st motion, the undersigned recognizes that the Court's most recent order directed to this issue (i.e., the October 5th order) states, "No further extensions will be granted absent extraordinary circumstances," and that he does not make the instant motion lightly.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
James D. Gandy, III (SC Bar No. 11925)
Russell G. Hines (SC Bar No. 72100)
T. Ashton Phillips, III (SC Bar No. 104227)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488
Attorneys for Appellant

Charleston, South Carolina

October 6, 2021

RECEIVED

Oct 07 2021

SC Court of Appeals

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

Appeal from Dorchester County
Court of Common Pleas

Maite Murphy, Circuit Court Judge

Case No. 2020-CP-18-01027
Appellate Case No. 2021-000594

Paulette Walker
as Personal Representative of the Estate of Albert Walker,

Respondent,

v.

Hallmark Longterm Care, LLC
d/b/a Hallmark Healthcare Center
and Durena Stinson,

Defendants,

Of whom Hallmark Longterm Care, LLC
d/b/a Hallmark Healthcare Center is

Appellant.

PROOF OF SERVICE

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
James D. Gandy, III (SC Bar No. 11925)
Russell G. Hines (SC Bar No. 72100)
T. Ashton Phillips, III (SC Bar No. 104227)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Appellant

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that the **MOTION FOR EXTENSION OF TIME TO OCTOBER 7, 2021, TO FILE/SERVE INITIAL BRIEF OF APPELLANT** was served on Respondent on October 6, 2021, by emailing (see attached) a copy of the same to her counsel of record:

D. Nathan Hughey, Esquire
nate@hugheylawfirm.com

A. Stuart Hudson, Esquire
stuart@hugheylawfirm.com

Bradley H. Banyas, Esquire
brad@hugheylawfirm.com

Hughey Law Firm, LLC
1311 Chuck Dawley Boulevard, Suite 201
Mt. Pleasant, SC 29464

Attorneys for Respondent

Motion For Extension Of Time To October 6, 2021, To File/Serve Initial Brief Of
Appellant

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)

Attorneys for Appellant

Charleston, South Carolina

October 6, 2021

From: [Hines, Russell](#)
To: ["ctappfilings@sccourts.org"](mailto:ctappfilings@sccourts.org)
Cc: ["Brown, Steve"](#); [Justman, Aimee](#); [Bell, Pollyana \(Polly\)](#); ["nate@hugheyfirm.com"](mailto:nate@hugheyfirm.com); ["stuart@hugheyfirm.com"](mailto:stuart@hugheyfirm.com); ["Brad Banyas"](#)
Subject: Walker v. Hallmark (2021-000594) -- Appellant's Motion for Ext to 10-7-21 and Proof of Service
Date: Wednesday, October 6, 2021 11:57:49 PM
Attachments: [image001.png](#)
[Walker v. Hallmark \(2021-000594\) -- Motion for Ext to 10-7.pdf](#)
[Walker v. Hallmark \(2021-000594\) -- Proof of Service Motion for Ext to 10-7.pdf](#)

Attached for filing in the above-referenced matter please find Appellant's **Motion For Extension Of Time To October 7, 2021, To File/Serve Initial Brief Of Appellant** and **Proof of Service**.

Please Note: The filing fee will be mailed to the Court.

Thank you.

Russell G. Hines
CLEMENT RIVERS, LLP
www.ycrlaw.com
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
Phone: (843) 720-5488
Fax: (843) 579-1327
Email: rhines@ycrlaw.com



CLEMENT RIVERS, LLP

25 Calhoun Street • Suite 400 • Charleston, SC 29401

ycrlaw.com