

**THE 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. 2020-CP-42-03593

RECEIVED
Oct 15 2021
SC Court of Appeals

Trina Dawkins,
as Personal Representative of the Estate of William Dawkins,
Respondent,

v.

Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC;
THI of South Carolina, LLC;
THI of South Carolina at Spartanburg, LLC;
THI of South Carolina at Magnolia Manor-Spartanburg, LLC
d/b/a Magnolia Manor-Spartanburg,

Appellants.

**MOTION FOR EXTENSION OF TIME
TO FILE/SERVE INITIAL BRIEF OF APPELLANTS**

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)
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Attorneys for Appellants

NOW COME, Appellants, Fundamental Clinical and Operational Services, LLC; Fundamental Administrative Services, LLC; THI of South Carolina, LLC; THI of South Carolina at Spartanburg, LLC; THI of South Carolina at Magnolia Manor-Spartanburg, LLC d/b/a Magnolia Manor-Spartanburg,¹ by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the grounds set forth below, hereby move this Honorable Court for an extension of 15 days' additional time, i.e., from today, Friday, October 15, 2021, to Monday, November 1, 2021, to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal.

Pursuant to the Court's order filed September 20, 2021, the present deadline for Appellants' initial brief and any designation is today, Friday, October 15, 2021. On account of work-related and other time commitments, including the disruption to his ordinary work schedule caused by COVID-19,² the undersigned requests that the Court extend the time for Appellants to file/serve their initial brief and

¹ Appellants are named consistent with the way Plaintiff/Respondent named them as Defendants in this action. Accordingly, the named Appellants include the named Defendants "THI of South Carolina at Spartanburg, LLC" and "THI of South Carolina at Magnolia Manor-Spartanburg, LLC d/b/a Magnolia Manor-Spartanburg;" however, the correct legal name for the entity doing business as Magnolia Manor-Spartanburg is "THI of South Carolina at Spartanburg, LLC."

² Right after Labor Day weekend, the undersigned began feeling sick, which led to a positive COVID-19 test (for himself and 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 disrupted the undersigned's ordinary work schedule, and, in turn, substantially intensified the demands on his time upon his return to the office, the effects of which continue.

designation by 15 days from today, i.e., from Friday, October 15, 2021, to Monday, November 1, 2021. Most respectfully, the undersigned submits that the grant of such relief is consistent with the interests of justice and will not result in any undue prejudice or delay.

Wherefore, Appellants move this Honorable Court to grant them an additional extension of 15 days' time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal. If the requested extension is granted, the new deadline for Appellants' initial brief and designation will be Monday, November 1, 2021, according to the undersigned's calculations. *See* Rule 263(a), SCACR (regarding computation of time). Additionally, Appellants ask that the Court hold their initial briefing/designation deadline in abeyance until it rules upon this motion.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
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Charleston, South Carolina

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d/b/a Magnolia Manor-Spartanburg,

Appellants.

PROOF OF SERVICE

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO FILE/SERVE INITIAL BRIEF OF APPELLANTS** was served on Respondent on October 15, 2021, by emailing (see attached email) a copy of the same to Respondent's counsel of record:

William A. Jordan III, Esquire
william@jordanlawcenter.com
JORDAN LAW CENTER, LLC
622 Wade Hampton Boulevard
Greenville, SC 29609

Attorney for Respondent

Respectfully submitted,
CLEMENT RIVERS, LLP

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

Charleston, South Carolina

October 15, 2021

From: [Hines, Russell](#)
To: ["William Jordan"](#)
Cc: ["teri@jordanlawcenter.com"](mailto:teri@jordanlawcenter.com); [Justman, Aimee](#); [Bell, Pollyana \(Polly\)](#); ["Brown, Steve"](#)
Subject: 2021-000707 (Dawkins v. Fundamental) -- Motion for Extension of Time to File/Serve Initial Brief of Appellants
Date: Friday, October 15, 2021 10:44:59 PM
Attachments: [image001.png](#)
[Dawkins v. Fundamental \(2021-000707\) -- Appellants" Motion for Extension.pdf](#)

Attached with respect to the above-referenced appeal, please find a **Motion for Extension of Time to File/Serve Initial Brief of Appellants**.

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