

**RECEIVED**

**Feb 07 2022**

**SC Court of Appeals**

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

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Appeal from Calhoun County  
Court of Common Pleas

Maite Murphy, Circuit Court Judge

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Case No. 2019-CP-09-00220  
Appellate Case No. 2021-000700

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Jeffery White,  
individually and as Personal Representative  
of the Estate of Lizzie White,

Respondent,

v.

St. Matthews Healthcare, LLC,  
d/b/a Calhoun Convalescent Center,

Appellant.

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**APPELLANT'S MOTION FOR EXTENSION OF TIME  
TO FEBRUARY 11, 2022,  
TO FILE/SERVE INITIAL REPLY BRIEF OF APPELLANT**

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CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
Russell G. Hines (SC Bar No. 72100)  
T. Ashton Phillips, III (SC Bar No. 104227)  
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(843) 720-5488

*Attorneys for Appellant*

NOW COMES Appellant, St. Matthews Healthcare, LLC, d/b/a Calhoun Convalescent Center, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and, on the grounds set forth below, hereby moves this Honorable Court for an extension of four (4) business days, i.e., from today, Monday, February 7, 2022, to Friday, February 11, 2022, to file/serve its initial reply brief and any corresponding designation of matter to be included in the record on appeal.

By order filed February 2, 2022, the Court extended the deadline for Appellant's initial reply brief to today, February 7, 2022. Although the undersigned had in good faith expected to have the brief completed by today, on account of work-related and other time commitments—to include the coincidence of a larger than usual number of deadlines around this same time (among them another reply brief and a petition for rehearing also due today, as well as an upcoming oral argument in another appeal on February 9<sup>th</sup>) and disruption to his normal work schedule associated with a recent family trip—he is in need of some additional time to complete Appellant's initial reply brief, and humbly submitting that the relief requested herein is warranted as an appropriately modest dispensation that is consistent with the interests of justice and will not result in any undue prejudice or hardship to any other party, he hopes the Court will deem the

circumstances worthy thereof.<sup>1</sup>

WHEREFORE, Appellant moves four (4) additional business days, i.e., from today, Monday, February 7, 2022, to Friday, February 11, 2022, to file/serve its initial reply brief and any corresponding designation of matter to be included in the record on appeal. Further, Appellant respectfully requests that the Court hold its present initial-reply-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
Stephen L. Brown (SC Bar No. 66468)  
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*Attorneys for Appellant*

Charleston, South Carolina

February 7, 2022

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<sup>1</sup> Please know that the undersigned recognizes that the Court's February 2<sup>nd</sup> order states, "No further extensions will be granted absent extraordinary circumstances," and that he does not make the instant motion lightly.

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**PROOF OF SERVICE**

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*Attorneys for Appellant*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that the **APPELLANT'S MOTION FOR EXTENSION OF TIME TO FEBRUARY 11, 2022, TO FILE/SERVE INITIAL REPLY BRIEF OF APPELLANT** was served on Respondent on February 7, 2022, by emailing (see attached) a copy of the same to Respondent's counsel of record:

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*Attorneys for Respondent*

Respectfully submitted,  
CLEMENT RIVERS, LLP

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

Charleston, South Carolina

February 7, 2022

**From:** [Hines, Russell](#)  
**To:** "[jfickling@stromlaw.com](#)"; "[mrobins@stromlaw.com](#)"  
**Cc:** "[Brown, Steve](#)"; [Justman, Aimee](#); [Bell, Pollyana \(Polly\)](#)  
**Subject:** White v. St. Matthews Healthcare (2021-000700) -- Appellant's Motion for Ext. re Initial Reply Brief  
**Date:** Monday, February 7, 2022 9:24:42 PM  
**Attachments:** [image001.png](#)  
[White v. St. Matthews Healthcare \(2021-000700\) -- Appellant's Mot. for Ext. to 2-11 re Initial Reply Brief of Appellant.pdf](#)

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Attached regarding the above-referenced case, please find **Appellant's Motion For Extension Of Time To February 11, 2022, To File/Serve Initial Reply Brief Of Appellant.**

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