

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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Mar 10 2022

S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
J.C. Nicholson, Jr., Circuit Court Judge
Deadra L. Jefferson, Circuit Court Judge

Appellate Case No.: 2021-000038

Assistive Technology Medical
Equipment Services, LLC.,

Respondent,

v.

Hood & Selander, CPAS,
LLC; Donna C. Cash, as
Personal Representative of the
Estate of James B. Connelly.
Kimberly Cuce, Phillip
DeClemente,

Defendants,

Of whom Phillip DeClemente
is the

Petitioner.

**RESPONDENT'S CONSENT MOTION FOR EXTENSION OF TIME TO
FILE AND SERVE THEIR BRIEF**

Respondent, by and through their undersigned counsel and with Petitioner's consent, hereby moves this Honorable Court for a twenty (20) day extension of time to file and serve their brief pursuant to Rule 242, SCACR and Order of the Supreme Court of South Carolina dated July 16, 2014. This is Respondent's first request for an extension.

Respondent submits the following as good cause for the relief sought herein.

1. After being granted three extensions of time, Petitioner filed and served his Brief and Appendix on February 21, 2022.

2. The current deadline for Respondent to file and serve their brief is March 23, 2022.

3. Counsel for Respondent is currently employed full-time with the University of South Carolina. As such, time devoted to practicing law is limited. Counsel is in process of transitioning back to the full-time practice of law on May 1, 2022. The additional time is requested by Respondent to allow counsel sufficient time to prepare the brief with the competing demands of concluding his employment at the University of South Carolina and the reopening of a full-time practice of law.

4. Barring any unforeseen extraordinary circumstance, this will be Respondent's only request to extend time.

5. A twenty (20) day extension would provide a new deadline of April 12, 2022.

Respondent respectfully request the Court grant a twenty (20) days extension of time to April 12, 2022, for Respondent to file and serve their Brief or any other responsive filing as may be required by the South Carolina Appellate Court Rules.

March 10, 2022

s-James E. Smith, Jr.
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