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Apr 15 2022

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. 2012-CP-18-02583
Appellate Case No. 2019-000644

Jennifer McFarland and Carlton Holcombe,

Appellants,

v.

Thomas Morris and David Hannemann,

Respondents.

**APPELLANTS' MOTION FOR A SECOND EXTENSION OF TIME
TO FILE/SERVE PETITION FOR REHEARING**

CLEMENT RIVERS, LLP
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorney for Appellants

NOW COME Appellants, Jennifer McFarland and Carlton Holcombe, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR (providing that the Court may extend the time prescribed by the South Carolina Appellate Court Rules for performing any act except the time for serving the notice of appeal under Rules 203 and 243, SCACR), and, on the grounds set forth below, hereby move this Honorable Court for a second extension of fifteen (15) days' time, i.e., from today, Friday, April 15, 2022, to Monday, May 2, 2022,¹ to file/serve a petition for rehearing in this matter.

The Court filed its opinion in this appeal on Wednesday, March 16, 2022, affirming the trial court. Accordingly, the original deadline for Appellants to petition for rehearing was, Thursday, March 31, 2022, pursuant to Rule 221(a), SCACR ("Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court.").

¹ See Rule 263(a), SCACR (providing that "[i]n computing any period of time prescribed or allowed by these Rules, by order of court, or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included" and that "[t]he last day of the period so computed is to be included, unless it is a Saturday, Sunday or a state or federal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor such holiday").

By order filed March 31, 2022, granting Appellant's motion for a first extension of time, the Court established the current deadline for Appellants to petition for rehearing, which is today, Friday, April 15, 2022.

Because of work-related and other time commitments, the undersigned requests that the Court again extend the time for Appellants to file/serve a petition for rehearing by fifteen (15) days, i.e., to extend the deadline from today, Friday, April 15, 2022, to Monday, May 2, 2022. 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 fifteen (15) additional days' time to file/serve a petition for rehearing. If the requested extension is granted, the new deadline for Appellants to petition for rehearing will be Monday, May 2, 2022, according to the undersigned's calculations. *See* Rule 263(a) (regarding computation of time). Additionally, Appellants ask that the Court hold the deadline to petition for rehearing in abeyance until it rules upon this motion.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488
Attorney for Appellants

Charleston, South Carolina

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PROOF OF SERVICE

CLEMENT RIVERS, LLP
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorney for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorney for Appellants, hereby certify that **APPELLANTS' MOTION FOR A SECOND EXTENSION OF TIME TO FILE/SERVE PETITION FOR REHEARING** was served on Respondents on April 15, 2022, via email (see attached) to Respondents' counsel of record:

Morgan S. Templeton, Esquire
morgan.templeton@walltempleton.com
William W. Watkins, Jr., Esquire
trey.watkins@walltempleton.com
WALL TEMPLETON & HALDRUP, P.A.
P.O. Box 1200
Charleston, SC 29402

and

Graham P. Powell, Esquire
graham@plawsc.com
THE POWELL FIRM LLC
409 Coleman Boulevard, Suite 200
Mount Pleasant, SC 29464

and

John J. Dodds, IV, Esquire
john@yarboroughapplegate.com
YARBOROUGH APPLGATE, LLC
291 East Bay Street, Floor 2
Charleston, SC 29401

Attorneys for Respondents

Respectfully submitted,
CLEMENT RIVERS, LLP

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

Attorney for Appellants

Charleston, South Carolina

April 15, 2022

Hines, Russell

From: Hines, Russell
Sent: Friday, April 15, 2022 10:58 AM
To: 'morgan.templeton@walltempleton.com'; 'trey.watkins@walltempleton.com';
'graham@plawsc.com'; 'john@yarboroughapplegate.com'
Cc: Justman, Aimee; Bell, Pollyana (Polly)
Subject: Appellate Case No. 2019-000644 (McFarland v. Morris) - Appellants' Motion for a 2d Extension of Time to Petition for Rehearing
Attachments: 2019-000644 (McFarland v. Morris) - Mot. for 2d Ext. re PRH.pdf

Attached regarding the above-referenced matter, please find **Appellants' Motion for a Second Extension of Time to File/Serve Petition for Rehearing**.

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