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Apr 21 2022

SC Court of Appeals

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

Appeal from Charleston County
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Appellate Case No. 2019-001413
Circuit Court Case No. 2018-CP-10-01251

Richard Ladson, Jr.,
by and through Richard Miles Ladson, Sr., POA,

Respondent,

v.

THI of South Carolina at Charleston, LLC
d/b/a Riverside Health and Rehab,

Appellant.

**MOTION FOR EXTENSION OF TIME
TO PETITION FOR REHEARING**

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)
25 Calhoun Street, Suite 400
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Attorneys for Appellant

COMES NOW Appellant, THI of South Carolina at Charleston, LLC d/b/a Riverside Health and Rehab, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for an extension of fifteen (15) days' additional time to file/serve a petition for rehearing of this matter, which the Court decided via opinion filed April 6, 2022. *See Estate of Ladson v. THI Of S.C. at Charleston, LLC*, Unpublished Op. No. 2022-UP-169.

Rule 221(a), SCACR, provides, "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." Based on the April 6, 2022, filing of the Court's opinion in this case, the present deadline to petition for rehearing is the close of business Thursday, April 21, 2022, which, in accordance with Rule 263(a), SCACR (regarding computation of time), is the 15th day after the opinion's filing. Because of work-related and other time commitments, the undersigned counsel for Appellant requests the Court's allowance of fifteen (15) days' additional time to petition for rehearing.

Respectfully, the undersigned submits there is good cause for the Court to grant the relief requested herein, as it is, under the circumstances, a reasonable dispensation, timely sought, consistent with the interests of justice, posing no threat of undue prejudice to any other party.

WHEREFORE, Appellant requests that the Court grant it an extension of 15 days' time (running from April 21, 2022) to petition for rehearing. By the undersigned's calculations, the grant of this relief would make the new deadline to petition for rehearing May 6, 2022. ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, Appellant requests that the Court hold the present deadline for petitioning for rehearing in abeyance until the Court acts on this motion.

*[Signature page for Motion for Extension of Time to Petition for Rehearing,
Appellate Case No. 2019-001413]*

Respectfully submitted,
CLEMENT RIVERS, LLP

By: *s/Russell G. Hines*
Stephen L. Brown (SC Bar No. 66468)
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PROOF OF SERVICE

CLEMENT RIVERS, LLP
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Attorneys for Appellant

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that the **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on Respondent, on April 21, 2022, by emailing (see attached) a copy of the same to Respondent's counsel of record:

Carl E. Pierce, II, Esquire
Benjamin C. Smoot, II, Esquire
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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

April 21, 2022

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Thursday, April 21, 2022 1:58 PM
To: 'carlpierce@piercesloan.com'; 'bensmoot@piercesloan.com'
Cc: Hines, Russell; Justman, Aimee
Subject: Ladson v. THI ; Appellate Case No. 2019-001413
Attachments: Mtn for Ext to Petition for Rehearing.pdf

Enclosed please find Appellant's Motion for Extension of Time to Petition for Rehearing in the above-referenced matter which will be filed today.

Thank you,

Pollyana Bell
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