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**Apr 22 2022**

**SC Court of Appeals**

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

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Appeal from Horry County  
Court of Common Pleas

William H. Seals, Jr., Circuit Court Judge

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Case No. 2015-CP-26-05573  
Appellate Case No. 2018-002009 (Court of Appeals)  
Unpublished Opinion No. 2021-UP-454, (S.C. Ct. App. filed Dec. 22, 2021)

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K.A. Diehl and Associates, Inc.,

Respondent,

v.

James Perkins, Colleen Franke a/k/a Colleen Franke Perkins,  
Mark Dos Santos, William Moore, Steven Dame  
and Errol Dos Santos,

Defendants,

Of whom Mark Dos Santos is the

Petitioner.

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**MOTION FOR EXTENSION OF TIME  
TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI**

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CLEMENT RIVERS, LLP  
D. Jay Davis Jr. (SC Bar No. 12084)  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 577-4000

*Attorneys for Petitioner*

NOW COMES Petitioner, Mark Dos Santos, by and through his undersigned counsel, on the grounds stated below, pursuant to Rule 263(b), SCACR, as well as the Court's order of July 16, 2014, regarding Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals, and hereby moves for an extension of ten (10) days' time to file/serve his petition to this Court for issuance of a writ of certiorari to the Court of Appeals to review its decision in this matter.

The Court of Appeals decided this case by opinion filed December 22, 2021, and thereafter denied Petitioner's timely petition for rehearing by order filed March 23, 2022, making the deadline for Petitioner to file/serve a petition for writ of certiorari today, April 22, 2022, pursuant to Rule 242(c), SCACR. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioner requests ten (10) additional days, beyond today's date, to prepare Petitioner's petition seeking this Court's review of the Court of Appeals' decision via writ of certiorari, and the undersigned humbly submits that there is good cause to allow the requested dispensation: It is in furtherance of the interests of justice; it will not work any undue prejudice upon any other party; and it is consistent with the extension protocol established by the Court's aforementioned order of July 16, 2014.

WHEREFORE, Petitioner respectfully requests that this Honorable Court grant him an extension of ten (10) days' time to file/serve his petition for writ of

certiorari. With the extension requested herein, the new deadline for filing/serving his petition for writ of certiorari would be May 2, 2022, according to the undersigned's calculations. Further, Petitioner respectfully requests that the Court hold his present deadline in abeyance until it acts upon this motion.

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
D. Jay Davis Jr. (SC Bar No. 12084)  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 577-4000  
*Attorneys for Petitioner*

Charleston, South Carolina

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Of whom Mark Dos Santos is the

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**PROOF OF SERVICE**

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CLEMENT RIVERS, LLP  
D. Jay Davis Jr. (SC Bar No. 12084)  
Russell G. Hines (SC Bar No. 72100)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 577-4000

*Attorneys for Petitioner*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Petitioner, hereby certify that Petitioner's **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI** was served on all other parties to this appeal on April 22, 2022, via email (see attached) to their following counsel of record:

Henrietta U. Golding, Esquire  
[hgolding@burr.com](mailto:hgolding@burr.com)  
Burr & Forman, LLP  
P.O. Box 336  
Myrtle Beach, SC 29578

*and*

James K. Gilliam  
[jgilliam@burr.com](mailto:jgilliam@burr.com)  
Burr & Forman, LLP  
104 South Main Street, Suite 700  
Greenville, SC 29601

*Attorneys for Respondent  
K.A. Diehl and Associates, Inc.*

I also certify that Petitioner's **MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI** and this **PROOF OF SERVICE** are being filed with the South Carolina Court of Appeals on April 22, 2022, via email to [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org), contemporaneously with the filing of the same in this Court, via email to [suptfilings@sccourts.org](mailto:suptfilings@sccourts.org).

Respectfully submitted,  
CLEMENT RIVERS, LLP

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

*Attorneys for Petitioner*

Charleston, South Carolina

April 22, 2022

## Hines, Russell

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**From:** Hines, Russell  
**Sent:** Friday, April 22, 2022 10:59 AM  
**To:** hgolding@burr.com; jgilliam@burr.com  
**Cc:** Justman, Aimee; Bell, Pollyana (Polly)  
**Subject:** K.A. Diehl v. Dos Santos (Ct. App. Case No. 2018-002009) -- Motion for Extension of Time to Serve/File Petition for Writ of Certiorari  
**Attachments:** K.A. Diehl v. Dos Santos -- Mot. for Ext. re Petition for a Writ of Certiorari.pdf

Attached regarding the above-referenced matter, please find the **Motion for Extension of Time to Serve/File Petition for Writ of Certiorari**, which is being filed today in the Supreme Court of South Carolina.

Russell G. Hines  
CLEMENT RIVERS, LLP  
[www.ycrlaw.com](http://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](mailto:rhines@ycrlaw.com)



**CLEMENT RIVERS, LLP**  
25 Calhoun Street • Suite 400 • Charleston, SC 29401  
[ycrlaw.com](http://ycrlaw.com)