

**RECEIVED**

**May 13 2022**

**SC Court of Appeals**

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

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Appeal from Spartanburg County  
Court of Common Pleas  
Grace Gilchrist Knie, Circuit Court Judge

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Case No. 2021-CP-42-01048

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Pamela Farmer,  
as Personal Representative of the Estate of Wallace F. Powell,

Respondent,

v.

THI of South Carolina at Spartanburg, LLC  
d/b/a Magnolia Manor-Spartanburg;  
THI of South Carolina, LLC;  
Jeanette Blankenship;  
Rusty Flathmann; and  
Angela Sherbert,

Appellants.

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**MOTION FOR EXTENSION OF TIME  
TO FILE/SERVE INITIAL BRIEF OF APPELLANTS**

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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)  
Kara S. Grevey (SC Bar No. 101742)  
T. Ashton Phillips, III (SC Bar No. 104227)  
25 Calhoun Street, Suite 400  
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P.O. Box 993 (29402)  
(843) 720-5488

*Attorneys for Appellants*

COME NOW Appellants THI of South Carolina at Spartanburg, LLC d/b/a Magnolia Manor-Spartanburg; THI of South Carolina, LLC; Jeanette Blankenship; Rusty Flathmann; and Angela Sherbert, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for an extension of thirty (30) days' additional time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal.

Presently, by order of this Court filed April 13, 2022, the deadline for Appellants' initial brief and designation of matter is May 13, 2022. On account of work-related and other time commitments, Appellants respectfully request that this deadline be extended by 30 days (from May 13, 2022), i.e., through June 13, 2022. Respectfully, Appellants believe that this relief is consistent with the interests of justice and will not work any undue prejudice upon Respondent.

WHEREFORE, Appellants move this Honorable Court to grant them an additional extension of 30 days' time to file/serve their initial brief and corresponding designation of matter to be included in the record on appeal. With the extension requested herein, the new deadline for filing/serving their initial brief and designation of matter would be June 13, 2022, according to the undersigned's calculations. Further, Appellants respectfully request that the Court hold their present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

*[Signed on the following page]*

*[Signature page for Motion for Extension of Time to File/Serve Initial Brief of Appellants, Appellate Case No. 2022-000173]*

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Russell G. Hines  
Stephen L. Brown (SC Bar No. 66468)  
D. Jay Davis, Jr. (SC Bar No. 12084)  
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Charleston, South Carolina

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Angela Sherbert,

Appellants.

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**PROOF OF SERVICE**

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CLEMENT RIVERS, LLP  
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*Attorneys for Appellants*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that the **MOTION FOR EXTENSION OF TIME TO FILE/SERVE INITIAL BRIEF OF APPELLANTS** was served on Respondent on May 13, 2022, by emailing (see attached email) a copy of the same to Respondent's counsel of record:

Charles E. Usry, Esquire  
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RIKARD & PROTOPAPAS, LLC  
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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 Appellants*

Charleston, South Carolina

May 13, 2022

## Bell, Pollyana (Polly)

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**From:** Bell, Pollyana (Polly)  
**Sent:** Friday, May 13, 2022 1:29 PM  
**To:** cusry@rplegalgroup.com; jspitz@rplegalgroup.com; emedlin@rplegalgroup.com; ashaw@rplegalgroup.com  
**Cc:** Hines, Russell; Justman, Aimee  
**Subject:** Farmer v. THI ; Appellate Case No. 2022-000173  
**Attachments:** Mtn for Ext to File-Serve Initial Brief of Appellants.pdf

Enclosed please find Appellants' Motion for Extension of Time to File/Serve their Initial Brief in the above-referenced matter which will be filed today.

Thank you,

Pollyana Bell  
Project Assistant  
Commercial Litigation Practice Group  
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