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SC Court of Appeals

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

Appeal from Greenville County
Court of Common Pleas

Robin B. Stilwell, Circuit Court Judge

Case No. 2019-CP-23-00473
Appellate Case No. 2019-001955

Estate of Patricia Royston, by and through
the appointed Personal Representative, Marianne McCoig,
Individually, and on behalf of the statutory beneficiaries,

Respondent,

v.

Hunt Valley Holdings, LLC
a/k/a Fundamental Long Term Care Holdings, LLC;
Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; and
THI of South Carolina at Magnolia Place at Greenville, LLC,
d/b/a Magnolia Place-Greenville,

Appellants.

**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)
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Attorneys for Appellants

COME NOW Appellants, Hunt Valley Holdings, LLC a/k/a Fundamental Long Term Care Holdings, LLC, Fundamental Clinical and Operational Services, LLC, Fundamental Administrative Services, LLC, and THI of South Carolina at Magnolia Place at Greenville, LLC, d/b/a Magnolia Place-Greenville, by and through their undersigned counsel, pursuant to Rule 263(b), SCACR, and move for an extension of fifteen (15) days' time to file/serve a petition for rehearing of this matter, which the Court decided via opinion filed May 18, 2022. *See Estate of Patricia Royston v. Hunt Valley Holdings, LLC*, Unpublished Op. No. 2022-UP-203.

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 May 18, 2022, filing of the Court's opinion in this case, the present deadline to petition for rehearing is the close of business Thursday, June 2, 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, Appellants request that the Court grant them an extension of 15 days' time (running from June 2, 2022) to petition for rehearing. By the undersigned's calculations, the grant of this relief would make the new deadline to petition for rehearing June 17, 2022. ADDITIONALLY, for the same reasons set forth in support of the within request for an extension of time, Appellants request that the Court hold the present deadline for petitioning for rehearing in abeyance until the Court acts on this motion.

Respectfully submitted,
CLEMENT RIVERS, LLP

By: *s/Russell G. Hines*
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Charleston, South Carolina

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Estate of Patricia Royston, by and through
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Individually, and on behalf of the statutory beneficiaries, Respondent,

v.

Hunt Valley Holdings, LLC
a/k/a Fundamental Long Term Care Holdings, LLC;
Fundamental Clinical and Operational Services, LLC;
Fundamental Administrative Services, LLC; and
THI of South Carolina at Magnolia Place at Greenville, LLC,
d/b/a Magnolia Place-Greenville, Appellants.

PROOF OF SERVICE

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellants' **MOTION FOR EXTENSION OF TIME TO PETITION FOR REHEARING** was served on all other parties to this appeal on June 1, 2022, via email (see attached) to their following counsel of record:

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Respectfully submitted,
CLEMENT RIVERS, LLP

By: *s/Russell G. Hines*
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Charleston, South Carolina

June 1, 2022

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Wednesday, June 1, 2022 3:43 PM
To: 'atty@gpoliakoff.com'; 'rmullmanjr@gmail.com'; 'mchristian@cclawfirm.com';
'jalloway@mcgowanhood.com'
Cc: Hines, Russell; Justman, Aimee
Subject: Royston v. Hunt Valley Holdings, LLC // Appellate Case No. 2019-001955
Attachments: Mtn for Ext to Petition for Rehearing.pdf

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

Thank you,

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