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Feb 26 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Master and Equity

Shannon M. Phillips, Master and Equity Judge

APPELLATE CASE NO.: 2022-001304

Kesha Petty, Appellant

v.

Cathy Biggerstaff, individually and as owner of B&B Amusement, Inc., and B&B Amusement, Inc., Respondent.

APPELLATE'S RESPONSE TO RESPONDENT'S MOTION TO DISMISS

Kesha Petty
553 Chastine Drive
Spartanburg, SC 29301
Appellant

February 25, 2024
Spartanburg, South Carolina

COMES NOW Appellant in reply to Respondents' Motion to Dismiss. Appellant filed a final brief on or about July 05, 2023. Appellant does not believe that she "completely changed" her final brief as the grounds for her appeal did not change, however Respondents did not agree. According to Respondents' Motion, an Order dated November 20, 2023, was issued requiring Appellant to Amend her Final Brief within thirty (30) days. However, Appellant has not received a copy of this Order and therefore, was not aware of the requirement and time restraint to file her Amended Final Brief. Appellant would not have ignored any order and/or requirements had she been given notice.

In light of this fact, Appellant respectfully requests the Court deny Respondents' Motion to Dismiss and allow Appellant to submit an Amended Final Brief. Appellant submits that no prejudice will result to Respondent to allow Appellant to submit an Amended Final Brief.

Wherefore, the Appellant respectfully requests that the Respondents' Motion to Dismiss is denied and that Appellant be granted the opportunity to submit an Amended Final Brief.

Respectfully Submitted,

Kesha Petty Edwards

Kesha Petty Edwards
553 Chastine Drive
Spartanburg, SC 29301
(864) 376-7780
Appellant

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CERTIFICATE OF SERVICE

The undersigned certifies that on February 25, 2024, the Reply of the Appellant were served upon all counsel of record in this matter by depositing a copy in first-class, postage -paid envelope, into a depository under the exclusive care and custody of the United States Postal Service and by electronic delivery on February 25, 2024, as addressed as follows:

R. Jay Anthony
650 E. Washington Street
Greenville, SC 29601
janthony@anthonylawsc.com

Respectfully Submitted,

s/Kesha Petty-Edwards
Kesha Petty Edwards
553 Chastine Drive
Spartanburg, SC 29301
(864) 376-7780
Appellant