

STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY

Court of Common Pleas

The Honorable R. Lawton McIntosh, Circuit Court Judge

69540

Appellate No.: 2009-141246

Civil Action No. 2008-CP-23-5245

Blue Ridge Electric Cooperative, Inc.....Appellant/Respondent,

v.

Kathleen J. Gresham.....Respondent/Appellant.

**MOTION TO DISMISS OR IN THE ALTERNATIVE FOR A STAY AND ORDER
REQUIRING RESPONDENT/APPELLANT GRESHAM COMPLY WITH THE SOUTH
CAROLINA APPELLATE COURT RULES**

Respondent/Appellant Blue Ridge Cooperative, Inc., hereby respectfully moves for dismissal of Appellant/Respondent Gresham's appeal or in the alternative for an order requiring Appellant/Respondent Gresham to comply with the South Carolina Appellate Court Rules. Respondent/Appellant Blue Ridge would also request that this Court grant a Stay in the briefing schedule in this appeal until such time as this Court rules on this motion. The grounds for this motion are set forth in the accompanying memorandum of law.

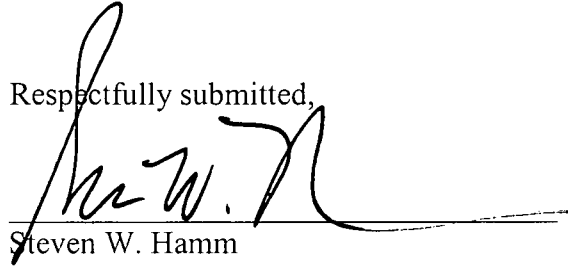
[SIGNATURE TO FOLLOW]

RECEIVED

AUG 23 2013

SC Court of Appeals

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. W. Hamm", written over a horizontal line.

Steven W. Hamm
RICHARDSON PLOWDEN & ROBINSON, P.A.
1900 Barnwell Street (29201)
P.O. Drawer 7788
Columbia, South Carolina 29202
803-771-4400

Larry C. Brandt, P.A.
P.O. Box 738
3691 Blue Ridge Blvd.
Walhalla, South Carolina 29691
864-638-5406

*Counsel for Appellant/Respondent Blue Ridge
Electric Cooperative, Inc.*

August 23, 2013

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Blue Ridge Electric Cooperative, Inc.....Appellant/Respondent,

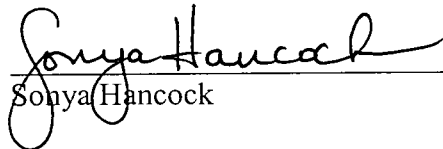
v.

Kathleen J. Gresham.....Respondent/Appellant.

PROOF OF SERVICE

I, Sonya Hancock, the undersigned employee of Richardson, Plowden & Robinson, P.A., attorneys for Blue Ridge Electric Cooperative, Inc., do hereby certify that I have served the **MOTION TO DISMISS OR IN THE ALTERNATIVE FOR A STAY AND ORDER REQUIRING RESPONDENT/APPELLANT GRESHAM COMPLY WITH SOUTH CAROLINA APPELLATE COURT RULES** in the above-referenced captioned case, by causing a copy of the same to be personally deposited in a United States Postal Service mail box, postage prepaid, with the return address clearly visible, addressed to the party as indicated below on August 23, 2013:

Kathleen Gresham (Jennings), *pro se*
1524 Highway 11
Landrum, South Carolina 29356



Sonya Hancock

Reply to: Columbia
shamm@RichardsonPlowden.com
Direct: 803-576-3713

August 23, 2013

Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

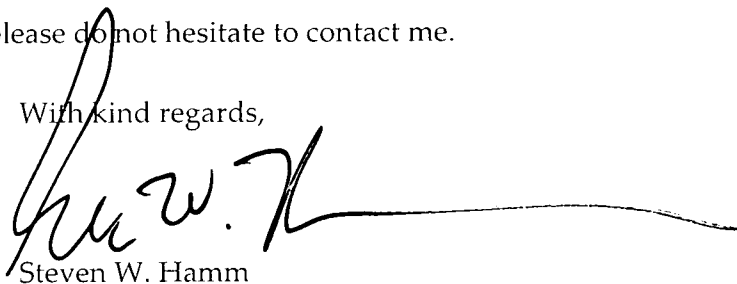
Re: Blue Ridge Electric Cooperative, Inc. v. Kathleen J. Gresham
Appellate No.: 2009-141246
Civil Action No.: 2008-CP-23-5245
RPR File No.: 3548-005

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies each of the **Motion to Dismiss or in the Alternative for a Stay and Order Requiring Respondent/Appellant Gresham Comply with the South Carolina Appellate Court Rules and the Memorandum in Support of Respondent/Appellant's Motion to Dismiss or in the Alternative for a Stay and Order Requiring Respondent/Appellant Gresham Comply with South Carolina Appellate Court Rules** for filing in the above referenced matter. I am also enclosing a \$25.00 check for the required filing fee. Please return one (1) clocked-in copy to my office in the enclosed return envelope.

If you should have any questions, please do not hesitate to contact me.

With kind regards,



Steven W. Hamm

SWH:smh
Enclosures

cc: Kathleen Gresham (via email to kpjg01@gmail.com and U.S. Mail)
Larry C. Brandt, Esquire (via email to lcbrandt@mindspring.com and U.S. Mail)