

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Sep 17 2025

SC Court of Appeals

APPEAL FROM THE COURT OF COMMON PLEAS

Donald B. Hocker, Circuit Court Judge

Case No. 2023-CP-20-00374

Ridgeway Manor Healthcare Center, LLC
Deborah Sparks, and James McCollum, Appellants,

v.

Stephanie Pressley, as Personal
Representative of the Estate of Gail Wright, Respondents.

APPELLANTS' PETITION TO REINSTATE APPEAL

Appellants Ridgeway Manor Healthcare Center, LLC, Deborah Sparks, and James McCollum (collectively referred to herein as "Appellants"), by and through their undersigned counsel, hereby petition for an order reinstating the above-captioned appeal pursuant to Rule 260(a), SCACR. In support of this Petition, Appellants submit that good cause exists to reinstate the appeal in accordance Rule 260(a), SCACR, for the following reasons.

This appeal concerns Appellants' attempts to compel arbitration. Appellant timely filed and served the Notice of Appeal on May 13, 2025, in compliance with Rule 203(b), SCACR. On May 28, 2025, the Chief Deputy Clerk of the South Carolina Court of Appeals informed Appellant it had failed to submit a timely transcript request and further instructed counsel, within ten (10) days, to either file a timely transcript request or a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207, SCACR along with a transcript request. On June 9, 2025, ten days later, Appellant filed a Motion to Enlarge Time for Transcript Request along with the previously filed transcript request.

On September 2, 2025, the Chief Deputy Clerk of the South Carolina Court of Appeals informed Appellants that they had failed to notify the Court that the transcript had not yet been received. Shortly thereafter, Appellants attempted to serve the Court with correspondence advising it that Appellants had not yet received a copy of the transcript. *See* Sept. 2, 2025 Corr., attached hereto as **Exhibit A**.

Such, however, was not properly received or docketed as such was inadvertently sent to the incorrect electronic mail address, ctappfilings@sccourts.com, as opposed to ctappfilings@sccourts.org. *See* Sept. 2, 2025 Email, attached hereto as **Exhibit B**. Counsel for Respondents were copied on said communication and, thus, upon information and belief, were notified of the same.

On September 16, 2025, without the benefit of having received the aforementioned correspondence, the Court entered an order dismissing this matter, noting that Appellants had failed to notify the Court that the transcript was not received, as required by correspondence dated September 2, 2025. Appellants have actively pursued the transcripts. In fact, multiple transcript requests have been submitted, the initial and most recent of which occurred on May 28, 2025 and September 15, 2025, respectively. *See generally* Transcript Requests, attached hereto as **Exhibits C and D**.

Appellants respectfully submit the aforementioned constitutes a showing of good cause in accordance with Rule 260(a), SCACR. *See Morris v. BB&T Corp.*, 438 S.C. 582, 885 S.E.2d 394 (2023) (holding that attorney who failed to accurately calendar a filing deadline had demonstrated good cause). Appellants, therefore, request that the Court grant this Petition, reinstate the above-captioned appeal, and allow the matter to proceed on its merits as the dismissal arose solely from a technical error in electronic service and not from neglect or dilatory conduct; Appellants acted promptly upon learning of the dismissal; and reinstatement will not prejudice Respondent.

(Signature Line to Follow on Next Page)

Dated: September 17, 2025

GORDON REES SCULLY MANSUKHANI

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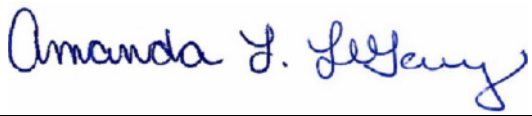
PROOF OF SERVICE

I certify that I have served the Petition to Reinstate Appeal on the Respondents, Stephanie Pressley, as Personal Representative of the Estate of Gail Wright, via E-mail upon their respective attorneys of record as properly addressed below this 17th day of September 2025:

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Dated: September 17, 2025

By 

AMANDA LEGARY