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DEC 18 2013

SC Court of Appeals

Reply to: Columbia  
[shamm@RichardsonPlowden.com](mailto:shamm@RichardsonPlowden.com)  
Direct: 803-576-3713

December 18, 2013

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

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

Dear Ms. Kitchings:

Larry Brandt and I represent Blue Ridge Electric Cooperative, Inc. ("Blue Ridge") in the above-referenced appeal. We write seeking guidance from the Court on the procedural status of this case and on the timing requirements for submissions to the Court.

The Court records will show that Appellant/Respondent Blue Ridge filed on August 23, 2013 a "Motion to Dismiss or in the Alternative for a Stay and Order Requiring Respondent/Appellant Gresham ("Gresham") Comply with the South Carolina Appellate Court Rules." That Motion was based upon Gresham's submission of a brief that totaled approximately three hundred pages and the failure to submit a Designation of Matter to be included in the Record on Appeal. The memorandum submitted with the Blue Ridge Motion specifically identified the deficiencies in Gresham's Brief.

On August 27, 2013, Respondent/Appellant Gresham filed a Response to the Blue Ridge Motion and an after-the-fact request to the Court to "increase brief pages as submitted" as well as asserting other claims against counsel for Blue Ridge.

On November 5, 2013, the Court issued an Order denying the Blue Ridge Motion to Dismiss the Appeal and denied Respondent/Appellant Gresham's Motion to exceed the fifty-page limitation set forth in SCACR 208(b)(5). The Court stated that the three-hundred page brief filed with the Court by Gresham was "stricken in its entirety". The Court directed Respondent/Appellant to file a designation of matter and an initial brief in compliance with the SCACR within twenty (20) days.

On November 18, 2013, counsel for Blue Ridge received a copy of a letter from Respondent/Appellant Gresham to the Court responding to the November 5, 2013, Order issued

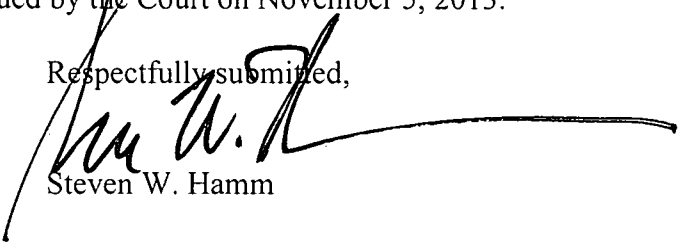
by Justice Cureton. Gresham again requested that the Court reconsider her request to accept her three-hundred page Initial Brief as submitted. To date, Counsel for Blue Ridge have not received an Order from the Court addressing Respondent/Appellant's apparent Motion for Reconsideration contained in the letter to the Court received by Blue Ridge counsel Brandt on November 18, 2013.

On December 4, 2013, Mr. Brandt received a new "Reduced Initial Brief" dated November 29, 2013, from Respondent/Appellant Gresham. The new "Reduced Initial Brief" now contains fifty-two pages of single-spaced text that is roughly equivalent to over one hundred pages if the Rule 267 SCACR is applied which requires all documents to be double-spaced. In addition, the new Respondent/Appellant filing does not include a Designation of Matter as directed by the Court in its November 5, 2013, Order. The new filing does not include a table of cases, statutes and other authorities cited with reference to the pages of the brief where they are cited. Rule 208(6)(A).

Appellant/Respondent Blue Ridge now finds itself with the same circumstances that it addressed in its Motion to Dismiss or in the Alternative for a Stay filed with the Court on August 23, 2013.

Based upon the above-referenced factual issues, Blue Ridge respectfully seeks the guidance of the Court regarding the "new" filing by Respondent/Appellant Gresham as to how Blue Ridge should proceed when Respondent/Appellant Gresham's new filing does not comply with the SCACR and a specific Order issued by the Court on November 5, 2013.

Respectfully submitted,

  
Steven W. Hamm

SWH:kjt

cc: Kathleen Gresham (via email to [kpjg01@gmail.com](mailto:kpjg01@gmail.com) and U.S. Mail)  
Larry C. Brandt, Esquire (via email to [lcb.brandtlawfirm@att.net](mailto:lcb.brandtlawfirm@att.net) and U.S. Mail)

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

RECEIVED  
DEC 18 2013

The Honorable L. Casey Manning, Circuit Court Judge

SC Court of Appeals

Civil Action No. 2008-CP-23-5245

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

v.


Kathleen Gresham (Jennings).....Appellant.

CERTIFICATE OF SERVICE

I, Kathy J. Templeton, the undersigned employee of Richardson, Plowden & Robinson, P.A., attorneys for Blue Ridge Electric Cooperative, Inc., do hereby certify that I have served the foregoing letter 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 attorneys of records as indicated below on December 18, 2013:

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

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

  
Kathy J. Templeton