

RECEIVED

Jun 25 2026

SC Court of Appeals

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

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., Respondents.

PETITION FOR RECONSIDERATION AND REHEARING

Pursuant to Rule 221, SCACR, Appellant, Kesha Petty, respectfully petitions this Court for rehearing of its Opinion filed on June 10, 2026.

Appellant respectfully submits that the Court overlooked or misapprehended material facts contained in the record and issues preserved in Appellant's briefs that materially affected the disposition of this appeal.

Appellant further respectfully submits that the Court may have overlooked or misapprehended the preservation of Appellant's arguments because those issues were presented throughout Appellant's Opening Brief, Amended Final Brief, and Final Reply Brief and were supported by citations to the existing record. This Petition does not seek to raise new issues or arguments but respectfully requests reconsideration of matters previously presented and preserved for appellate review.

I. The Court may have overlooked Appellant's preserved argument concerning the Master's reliance upon disputed contractual terms.

Appellant consistently argued throughout this appeal that the Honorable J. Mark Hayes, in his June 5, 2020 Order, ruled that no enforceable contract existed between the parties because there was no meeting of the minds regarding the essential terms of a lease or purchase agreement.

Judge Hayes expressly ruled:

"No contract was ever signed, thus there was no meeting of the minds for purposes of an analysis under a breach of contract or promissory estoppel theory."

Appellant's argument on appeal was not that unjust enrichment required the existence of a contract. Rather, Appellant argued that the Master relied upon disputed contractual terms when calculating restitution after the contract-based claims had already been dismissed.

The Court's Opinion concludes that this issue was not preserved. Respectfully, Appellant submits that this argument was presented throughout Appellant's Opening Brief, Amended Final Brief, and Final Reply Brief and was central to the first issue raised on appeal.

Accordingly, Appellant respectfully requests rehearing because this preserved argument may have been overlooked or misapprehended.

II. The Court may have overlooked material portions of the trial record.

During opening statements, Respondents acknowledged several facts relevant to the unjust enrichment claims, including:

- that the only remaining claims before the Court were the competing unjust enrichment claims (Tr. p. 9);
- that Appellant entered the property with Respondents' permission while negotiations continued (Tr. p. 10);
- that Appellant performed work cleaning and repairing the property (Tr. pp. 10–11);
- that Respondents were not disputing Appellant performed work on the property (Tr. p. 11); and
- that Respondents acknowledged Cathy Biggerstaff compensated Appellant for some of that work (Tr. p. 11).

Appellant respectfully submits that these portions of the record were material to determining whether Appellant conferred a non-gratuitous benefit upon Respondents and whether Respondents knowingly accepted that benefit.

III. The Court may have overlooked stipulated evidence admitted into the record.

Before testimony began, the parties stipulated to the admission of numerous documentary exhibits, including checks, receipts, expense summaries, insurance documents, lease documents, and text message communications. (Tr. pp. 3–8.)

These exhibits were admitted into evidence without objection and formed part of the evidentiary record considered by the Master.

Appellant respectfully submits these stipulated exhibits supported Appellant's position concerning the expenditures incurred, the parties' negotiations, and the benefits conferred upon Respondents.

IV. The Court may have overlooked testimony concerning Appellant's possession of the property.

The Court's Opinion states that Appellant remained in possession of the property until November 2019 based upon Appellant's Responses to Requests for Admissions.

However, Appellant argued throughout the appeal that the trial testimony concerning possession differed from that factual conclusion.

During cross-examination, testimony established that Appellant returned the keys to the property in August. (Tr. p. 162.) Respondent Cathy Biggerstaff was further questioned regarding why the keys would have been returned if Appellant remained in possession until November, and testified, "Evidently she wasn't in there until then." (Tr. p. 163.)

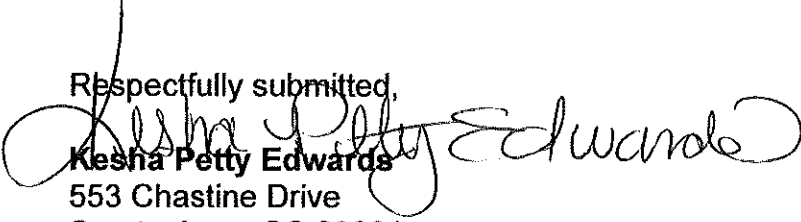
Appellant respectfully submits that this testimony was material to the factual determination regarding possession of the property and the calculation of restitution.

V. Rehearing is warranted.

Appellant respectfully submits that this Petition does not seek to reargue the merits or present new evidence. Rather, Appellant respectfully requests rehearing because the Court may have overlooked or misapprehended preserved arguments and material portions of the existing record.

WHEREFORE, Appellant respectfully requests that this Court grant rehearing, reconsider its Opinion in light of the foregoing portions of the record, and grant such other relief as the Court deems just and proper.

Respectfully submitted,


Keshia Petty Edwards

553 Chastine Drive
Spartanburg, SC 29301
(864) 376-7780

Appellant, Pro Se

RECEIVED

Jun 25 2026

SC Court of Appeals

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of June, 2026, I served a true and correct copy of the foregoing **Petition for Reconsideration and Rehearing** upon counsel for Respondents by electronic mail and by any other method required by the South Carolina Appellate Court Rules.

A handwritten signature in black ink, reading "Kesha Petty Edwards". The signature is written in a cursive, flowing style with a large initial 'K' and a long, sweeping underline.

Kesha Petty Edwards
Appellant, Pro Se

RECEIVED

Jun 25 2026

SC Court of Appeals

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

June 25, 2026

Clerk of the Court
South Carolina Court of Appeals

Re: Appellate Case No. 2022-001304
Kesha Petty v. Cathy Biggerstaff, individually and as owner of B&B Amusement, Inc., and B&B Amusement, Inc.

Dear Clerk:

Enclosed for filing please find Appellant's **Petition for Rehearing** in the above-referenced matter.

Also enclosed is a **\$50.00 money order** for the filing fee associated with the Petition for Rehearing.

Thank you for your attention to this matter. Should any additional information or documentation be required, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in black ink that reads "Kesha Petty Edwards". The signature is written in a cursive, flowing style.

Kesha Petty Edwards
Appellant, Pro Se

Enclosures:

- Petition for Reconsideration & Rehearing
- \$50.00 Money Order