

# The South Carolina Court of Appeals

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

v.

Kathleen J. Gresham, Respondent/Appellant.

Appellate Case No. 2009-141246

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## ORDER

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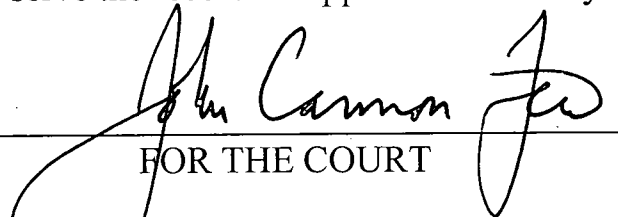
This appeal was filed on October 2, 2009. This Court remanded this case to the trial court for reconstruction of the record in December 2010.

Respondent/Appellant Kathleen J. Gresham repeatedly delayed the reconstruction hearing, and this appeal was held in abeyance for over two years. The transcript was finally reconstructed after this court issued an order on April 15, 2012, which required Gresham to appear for a hearing within sixty days and warned Gresham the penalty for noncompliance was contempt of court, including vacating the judgment below.

Appellant/Respondent Blue Ridge Electric Cooperative, Inc. served and filed its brief on August 6, 2013. After Gresham served a 300 page brief that did not comply with the appellate court rules, Blue Ridge filed a motion to dismiss Gresham's appeal. On November 5, 2013, this court denied the motion to dismiss, struck Gresham's brief, and ordered Gresham to serve and file an amended brief and designation of matter within twenty days. On December 4, 2013, nine days after the deadline set by this court, Gresham served and filed second initial brief that failed to comply with the appellate court rules. On January 23, 2014, this court struck the brief, ordered Gresham to serve and file an amended brief within ten days, and provided that failure to comply with the order may result in the dismissal of Gresham's appeal. On February 5, 2015, three days after this court's deadline, Gresham filed a motion for an extension due to alleged medical issues. Gresham attached to her motion a work excuse from her physician, which provided

only that Gresham had an appointment on January 30, 2014, and excused her from work for one day.

Because this appeal has been pending since 2009 and much of the delay was caused by Gresham, and Gresham has now missed two deadlines for serving and filing her brief that were set by court order, Gresham's motion for an extension is denied and her appeal is dismissed. Blue Ridge's appeal shall proceed with Blue Ridge's brief alone. Blue Ridge shall serve the record on appeal within thirty days.

  
FOR THE COURT

Columbia, South Carolina

cc:  
Larry C. Brandt, Esquire  
Steven W. Hamm, Esquire  
Kathleen Jennings Gresham  
Paul B. Wickensimer  
The Honorable R. Lawton McIntosh

**FILED**  
3/12/14