

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM AIKEN COUNTY
Court of Common Pleas**

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FEB 26 2013

SC Court of Appeals

Robert A. Smoak, Jr., Circuit Court Judge

Case No. 20080CP-02-02090

Ridge Environmental, LLC,.....Respondent,

v.

Blue Star Rental & Sales, Inc.,Appellant.

**PETITION TO REINSTATE
APPEAL**

R. Randy Edwards
Georgia Bar No. 241525
COCHRAN & EDWARDS, LLC
2950 Atlanta Road, SE
Smyrna, Georgia 30080
Admitted Pro hac vice

Tucker S. Player
PLAYER LAW FIRM, LLC
1415 Broad River Road
Columbia, South Carolina 29210

*Attorneys for Appellant,
Blue Star Rental & Sales, Inc.*

COMES NOW Appellant Blue Star Rental & Sales, Inc. (“Blue Star” or “Appellant”) files this Petition to Reinstate Appeal. In support hereof, Appellant shows unto the Court the following:

1. On April 2, 2012, Appellant filed a motion to file briefs out of time, along with its initial brief.

2. On or about April 24, 2012, Appellant received correspondence, dated April 16, 2012, from Mark Vaughn objecting to the motion.

3. On or about June 21, 2012, Appellant received correspondence, dated June 19, 2012, from this Court responding to Mr. Vaughn’s letter and directing him to contact the Busbee Hunter law firm in Aiken, South Carolina.

4. Appellant has not received any other documents pertaining to this case since June 21, 2012, except the Order dismissing the appeal dated February 13, 2013, which was received on February 18, 2013.

5. Counsel for Appellant performed an exhaustive search of his files to determine if a copy of the November 1, 2012 was somehow missed or misfiled. The search did not uncover any order from November 1, 2012, nor any other order that granted the pending motion or required Appellant to file final briefs and the record on appeal.

6. Counsel is at a loss as to how the appeal was dismissed for failure to file a final brief when he has not received any brief from Respondent or an order indicating that the initial brief would be accepted out of time.

7. Upon information and belief, Respondent has yet to retain new counsel and, has not replied to Appellant’s initial brief in any way. If any briefs have been filed by Respondent,

Appellant asks that copies be forwarded to his counsel immediately. If Respondent has retained counsel, Appellant requests that he be provided that information immediately.

8. Appellant requests that he be provided a copy of the November 1, 2012 Order of the Court and that the appeal be reinstated to allow Appellant to comply with whatever obligations were placed upon him in that Order.

WHEREFORE Appellant Blue Star Rental Sales, Inc. prays upon this Court for an order granting reinstating the appeal and allowing 30 days to comply with the requirements of the November 1, 2013 Order.

This 21st day of February, 2013.

Tucker S. Player
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Columbia, South Carolina 29210

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Blue Star Rental & Sales, Inc.*

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Appellant.

PROOF OF SERVICE

I, Tucker Player,, certify that I have served the Motion for Leave to File Out of Time on Ridge Environmental, LLC by depositing a copy of the same in the United States Mail, postage prepaid, on February 22, 2013, addressed to its Registered Agent, Mark Vaughn, 1315 W. Martintown Road, North Augusta, South Carolina 29860.

This 22nd day of February, 2013.



Tucker Player