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Oct 18 2022
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY

The Honorable Allison Renee Lee, Circuit Court Judge

Case No. 2020-CP-40-01980
Appellate Case No. 2021-000804

Johnnie Cordero, Appellant,

v.

Matthew Kisner, in his official capacity as Chair of The Richland County Democratic Party; The Richland County Democratic Party; Trav Robertson, Jr., in his official capacity as Chair of The South Carolina Democratic Party; and The South Carolina Democratic Party, Respondents.

**RESPONDENTS' JOINT RETURN TO APPELLANT'S MOTION FOR LEAVE TO FILE
ADDENDUM TO PROPOSED SUPPLEMENTAL MOTION OUT OF TIME**

Respondents Matthew Kisner, the Richland County Democratic Party, Trav Robertson, Jr., and the South Carolina Democratic Party (collectively, "Respondents") object to Appellant Johnnie Cordero's ("Appellant") Motion for Leave to File Addendum to Proposed Supplemental Motion Out of Time on the following bases:

- The time limit for a moving party to file a reply to a return is clearly set forth in Rule 240(e), SCACR.
- Appellant has failed to establish good cause to justify the late filing.
- The material Appellant seeks to include in the Record on Appeal in his proposed late filing is improper for inclusion in the Record on Appeal

because it was not presented to the lower court, as required by SCACR 210(c).

- Appellant attempts to use the proposed late filing to advance additional substantive arguments not raised in his Initial Brief.

For these reasons, Respondents object to Appellant's Motion and respectfully reiterate their request for this Court to deny Appellant's Motion for Leave to Supplement Record on Appeal, grant Respondents' Motion to Correct Amended Record on Appeal, and require Appellant to file and serve a Second Amended Record on Appeal corrected to comply with this Court's Order issued July 20, 2022, Rule 210, SCACR, and all other applicable rules.

Respondents also respectfully ask this Court to limit further attempts by Appellant to supplement the Record on Appeal or otherwise improperly advance additional substantive arguments, as Respondents believe such limitation is necessary for the parties to proceed with final briefing so that this Court may reach a decision on the merits.

(Signature on following page.)

Respectfully submitted,

s/ Grant Burnette LeFever
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ATTORNEYS FOR RESPONDENTS

Columbia, South Carolina

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Johnnie Cordero Appellant (pro se),

v.

Matthew Kisner, in his official capacity as Chair of the Richland County Democratic Party; the Richland County Democratic Party; Trav Robertson, Jr., in his official capacity as Chair of the South Carolina Democratic Party; and the South Carolina Democratic Party Respondent.

PROOF OF SERVICE

I do hereby certify that I have served a copy of **RESPONDENTS' JOINT RETURN TO APPELLANT'S MOTION FOR LEAVE TO FILE ADDENDUM TO PROPOSED SUPPLEMENTAL MOTION OUT OF TIME** upon Appellant by mailing a copy of the same via USPS first-class mail, addressed to the following:

Johnnie Cordero
4204 Mandel Drive
Columbia, SC 29210

s/Grant Burnette LeFever
Grant Burnette LeFever (SC Bar 103807)

October 18, 2022
Columbia, South Carolina