

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM SUMTER COUNTY
Court of Common Pleas
George M. McFaddin, Jr., Circuit Court Judge

S.C. SUPREME COURT

Appellate Case No. 2023-000382

Reginald Evans,

Appellant,

v.

Sumter County Election Commission,

Respondent.

**RETURN TO APPELLANT'S APPLICATION
FOR EXTENSION OF TIME TO PAY THE
COURT'S FILING FEE**

Respondent Sumter County Election Commission, properly designated as the Sumter County Registration/Election Board, files this Return in opposition to Appellant's Application for an extension of time to pay the Court's filing fee.

Contrary to Appellant's assertion, the citizens in the City of Sumter's single-member City Council District 1 (for whom the Board is contesting this appeal) and its Councilmember-elect are prejudiced, greatly harmed and unduly burdened by any extension that serves to prolong this appeal. Because of this appeal, and the operation of S.C. Code section 5-15-140 ("The notice of appeal shall act as a stay of further proceedings pending the appeal."), the Councilmember-elect (who was elected in the runoff election in November 2022) has been denied the opportunity to be sworn-in and to serve as a City Councilmember. Additionally, because of the death of the former

Councilmember for District 1, there is no incumbent member and the seat is vacant pending the result of this appeal.

WHEREFORE, Respondent respectfully requests that Appellant's Application for an extension of time to pay the Court's filing fee be denied, that this appeal be dismissed, and that this Court grant such other and further relief in favor of the Respondent as is appropriate.

s/Danny C. Crowe

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