

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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

Case No. 2022-CP-43-01870

**RECEIVED**

APR 12 2023

S.C. SUPREME COURT

Reginald Evans

Appellant,

v.

Sumter County Registration Election Board

Respondent,

**RETURN TO AND OPPOSITION OF  
RESPONDENT'S MOTION TO DISMISS**

Reginald Evans  
Appellant  
PO Box 3388  
Sumter, SC 29150  
[reggevans@gmail.com](mailto:reggevans@gmail.com)  
(803) 847-6196

Danny C. Crowe,  
SC BAR #1480 CROWE LAFAVE GARFIELD & BAGLEY  
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Attorney for Respondent

Appellant respectfully asks this honorable court to deny the Respondent's motion to dismiss. And allow this appeal process to run its course, to preserve the interest of justice, the integrity of Sumter County's citizens Voting Rights and to ensure that every vote was counted. There cannot be any questions or doubts about fair elections when there is a presidential election in November 2024. The issue presented by the Respondent can be resolved on its merit. The Appellant respectfully asks the court to view this as a harmless error on the part of the Appellant and in no way damages the Respondent's or Appellant's right to due process.

In its motion to Dismiss the Respondent makes the following assertion:

1. Respondent "moves to dismiss Appellant's appeal for failure to comply with Rule 207(a)(1), SCACR. This motion is made on the specific ground that the Appellant failed to timely order, within ten (10) days after the date of service of the notice of appeal on March 7, 2023, the transcript of the hearing held in Circuit Court in Sumter County on January 6, 2023."

**RESPONSE:** The Appellant has and will make every effort to comply with all Rules and orders of the court. The Appellant has not received any letter from this court of any deficiencies in ordering a transcript nor was the Appellant given the opportunity to correct any such deficiencies from this court. Therefore, the Respondent motion to dismiss is premature. The Appellant filed a timely notice of appeal on March 7, 2023. The Appellant was then informed that a filing fee is required and was given until April 4, 2023 to pay the filing fee. The Appellant paid the filing fee in a timely manner and also filed its initial brief and its preliminary Designation of Matter to be included in the Record on Appeal on April 4, 2023, which included the transcript of the Respondent's hearing held on November 21, 2022. The court denied the Appellant motion for reconsideration on February 7, 2023 which stated that no hearing was conducted therefore no transcript is available or requested.

Without waiving objection, the Appellant filed a request for the transcript of the January 6, 2023 hearing with the Third State Third Circuit Court on April 11, 2023 and await a determination of this honorable court if a transcript is required.

Therefore, the Appellant request that the Respondent's motion to dismiss be denied and the appeal be allowed to run its course on the merits. The Appellant also requests that this court issue a scheduling order to ensure that the Respondent and Appellant comply with this court's rules and orders.

Respectfully Submitted,

By:



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PROOF OF SERVICE

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I certify that I have served the Appellant's RETURN TO AND OPPOSITION OF RESPONDENT'S MOTION TO DISMISS Chairman of Sumter County Election Commission attorney Danny C. Crowe via first class mail at 2019 Park Street, Columbia, SC 29201 on April 11, 2023. I certify that I am above the age of 21 and competent to serve legal documents.



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