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THE STATE OF SOUTH CAROLINA  
In the Supreme Court

MAY 30 2017

APPEAL FROM LANCASTER COUNTY **S.C. SUPREME COURT**  
Court of Common Pleas  
Brian Gibbons, Circuit Court Judge

Appellate Case No. 2017-000423  
Case No. 2016-CP-12-1418

Jackie Harris.....Appellant,

v.

Lancaster County Election Commission, Lancaster County Municipal Election  
Commission, and Linda Blackmon-Brace.....Respondents.

**RESPONDENT LANCASTER COUNTY ELECTION COMMISSION'S RETURN TO  
RESPONDENT LINDA BLACKMON-BRACE'S MOTION TO STRIKE**

Pursuant to Rule 240(c)(3) and Rule 240(e), SCACR, Respondent Lancaster County  
Elections Commission submits the accompanying affidavit in support of its position that the  
Motion to Strike should be denied.

Respectfully submitted,



John L. Weaver  
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Post Office Box 1809  
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Lancaster, South Carolina

May 24, 2017

Attorney for Lancaster County Elections Commission

STATE OF SOUTH CAROLINA

AFFADAVIT


COUNTY OF LANCASTER

My name is John L. Weaver. I have been admitted to practice law in South Carolina since May, 1976. I serve as the Lancaster County Attorney and represent the Lancaster County Elections Commission ("Commission") in conjunction with the appeal of Jackie Harris in this case. I am knowledgeable of the South Carolina Appellate Court Rules (SCACR) and, as counsel for the Commission, believe that I am in compliance with the Rules relevant to this case and the instant Motion.

On May 10, 2017, I served both the Court and the parties a copy of my client's Initial Brief, a Respondent's Brief. A review of that document, in both the caption and in the body of the Brief itself, will indicate that the Brief never was intended to be a Cross-Appeal in any respect. I made no effort to comply with Rule 203(c) and I have complied fully with Rule 208(a)(2) and Rule 208(b)(2). My client's Brief presented no Statement of the Case and I understood that my client would be bound by the matters stated in the Appellant's Statement of the Case regarding those issues addressed in my client's Brief.

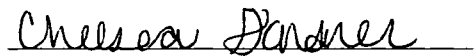
I agree with the proposition that the Commission has no right to appeal, because the Commission has taken no action to do so. To suggest that my client's Brief, which seemingly may support in some fashion an element of the Appellant's argument, constitutes a Cross-Appeal is unfounded.

It is my opinion that the Motion to Strike is without merit and should be dismissed.



John L. Weaver

Sworn to and subscribed before me  
this 24 day of May, 2017.

  
Chelsea Gardner  
Notary Public for South Carolina  
My Commission expires 1-13-2027

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PROOF OF SERVICE

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I, the undersigned, attorney for the Respondent, Lancaster County Elections Commission, certify that I have served a copy of Respondent's Return to the Motion to Strike upon all parties by depositing a copy in the United States Mail, postage prepaid, on May 24, 2017, addresses as follows:

Robert E. Tyson, Jr., Esquire  
Post Office Box 11449  
Columbia, SC 29211

Elizabeth A. Hyatt, Esquire  
Post Office Box 2252  
Lancaster, SC 29721

Mitchell A. Norrell, Esquire  
Post Office Box 994  
Lancaster, SC 29721



John L. Weaver  
SC Bar No. 5981