

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Alison Renee Lee, Circuit Court Judge

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

Johnnie Cordero,

Appellant,

v.

Matthew Kisner, in his official capacity as
Chair of The Richland County Democratic
Party; and

The Richland County Democratic Party; and

Trav Robertson, Jr., in his official capacity as
Chair of The South Carolina Democratic
Party; and,

The South Carolina Democratic Party,

Respondents.

**APPELLANT'S AFFIDAVIT IN SUPPORT
OF MOTION FOR REINSTATEMENT OF APPEAL
PURSUANT TO RULE 260 SOUTH CAROLINA RULES
OF APPELLATE PROCEDURE**

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

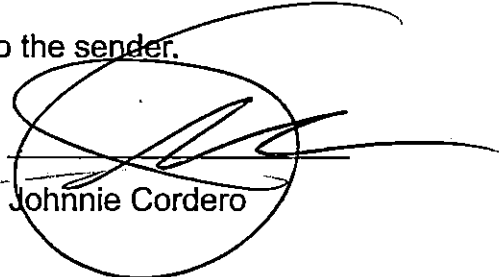
AFFIDAVIT

Personally appeared before me, JOHNNIE CORDERO, who being duly sworn deposes and says that:

1. I am the Appellant in the above captioned appeal;
2. That the matters set forth herein are true to the best of my knowledge and as to matters stated herein upon information and belief I believe them to be true;
3. On or about August 20, 2021, I received a deficiency letter from the Deputy Clerk of this court dated August 18, 2021 indicating that I had failed to provide proof of service of the Transcript Request Form upon respondent's counsel and the Office of Court of Administration;
4. The said deficiency letter indicated that I must comply within 10 days of the date of the letter.
5. On or about August 21, 2021, I personally deposited the said documents in an official mail repository under the care and control of the United States Postal Service first class postage prepaid and addressed to the attorneys for the respondents and the Office of Court Administration.
6. My return address was clearly indicated in the upper left hand corner of each envelope containing the said documents.

7. On September 18, 2021, I received the Order of the Clerk of this Court indicating this appeal is dismissed for failure to comply with the deficiency notice of August 18, 2021.
8. I have submitted the documents as requested within the time limit set forth in the letter.
9. As of the date of this affidavit none of the letters have been returned to me by the United States Postal Service.
10. Upon information and belief it is the policy of the United States Postal Service to return all undeliverable mail to the sender.

Dated: 20 September, 2021
Columbia, SC


Johnnie Cordero

Sworn to and subscribed before me this 20 day of September, 2021 .

Natasha Betley

Notary Public for South Carolina

(Official Seal)

My commission expires: April 20 2030

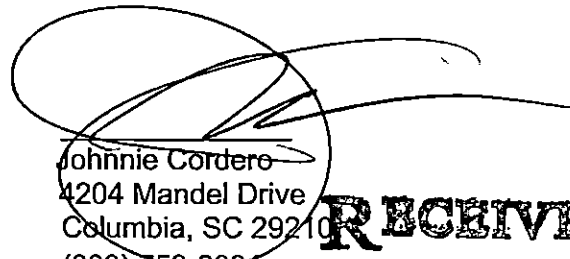


II. Appellant's Sworn Affidavit establishes good cause for reinstatement and the appeal should be reinstated accordingly.

Although Appellant cannot explain why the Proof of Service of the Transcript Request Form was not received he contends that whatever the reason it is not chargeable to him as he has fully complied with the notice of deficiency and the rules governing service.

Appellant submits herewith his sworn affidavit which sets forth in detail events surrounding the dismissal and the actions he has taken in timely fashion which he contends clearly demonstrates the requisite good cause for reinstatement of the appeal based on an erroneous dismissal. The error being that Appellant did comply with the requirements of the Notice of Deficiency.

September 20, 2021
Dated: August 21, 2021
Columbia, SC *J*


Johnnie Cordero
4204 Mandel Drive
Columbia, SC 29210
(803) 753-8091
Appellant, pro se

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CERTIFICATE OF SERVICE

SC Court of Appeals

I, Johnnie Cordero, certify that I have served a copy of the attached **MOTION FOR REINSTATEMENT OF APPEAL PURSUANT TO SOUTH CAROLINA RULES OF APPELLATE PROCEDURE RULE 260; APPELLANT'S AFFIDAVIT IN SUPPORT OF MOTION FOR REINSTATEMENT OF APPEAL PURSUANT TO RULE 260 SOUTH CAROLINA RULES OF APPELLATE PROCEDURE** on the Respondents' counsel by depositing it in the United States Mail, postage prepaid, on September 20, 2021 addressed as follows:

Nekki Shutt, Esq
(Attorney for Defendants South Carolina Democratic Party and Trav Robertson, Jr.,)

Burnett Shutt & McDaniel, PA
912 Lady Street
PO Box 1929
Columbia, SC 29202
Tel.: (803) 850-0912

Grant Burnett Lefever, Esq.
(Attorney for Defendants Matthew Kisner and the Richland County Democratic Party)

Burnett Shutt & McDaniel, PA
912 Lady Street
PO Box 1929
Columbia, SC 29202
Tel.: (803) 850-0912

And by hand delivery on September 20, 2021 to the:
The Office of Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201

Dated: 20 September '21
Columbia, SC


Johnnie Cordero
Appellant, pro se