

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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OCT 01 2021

**SC Court of Appeals**

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

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

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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.

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**APPELLANT'S REPLY TO RESPONDENTS' JOINT  
RETURN TO APPELLANT'S MOTION FOR  
REINSTATEMENT OF APPEAL**

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On September 28, 2021, I received Respondents Joint Return to Appellant's Motion for Reinstatement of Appeal. Appellant would not normally file a Reply to Respondent's Return. As Appellant's Motion to Reinstate Appeal with annexed Exhibit(s) and sworn Affidavit speak for themselves. In this case however, Respondents in their Return have failed to mention that they

# **EXHIBIT A**

Fw: Transcript Request: Cordero v Kisner, et al, Case No.: 2020-CP-40-01980

From: JOHNNIE CORDERO (cordero1018@att.net)

To: nshutt@burnetteshutt.law; glefever@burnetteshutt.law

Date: Monday, August 2, 2021, 05:03 PM EDT

Johnnie  
Cordero

----- Forwarded Message -----

**From:** Transcripts <transcripts@sccourts.org>

**To:** JOHNNIE CORDERO <cordero1018@att.net>

**Sent:** Monday, August 2, 2021, 04:04:16 PM EDT

**Subject:** RE: Transcript Request: Cordero v Kisner, et al, Case No.: 2020-CP-40-01980

The court reporter, Thomas Dayton Grainger is now retired. We will send the request to a court reporter who transcribes his records. The court reporter will contact you with an estimated cost and delivery date.

**From:** JOHNNIE CORDERO <cordero1018@att.net>

**Sent:** Monday, August 2, 2021 2:59 PM

**To:** Transcripts <transcripts@sccourts.org>

**Subject:** Transcript Request: Cordero v Kisner, et al, Case No.: 2020-CP-40-01980

Good afternoon:

Attached please find completed transcript request.

Sincerely,

Johnnie

Cordero

~~~~ CONFIDENTIALITY NOTICE ~~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

Re: Transcript Request: Cordero v Kisner, et al, Case No.: 2020-CP-40-01980

From: JOHNNIE CORDERO (cordero1018@att.net)

To: daytongrainger@yahoo.com

Cc: nshutt@burnetteshutt.law; glfever@burnetteshutt.law

Date: Thursday, August 19, 2021, 03:12 PM EDT

Good afternoon Mr. Drayton:

Thank you.

Johnnie  
Cordero

On Monday, August 9, 2021, 09:35:34 AM EDT, JOHNNIE CORDERO <cordero1018@att.net> wrote:

Good morning Mr. Drayton:

I will post a check to you today in the amount of FORTY DOLLARS (\$40.00). I understand that you will not prepare the transcript until the check clears your bank.

Sincerely,

Johnnie  
Cordero



Compose

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Inbox 999+

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Att Johnnie

Transcript Request: Cordero v Kisner, et al, Case No.: 2020-CP-40-01980 4 Yahoo Mail/Inbox ★

**J** JOHNIE CORDERO <cordero11...> To: transcripts@sccourts.org Mon, Aug 2 at 2:58 PM

Good afternoon:  
Attached please find completed transcript request.

Sincerely,

Johnnie Cordero



IMG\_0470.jpg  
2.1MB

**T** Transcripts ...Subject: Transcript Request: Co Mon, Aug 2 at 4:04 PM

**J** JOHNIE CORDERO ...EDT Subject: RE: Trans Mon, Aug 2 at 5:03 PM ★

**D** Dayton Grainger <daytongraing...> Sat, Aug 7 at 10:17 AM

**GRAIN**  
T. I  
1011  
Lexingtc  
dayto

Johnnie Cordero  
4204 Mandel Drive  
Columbia, South Carolina 292

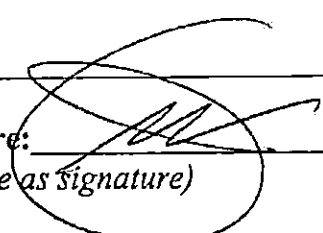
Re: Cordero v. Kisner  
20-CP-40-1980

Heard 2-9-21  
One (1) copy of transcr

## Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at [transcripts@sccourts.org](mailto:transcripts@sccourts.org). Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

| Requestor's Information                     |                                                                                            |                                             |                          |
|---------------------------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------|
| Full Name<br><u>JOHNNIE CORDERO</u>         | Phone Number<br><u>803 753-8091</u>                                                        | Email Address<br><u>CORDERO1018@ATT.NET</u> |                          |
| Mailing Address<br><u>4204 MANDEL DRIVE</u> | City<br><u>COLUMBIA</u>                                                                    | State<br><u>SC</u>                          | Zip Code<br><u>29210</u> |
| Transcript Information                      |                                                                                            |                                             |                          |
| Docket Number<br><u>2020-CP-40-01980</u>    | Case Caption (i.e. State v. John Doe or Smith v. Smith)<br><u>CORDERO V. KISNER, ET AL</u> |                                             |                          |
| Date(s) of Proceeding<br><u>2/9/21</u>      | Circuit <input checked="" type="checkbox"/> Family <input type="checkbox"/>                | County<br><u>RICHLAND</u>                   |                          |
| Presiding Judge<br><u>ALISON RENEE LEE</u>  | Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>              |                                             |                          |
| Court Reporter(s)<br>_____                  | Opposing Counsel<br><u>NEK SAUTT</u>                                                       |                                             |                          |

Requestor's Signature:   
(Typed name will serve as signature)

Date: 8/2/21

**Note:** If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

| For Court Reporter Use Only                                                                         |                        |                        |                   |
|-----------------------------------------------------------------------------------------------------|------------------------|------------------------|-------------------|
| Full Name<br>_____                                                                                  | Date Received<br>_____ | Email Address<br>_____ |                   |
| Notice of Estimate to Requestor Party<br>Date: _____ Number of Pages: _____ Estimated Amount: _____ |                        |                        |                   |
| Mailing Address for Payment<br>_____                                                                | City<br>_____          | State<br>_____         | Zip Code<br>_____ |

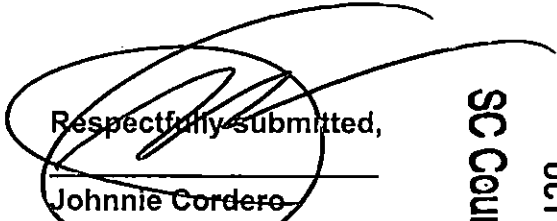
did, in fact, receive notice that the Transcript Request Form had been submitted on 8/2/21 by email. (See Exhibit .A).

Appellant contends that it is axiomatic that the purpose of the rule is to ensure that all parties are notified. It cannot be to create a trap to ensnare unwary litigants. The purpose can be satisfied even if the rule is not. The need for the drastic remedy of dismissal is predicated on egregious violation of the Rules.

Appellant has diligently pursued this lawsuit and the appeal and has never missed a deadline. This is where common sense takes over. The cost of this appeal to Appellant has been thus far at least \$250. That I would fail to comply with the rule knowing the penalty was dismissal which could be avoided for \$1.65 (the cost of postage) is ridiculous.

For the foregoing reasons, Appellant submits that Respondent's Return should be disregarded as it does nothing more than ask this Court to ignore a sworn affidavit. Respondent does not claim that it has been prejudiced in any way, nor could it. Notwithstanding Respondent's Return Appellant contends he is entitled to reinstatement for good cause shown and urges this Court to reinstate the appeal.

Dated: October 1, 2021  
Columbia, SC

  
Respectfully submitted,  
Johnnie Cordero  
Appellant, pro se  
4204 Mandel Drive  
Columbia, SC 29210  
Tel.: (803) 753-8091  
Email.: cordero1018@att.net

SC Court of Appeals

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#### CERTIFICATE OF SERVICE

I, Johnnie Cordero, certify that I have served a copy of the attached **APPELLANT'S REPLY TO RESPONDENTS' JOINT RETURN TO APPELLANT'S MOTION FOR REINSTATEMENT OF APPEAL** on the Respondents' counsel by depositing it in the United States Mail, postage prepaid, on October 1, 2021, addressed as follows:

**Nekki Shutt, Esq**

**(Attorney for Defendants South Carolina Democratic Party and Trav Robertson, Jr,;)**

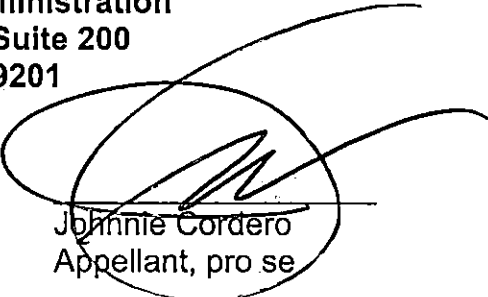
**Burnett Shutt & McDaniel, PA  
912 Lady Street  
PO Box 1929  
Columbia, SC 29202  
Tel.: (803) 850-0912**

**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 October 1, 2021 to the:  
The Office of Court Administration  
1220 Senate Street, Suite 200  
Columbia, SC 29201**

**Dated: 1 October '21  
Columbia, SC**

  
**Johnnie Cordero  
Appellant, pro se**