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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

APPEAL FROM CHARLESTON (DORCHESTER) COUNTY
Court of Common Pleas
(Business Court, Region 3)

MAR 11 2022
SC Court of Appeals

Hon. Diane S. Goodstein, Circuit Court Judge

APPEAL CASE No. 2022-000260

Case No. 2019-CP-10-04258

Jesse Rivera, Jr., Individually, and Jesse Rivera, Jr., as Member and/or Director by and through Exchange Club of North Charleston Project Association, Inc f/k/a Exchange Club of North Charleston, Pursuant to SC Code of Laws §33-31-304, Respondents,

v.

Norman R. "Bobby" Knight, III, The National Exchange Club, Exchange Club of North Charleston Project Association, Inc., a/k/a Exchange Club of North Charleston and North Charleston Community Interfaith Shelter d/b/a NCCIS, Community Service Organization, John Doe and Jane Doe, NC Exchange Defendants, -

Of whom Norman R. "Bobby" Knight, III is the Appellant and The National Exchange Club, Exchange Club of North Charleston Project Association, Inc., a/k/a Exchange Club of North Charleston and North Charleston Community Interfaith Shelter d/b/a NCCIS, Community Service Organization, John Doe and Jane Doe are the Respondents.

MOTION TO REINSTATE THE APPEAL

NOW COMES "Bobby" Knight appeals the two orders [judgments] of the Honorable Diane S. Goodstein, dated February 04, 2022. Appellant received written notice of entry of two orders [judgments] on February 11, 2022, Friday, via first class USPS mail sent from the Hon. Julie Armstrong, Charleston County Clerk of Court. (1) ORDER Denying/Remand Back fr/SC Business Court to Common Pleas; (2) ORDER Denying Motion to File 1st Amended Complaint & Counter Claim; were attached to the NOTICE OF APPEAL.

The Court issued an ORDER filed March 9, 2022 stating ... “because the appellant failed to timely file appeal the circuit court order dismissing his complaint on December 14, 2021 as required by Rule 203(b)(1) . . . we dismiss this appeal.”

The two orders issued from the circuit court clearly notated that the appellant had filed his motion on January 10, 2022 time stamp 09:50AM and both those orders as REQUIRED and attached to the NOTICE OF APPEAL (February 28, 2022) were entered by the Charleston County Clerk for February 04, 2022 time stamped 3:37PM & 3:43PM respectively.

The NOTICE OF APPEAL dated February 28, 2022 from the appellant’s NOTICE OF MOTION AND MOTION . . . **and captioned includes RULE 59** and so, was timely filed with the South Carolina Appeals Court pursuant to SCCA R.203(b)(1) where it states in part, “. . . *motion to alter or amend the judgment (Rules 52 and 59, SCRCP), or a motion for a new trial (Rule 59, SCRCP) has been made, the time for appeal for all parties shall be stayed and shall run from receipt of written notice of entry of the order granting or denying such motion.*” . . .

The appellant has satisfied this requirement. A copy of the above **Rule 59** was included within intent of the appellant’s **NOTICE OF AND MOTION . . . Rule 60, 59, 15 & 43(k)**; caption page with its Certificate of Service is attached as **EXHIBIT A**.

FURTHERMORE, The appellant will argue in his initial brief and designations of matter that the motion to dismiss his Complaint was never served upon him by those movants, nor any notice that this motion was to be heard by the Judge Goodstein, Dorchester County Business Region 3 Court in December 2021. Further, this case is plagued with a series of due process rights violations, not limited to the following: SCRCP 43(k); 65(b); SC Code §15-7-10; §15-7-20; §15-7-30 and §15-7-100 prejudices to include SC Code §16-3-1760 provisions. Ancillary the initial brief will include non-compliance with the *written agreement mandates* of the South Carolina Code §26-6 Electronic Communication ACT.

The appellant having now shown a satisfaction about Rule 203(b)(1) about his Rule 59 MOTION herein moves that this Court of Appeals will grant this South Carolina Court of Appeal MOTION TO REINSTATE THE APPEAL.

March 11, 2022


s/ 
“Bobby” Knight
3940 Hottinger Avenue
North Charleston, South Carolina 29405
(843) 735-0814
for Appellant (Pro Se)

EXHIBIT A

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

BOBBY KNIGHT

Plaintiff,

vs.

JESSE RIVERA, JR.

Defendant.

JESSE RIVERA, JR., Individually, and
JESSE RIVERA JR., AS MEMBER AND/OR
DIRECTOR by and through EXCHANGE CLUB OF
NORTH CHARLESTON PROJECT ASSOCIATION,
INC., f/k/a EXCHANGE CLUB OF NORTH
CHARLESTON, Pursuant to SC Code of Laws §33-
31-304,

Third-Party Plaintiffs,

vs.

NORMAN R. "BOBBY" KNIGHT, III,
THE NATIONAL EXCHANGE CLUB, SOUTH
CAROLINA DISTRICT EXCHANGE CLUBS,
EXCHANGE CLUB OF NORTH CHARLESTON
PROJECT ASSOCIATION, INC. a/k/a EXCHANGE
CLUB OF NORTH CHARLESTON and NORTH
CHARLESTON COMMUNITY INTERFAITH SHELTER
d/b/a NCCIS, COMMUNITY SERVICE
ORGANIZATION, INC. (sic), JOHN DOE and JANE
DOE,

Third-Party Defendants.

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT

CASE NO. 2019-CP-10-04258

**NOTICE OF MOTION AND MOTION
OF "BOBBY" KNIGHT:
RULE 60, 59 & 15 & 45(k)**

**TO: REMAND CASE BACK FROM SC
BUSINESS COURT TO COMMON PLEAS &
TO: FILE KNIGHT'S FIRST AMENDED
COMPLAINT & COUNTERCLAIM & JURY:**

- TO CORRECT HARMFUL ERRORS
- FOR BAD FAITH DEALINGS, &
- FOR MALICIOUS & HARMFUL PATTERN OF BEHAVIOR
- FOR LEAVE TO FILE FIRST AMENDED COMPLAINT & COUNTERCLAIM
- INEFFECTIVENESS OF COUNSEL
- NEGLIGENT MISREPRESENTATION
- FAILURE TO PROVIDE D&O INSURANCE TO DIRECTORS
- FAILURES TO COMPLY SCRC 43(k)
- CIVIL CONSPIRACY
- THIRD-PARTY DISPARITY TREATMENT ABOUT VOLUNTEERS PROTECTION ACT, 1998.
- RETALIATION FOR REPORTING A HATE CRIME ACTIVITY.
- FOR DEPRIVATION OF RIGHT TO VOTE SC CODE SECT. 33-31-808
- DEFAMATION

NOTICE OF MOTION & MOTION:

**TO: HON. CHIEF JUDGE ROGER YOUNG, JR., SC BUSINESS COURT, REGION 3.;
and (active) law firms: B.Brewer Esq & Associate, & J.Cirtes, Esq.**

FILED
2022 JAN 10 AM 9:49
CLERK OF COURT

- FOR MALICIOUS & HARMFUL PATTERN OF BEHAVIOR
- FOR LEAVE TO FILE KNIGHT'S FIRST AMENDED COMPLAINT & COUNTERCLAIM
- FOR INEFFECTIVENESS OF KNIGHT'S COUNSEL
- NEGLIGENT MISREPRESENTATION OF PARTIES STANDING
- FAILURE TO PROVIDE D&O INSURANCE TO DIRECTORS BY EXCHANGE CLUB
- FAILURES TO COMPLY SCRCP 43(k) WRITTEN CONSENT STATUTES
- CIVIL CONSPIRACY ABOUT DIRECTOR KNIGHT
- THIRD-PARTY DISPARITY TREATMENT in re: VOLUNTEERS PROTECTION ACT, 1998.
- RETALIATION FOR REPORTING HATE CRIME ACTIVITY.
- FOR DEPRIVATION OF RIGHT TO VOTE IN THE AUGUST 15, 2019 ELECTION -- SC CODE SECT. 33-31-808.
- DEFAMATION; But, not limited to the same:

CONCLUSION

This motion is based on the FACTS of these attachments and affidavits not yet allowed to enter the Record or Docket and are affixed hereto; the preponderance of evidence, the jurisprudence, common law, and the statutes of the State of South Carolina, the U.S. Code for Hate Crime Victims; The Volunteers Protection ACT of 1998, The U.S. Constitution, The South Carolina Constitution and the SCRCP.

CERTIFICATE OF SERVICE

I, Bobby Knight certify service of this **NOTICE OF MOTION AND MOTION OF "BOBBY" KNIGHT: RULE 60, 59 & 15 & 45(k) & TO: REMAND CASE BACK FROM SC BUSINESS COURT TO COMMON PLEAS & TO: FILE KNIGHT'S FIRST AMENDED COMPLAINT & COUNTERCLAIM:** by affixing first class postage and mailing via the USPS to the following parties:

B. Brewer Law,
PO Box 1847,
Mt Pleasant, SC 29464

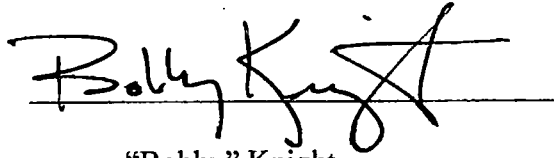
J. Cirtes, Esq.,
176 Croghan Spur Rd., 4th Flr.
Charleston, SC 29407

NCCIS Board;
1905 Burton Lane,
North Charleston SC 29405

C.S.O. Board & Membership
2138 Helm Ave.
P. O. Box 63471
North Charleston, SC 29419

APPEAR AND BE HEARD IF YOU SO DESIRE.

Respectfully submitted this 9th day of January 2022.

A handwritten signature in black ink that reads "Bobby Knight". The signature is written in a cursive style and is positioned above a horizontal line.

"Bobby" Knight
3940 Hottinger Avenue
North Charleston, SC 29405
(843) 735-0814

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In The Court of Appeals

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APPEAL CASE No. 2022-000260
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Jesse Rivera, Jr., Individually, and Jesse Rivera, Jr., as Member and/or Director by and through Exchange Club of North Charleston Project Association, Inc f/k/a Exchange Club of North Charleston, Pursuant to SC Code of Laws §33-31-304, Respondents,

v.

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Of whom Norman R. "Bobby" Knight, III is the Appellant and The National Exchange Club, Exchange Club of North Charleston Project Association, Inc., a/k/a Exchange Club of North Charleston and North Charleston Community Interfaith Shelter d/b/a NCCIS, Community Service Organization, John Doe and Jane Doe are the Respondents.

MOTION TO REINSTATE THE APPEAL

PROOF OF SERVICE

Bobby Knight, appellant, certify that I have served the NOTICE OF AND MOTIN TO REINSTATE THE APPEAL by depositing a copy of it in the United States Mail, postage prepaid, on March 11, 2022, addressed to the Common Pleas Clerk of Court and each of the attorney(s) of record:

Honorable Julie Armstrong
Clerk of Court for C.P., Charleston County, SC
100 Broad Street., Ste. 106

Charleston, South Carolina 29401
(843) 958-5000

Other Counsel of Record:

Kerry Koon, Esq.
147 Wappoo Creek Drive, #203
Charleston, SC 29407
(843)795-7000

Third-Party Defendants;
Community Service Organization (C.S.O. Board & Membership: Dec. 5,2019-present);
And, Exchange Club of North Charleston (2016-Dec. 5, 2019)

B. Brewer Law
510 Mill St., #2B
PO Box 1847
Mt Pleasant, SC 29464
(843) 779-7454
Attorneys for Rivera and Third-Party Plaintiffs

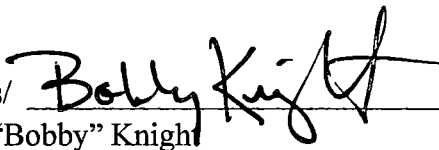
J. Cirtes, Esq.,
176 Croghan Spur Rd., 4th Flr.
Charleston, SC 29407
(843) 996-1900
Attorney for Third-Party Defendants:
National Exchange Club; SC District Exchange Clubs.

Cc:

NCCIS Board of Directors; Rufus Harris, Sec.; Linda Brockway; Treas., B. Knight, Pres.
1905 Burton Lane
North Charleston SC 29405

C.S.O. Board & Membership
% Linda Brockway, President
2138 Helm Ave.
P. O. Box 63471
North Charleston, SC 29419

March 11, 2022

s/ 
"Bobby" Knight
3940 Hottinger Avenue
North Charleston, South Carolina 29405
(843) 735-0814
for Appellant (Pro Se)

**LETTER TO THE APPELLATE COURT CLERK FILING
THE NOTICE OF AND MOTION TO REINSTATE THE APPEAL**

March 11, 2022

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629 Columbia,
South Carolina 29211

The Honorable Julie Armstrong, Clerk,
Charleston County C.P. Court
100 Broad Street, Ste. 106
Columbia, South Carolina 29401

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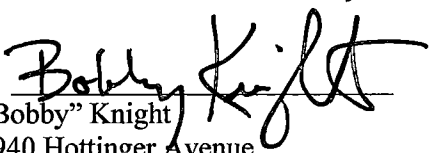
RE: Appellant Case No, 2022-000260 and C.P. Case No.: 2029CP1004258

Dear Ms. Kitchings and Ms. Armstrong:

Enclosed for filing is a motion to reinstate the appeal in Appellant Case No, 2022-000260 and C.P. Case No.: 2029CP1004258 the above case. Also enclosed are the following:

- (1) Motion to Reinstate and six (6) copies.
- (2) Proof of Service of the notice of motion and motion on the respondent[s].
- (3) A filing fee of \$50 filing fee check to Clerk, SCCA
- (4) This notice of appeal is being filed with the Charleston County Clerk o Court.

March 11, 2022

s/ 
"Bobby" Knight
3940 Hottinger Avenue
North Charleston, South Carolina 29405
(843) 735-0814
for Appellant (Pro Se)

Other Counsel of Record:

Kerry Koon, Esq.
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Attorney for Third-Party Defendants:
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