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Sep 09 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Mikell R. Scarborough, Master-In-Equity

Case No. 2021-CP-10-3609
Appellate Case No. 2023-001334

Jason M. Aryeh,Respondent,

v.

Olivia R. Aryeh.....Appellant.

**MOTION TO EXPEDITE AND TO REQUIRE CONTEMPORANEOUS SERVICE
USING THE SAME MEANS**

The Respondent hereby moves that this appeal be expedited without any further extensions for either party. *See Jean H. Toal et al., Appellate Practice in South Carolina* 375-76 (3d ed. 2016), citing *George v. Mun. Election Comm'n of City of Charleston*, 335 S.C. 182, 184, 516 S.E.2d 206, 207 (1999); Rule 263(b), SCACR. A quick scan of the C-Track entries for this appeal (attached as Exhibit A) shows that the notice of appeal was filed over a year ago on August 21, 2023. The briefing still has not closed. Appellant has moved for seven extensions to date.

In addition, Respondent asks that Appellant be ordered to copy the Respondent on any written communications with the Court using the same means used to communicate with the Court, be they by email or more traditional correspondence. Respondent either receives very late notice

of Appellant's motions or no notice at all. Respondent has repeatedly asked to be copied; however, Appellant continues to seek extensions without copying the Respondent.

For example, as shown in C-Track, the last "motion" for extension came in the form of an email to the Court's filing address dated September 3, 2024. The email did not include counsel for the Respondent, nor did it include a certificate of service. Respondent first learned of the motion when it was granted on September 4, 2024.

The briefing in this matter has dragged on long enough. Respondent asks that this motion be granted, that no further extensions be provided, and that the Appellant be required to copy Respondent on any communications with the Court using the same means used to communicate with the Court.

Respectfully submitted,

HAYNSWORTH SINKLER BOYD, P.A.

s/ Sarah P. Spruill

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Attorneys for Respondent Jason M. Aryeh

September 9, 2024
Greenville, South Carolina

South Carolina Appellate Case Management System

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C-Track, the browser based CMS for Appellate Courts

Appellate Case No. ...

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Case Information: 2023-001334

Court:	Court of Appeals	Classification:	Appeal - Common Pleas - Other
Short Title:	Jason M. Aryeh v. Olivia R. Aryeh	Case Status:	Final Briefing / Record
	View Full Title		
Consolidated:			
Filed Date:	08/21/2023	Oral Argument Date:	
Disposition Date:		Disposition Type:	
Remittitur Date:			
Lower Court or Tribunal:	Charleston (2021CP1003609)		

- Party Information

Appellate Role	Party Name	Former	Attorney(s)
Appellant	Olivia Aryeh	N	Self Represented
Respondent	Jason Aryeh	N	E. Elliot Condon Stafford J McQuillin, III Sarah P. Spruill

Views

Display:

Event Information

Filed Date	Event Information	Doc
09/04/2024	Non-Dispositional Decision - Extension Granted- (ROA and AFB)	
09/03/2024	Motion - Extension of Time (1st)- (ROA and AFB)	
08/26/2024	Correspondence - Outgoing (1 Bound Copies Letter)	
08/15/2024	Correspondence - Outgoing (Response to Respondents Email)	
08/15/2024	Correspondence - Incoming (From Respondent)	
08/14/2024	Deficiency - Correction- (Amended DOM)	
08/13/2024	Correspondence - Incoming (Appellants Email)- (POS of ROA)	
08/12/2024	Record - Proof of Service of Record on Appeal	
07/31/2024	Deficiency - Deficiency Letter Sent- (Amended DOM)	
07/30/2024	Amended Designation of Matter - Designation of Matter Filed	
07/24/2024	Non-Dispositional Decision - Extension Granted (2nd)- (Amended DOM)	
07/22/2024	Motion - Extension of Time (2nd)- (Amended DOM)	
07/09/2024	Non-Dispositional Decision - Extension Granted- (Amended DOM)	
07/08/2024	Motion - Extension of Time (1st)- (Amended DOM)	
07/01/2024	Non-Dispositional Decision - Order- (Motion to Strike)	
06/25/2024	Motion - Reply- (Motion to Strike)	
06/21/2024	Initial Brief - Reply	
06/21/2024	Motion - Return- (Motion to Strike)	
06/11/2024	Non-Dispositional Decision - 2nd Extension Granted- (Appellants Return to Motion to Strike)	
06/10/2024	Deficiency - Correction- (Appellants Return to Motion to Strike)	
05/28/2024	Correspondence - Outgoing (Response to Respondent's Letter)	
05/24/2024	Correspondence - Incoming (Respondents Letter)	
05/24/2024	Deficiency - Deficiency Letter Sent- (Appellants Return to Motion to Strike)	
05/23/2024	Motion - Extension of Time (2nd)- (Appellants Return to Motion to Strike)	

05/14/2024	Non-Dispositional Decision - 1st Extension Granted- (Appellants Return to Motion to Strike)	
05/13/2024	Motion - Extension of Time (1st)- (Appellants Return to Motion to Strike)	
04/30/2024	Non-Dispositional Decision - Order- (Motion to Strike)	
03/14/2024	Correspondence - Outgoing (HIA)	
03/11/2024	Motion - Strike and Clarify	
03/11/2024	Designation of Matter - Designation of Matter Filed- (Respondent)	
03/11/2024	Initial Brief - Respondent	
02/09/2024	Non-Dispositional Decision - Extension Granted- (Respondents Initial Brief)	
02/07/2024	Motion - Extension of Time (1st)- (RIB/DOM)	
01/17/2024	Deficiency - Correction- (AIB/DOM)	
01/10/2024	Deficiency - Deficiency Letter Sent- (AIB/DOM)	
01/10/2024	Designation of Matter - Designation of Matter Filed	
01/10/2024	Initial Brief - Appellant	
11/28/2023	Non-Dispositional Decision - Extension Granted- (Appellant's Initial Brief)	
11/27/2023	Motion - Extension of Time (2nd)- (AIB/DOM)	
11/01/2023	Non-Dispositional Decision - Extension Granted- (Appellant's Initial Brief)	
10/30/2023	Deficiency - Correction- (Motion for Extension)	
10/26/2023	Deficiency - Deficiency Letter Sent (Motion - Extension of Time (1st)	
10/23/2023	Motion - Extension of Time (1st)(Appellant's Initial Brief)	
09/21/2023	Correspondence - Outgoing- (AIB/DOM due date)	
09/19/2023	Deficiency - Correction- (Transcript Delivery)	
09/19/2023	Deficiency - Deficiency Letter Sent (Transcript Delivery)	
09/14/2023	Transcript Documents - Transcript Delivered - Direct Appeal	
09/14/2023	Correspondence - Outgoing (Copy of Transcript from Appellant)	
09/13/2023	Correspondence - Incoming (Copy of Transcript from Appellant)	
09/13/2023	Deficiency - Correction (Notice of Appeal)- (Filing Fee)	
09/13/2023	Correspondence - Incoming (Notice of Appeal Filing Fee)	
09/08/2023	Non-Dispositional Decision - Order (Motion to Relieve Counsel Granted)	
09/08/2023	Correspondence - Outgoing (Appellants Request for Rehearing Denied)	
09/05/2023	Correspondence - Incoming (Proceed In Forma Pauperis)	
09/05/2023	Non-Dispositional Decision - Order-(Proceed In Forma Pauperis or Waive Costs)	
08/30/2023	Correspondence - Incoming (Notice of Appearance)- (Sarah Spruill)	
08/29/2023	Deficiency - Correction- (Notice of Appeal)	
08/29/2023	Motion - Proceed In Forma Pauperis or Waive Costs- (Appellant proceeding as pro se)	
08/29/2023	Correspondence - Incoming (Letter from W. Henderson)	
08/28/2023	Motion - Relieve as Counsel (W. Henderson, Esq.)	
08/24/2023	Correspondence - Outgoing (Wesley Henderson)	
08/23/2023	Deficiency - Deficiency Letter Sent- (Notice of Appeal)	
08/23/2023	Correspondence - Outgoing (Notice of Appeal)- (Initial Letter)	
08/21/2023	Notice of Appeal (Civil) - Initial	

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PROOF OF SERVICE

I certify that I have served the *Motion to Expedite and to Require Contemporaneous Service Using the Same* on all parties of record by email and by depositing a copy of the same in the United States Mail, postage prepaid, on September 9, 2024, addressed to:

Olivia Aryeh
30 Upland Drive
Greenwich CT 06831
oliviaaryeh@gmail.com



Stacey Carberry, Legal Assistant

Sep 09 2024

SC Court of Appeals

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September 9, 2024

VIA EMAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Jason M. Aryeh v. Olivia R. Aryeh*
Appellate Case No. 2023-001334

Dear Ms. Kitchings:

This firm represents the Respondent in the above-captioned matter. Enclosed for filing, please find the *Motion to Expedite and to Require Contemporaneous Service Using the Same Means* together with our *Proof of Service* for the same. Enclosed is our firm's check to cover the cost of the filing fee (with mailed copy).

Please note service on the pro se party by copy of this letter. Once this motion has been filed-stamped, we would appreciate your reply to this message with a filed-stamped copy. Thank you for your assistance in this matter.

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.



Sarah P. Spruill

SPS/sac

Enclosure

cc: Olivia R. Aryeh (Via email oliviaaryeh@gmail.com and U.S. Mail)
Stafford J McQuillin (Via email mmcquillin@hsblawfirm.com)
Elliot Condon (Via email econdon@hsblawfirm.com)