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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

Olivia Aryeh
Appellant,

vs.

Jason Aryeh
Respondent

APPELLANT'S OBJECTION TO RESPONDENT'S MOTION TO LIMIT EXTENSIONS

Appellant Olivia Aryeh respectfully submits this objection to Respondent's motion to limit the Appellant from requesting further extensions of time in the above-captioned appeal. In support of this objection, the Appellant states as follows:

1. Background:

Appellant has previously sought extensions of time to comply with court deadlines due to:
A) her concurrent self representation in highly contentious ongoing post-judgement divorce litigation against the respondent, and
B) her lack of experience and knowledge of the appeals process. The Appellant does not have a legal degree and never imagined she would be acting as her own appellant attorney, let alone in a completely different state with its own rules and methods to which she must adhere. The complexity of the legal issues, alone, and the time it takes for the Appellant to educate herself of them is cause alone for extensions.

Each extension request was made in good faith and for legitimate reasons, and the Appellant has diligently worked to comply with the court's deadlines despite the challenges faced in her personal and professional life.

2. No Prejudice to Respondent:

Respondent has not demonstrated any material prejudice as a result of the extensions granted to Appellant. The delays have not unfairly impacted Respondent's rights or the timely progression of the case. The extensions have been necessary for Appellant to ensure proper and thorough representation and to avoid rushing important legal arguments, which could compromise the integrity of the appeal process.

3. Good Cause Exists for Further Extensions:

If future extensions become necessary, they will be requested in compliance with Rule 263 of the South Carolina Appellate Court Rules, which allows for the court's discretion to grant extensions based on "good cause." Appellant anticipates that any future extension requests will also be based on legitimate and/or unforeseen circumstances and will not be sought for purposes of delay.

For example, the Appellant has three upcoming court dates in September and October 2024: two against the Respondent for post-judgment divorce motions and the third against the Respondent's adult daughter, for which the Appellant is self-representing.

In addition, more than ten pending post-judgment motions await scheduling by the Connecticut divorce court in the upcoming days.

4. Interest of Justice:

Preventing the Appellant from requesting further extensions unduly restricts the Appellant's ability to respond to the demands of the case and may undermine the Appellant's right to a full and fair opportunity to present the appeal. Granting extensions is within the court's discretion, and imposing such a restriction at this stage may result in injustice should the Appellant face unforeseen obstacles or complexities in the litigation.

5. Conclusion:

For the foregoing reasons, Appellant respectfully requests that the Court deny Respondent's motion to limit the Appellant's ability to request further extensions. Such limitations are premature and unnecessary, and the Appellant is committed to continuing the appeal process in a timely and efficient manner while preserving the right to seek further extensions when warranted.

Respectfully submitted,

Olivia Aryeh
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September 10, 2024

****CERTIFICATE OF SERVICE****

I hereby certify that a copy of the foregoing Objection to Respondent's Motion to Limit Extensions was served on Sarah Spruce, counsel for Respondent, by email on 9/10/24.

Olivia Aryeh
Appellant