

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas**

**Carmen Mullen, Circuit Judge
Marvin H. Dukes, III, Master-In-Equity**

APPEAL CASE No. 2011-204367

Circuit Court Case No. 2011-CP-07-02546

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DEC 09 2013

SC Court of Appeals

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**OLESYA MATYUSHEVSKY, CITIZENS
OPPOSING DOMESTIC ABUSE, CHRISTINE
VARG and LILING SUN**

Respondents

v.

JOSEPH C. SUN

Appellant

**MOTION TO REINSTATE APPEAL, SERVE RECORD ON APPEAL
AND FILE PROOF OF SERVICE OUT OF TIME**

Appellant Joseph Sun moves the court to reinstate the appeal because he has tried the best he can in this case to comply with the South Carolina Appellate Court Rules. Appellant is appearing pro se because he has no funds to hire legal counsel. He believes he has a good and truthful cause of action in his complaint as he was unjustly injured by the respondents.

Appellant received an extension of time to file his initial reply brief until about October 25, 2013. Because the respondents had different deadlines after separate extensions of time to file their respondents' briefs, Appellant was confused as to the time line he had to file his reply brief whether separately to each respondent or jointly, and he assumed that he had 30 days after October 25, 2013 to serve a copy of the record on appeal.

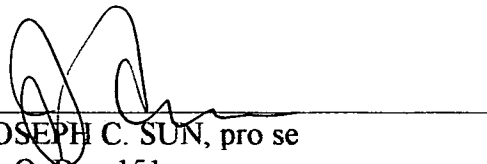
Appellant has limited access to legal reference or financial means to prepare or make copies of legal documents. Appellant was in a custody trial in September 2013 after which he had to file a motion for reconsideration at the Beaufort Family Court (Case No. 2011-DR-07-1823) and prepare for a hearing in November 2013. Appellant also had legal papers in other cases he had to prepare. Again, Appellant cannot afford legal counsel, therefore, he had to do everything himself without help at his after work hours from his construction job.

Appellant had much difficulty in preparing the Record on Appeal in this case after the respondents filed their briefs about a month apart and added several documents some of which Appellant did not have and had to get them from court file. It was Appellant's original intention to file a motion for extension of time to serve the Record on Appeal. Appellant caught a flu in the middle of November and had to stay in bed for over a week. He found out in latter part of November that Record on Appeal was due 30 days after service of the last brief, not the deadline date of his Reply Brief. Therefore, it was too late for Appellant to file a motion for extension of time, he could only rush and prepare the Record on Appeal for service. For reasons aforesaid Appellant could not complete his Record on Appeal for service pursuant to SCACR.

Appellant finally completed the Record on Appeal and made the required copies and served the respondents. Later the same day, he received the Order of Dismissal for non-compliance. Appellant has now served the Record on Appeal and all the Exhibits on all the respondents and has sent the Proof of Service to the court for filing.

Appellant prays the court to allow him to serve the Record of Appeal and file the Proof of Service out of time.

This 6th day of December, 2013.



JOSEPH C. SUN, pro se
P. O. Box 151
Bluffton, SC 29910

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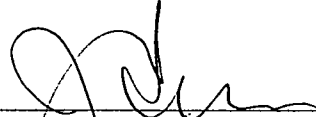
JOSEPH C. SUN Appellant

PROOF OF SERVICE

I certify that I have this date served all the Respondents a copy of the Motion to Reinstate Appeal, Serve Record on Appeal and File Proof of Service Out of Time by depositing a copy of same in the United States Mail, postage prepaid on December 5, 2013 to the following addresses:

J. Sam Scoville, Esq. P.O. Drawer 1107, Beaufort, SC 29901

Jackson H. Daniel, III, Esq. 40 Calhoun Street, Suite 400, Charleston, SC 29401



Joseph C. Sun, pro se
P. O. Box 151
Bluffton, SC 29910

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