

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

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DEC 27 2013

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

SC Court of Appeals

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

APPEAL CASE No. 2011-204367

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

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

Respondents

v.

JOSEPH C. SUN

Appellant

**APPELLANT'S REPLY TO RETURN
TO MOTION TO REINSTATE APPEAL**

In reply to Respondents' Return to Motion to Reinstate Appeal, Appellant shows the court as follows:

- (1) Respondents' reference of any other litigation against Appellant's claims, even if true, has no bearing on this instant appeal. None of those cases was determined by a court on the merits and they were dismissed without prejudice by the Appellant so he could include new causes of state action in the within case because the respondents continued their wrongful activity against the Appellant. Appellant would much prefer to not file any suit

or appeal had the respondents not committed any tortuous acts against the Appellant.

- (2) The two affidavits of LiLing Sun and Christine Varg are already included in the motion for summary judgment filed by Respondent Varg. Appellant has now served the Respondents a copy of those documents and an amended Record on Appeal adding pages 139-142, and an additional affidavit of Joseph Sun for Pages 143-148.
- (3) Respondents' complaint that the two hearing transcripts are omitted is unfounded and caused by their violation of Rule 209(b), SCACR which provides that,

“The Designation must clearly identify what the party desires to have included in the record on appeal, and the Designation may only propose to include portions of the transcript, pleadings, orders, exhibits, or other materials which may be properly included in the Record on Appeal [See Rule 210(c)]. A party shall not include any matter in his Designation which is not relevant to the appeal.”

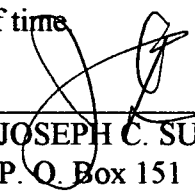
In their Designation of Matters filed with their Initial Brief, Respondents did not identify the pages or portions of the transcript that are relevant to this appeal but simply put down “transcripts of hearing” in their hope to get free copies of the transcripts which certainly contain a vast majority (several hundred of pages) of irrelevant material causing the Record on Appeal to be unnecessarily voluminous. Appellant has no financial means and is not required to furnish the Respondents free copies of the transcript. This appeal and the Circuit Court suit was necessitated by the numerous outrageous, unlawful and tortuous acts committed by the Respondents through the years against the Appellant who is now only trying to present the truth to the courts.

- (4) Respondents can amend their Designation of Matters on Appeal and specify the exact pages they certify to be relevant to the appeal, Appellant will certainly include those exact pages in the Record on Appeal. So far Appellant only included those pages he believes to

be relevant and certified to that effect.

Appellant prays the court to grant his motion to reinstate and allow him to serve the Record of Appeal and file the Proof of Service out of time

This 20th day of December, 2013.



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

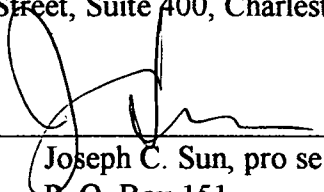
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PROOF OF SERVICE

I certify that I have this date served all the Respondents a copy of the Appellant's Reply to Return to Motion to Reinstate Appeal by depositing a copy of same in the United States Mail, postage prepaid on December 21, 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
843-227-0963

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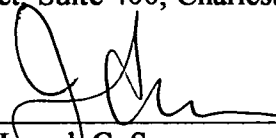
Appellant

PROOF OF SERVICE

I certify that I have this date served all the Respondents a copy of the Amended Record on Appeal and the Certificate of Counsel by depositing copies of same in the United States Mail, postage prepaid on December 20, 2013 to the following addresses:

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