

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

---

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

**Marvin H. Dukes, III, Master-In-Equity**

---

**Circuit Court Case No. 2011-CP-07-02546  
APPEAL CASE NO. 2011-204367**

---

**RECEIVED**

JUN 02 2014

**SC Court of Appeals**

**JOSEPH C. SUN** ..... **Appellant**

v.

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

---

**APPELLANT'S OBJECTION TO RESPONDENT LILING SUN'S UNTIMELY  
FINAL BRIEF AND MOTION TO SUPPLEMENT RECORD ON APPEAL**

---

Appellant objects to Respondent LiLing Sun's Final Brief on the ground that they were filed and served inexcusably untimely, in violation of Rule 211, SCACR and the time line set by the court on April 09, 2014. Respondent LiLing's Motion to Supplement Record on Appeal and Appendix to the Record is shown to serve no purpose in this case.

(1) As Respondent LiLing Sun (hereinafter LiLing) pointed out in her Motion to Supplement Record, Appellant filed and served the Corrected Record on Appeal "on or around February 14, 2014" (Proof of Service filed by Appellant certified February 17, 2014.) Pursuant to Rule 211(a), SCACR,

**“Within twenty (20) days after service of the Record on Appeal, each party shall serve a copy of his final brief on every other party to the appeal and file 15 copies of the final brief with the clerk of the appellate court.”**

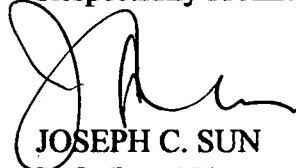
(2) After correction of certain defects, the court of appeals sent all parties a letter on April 9, 2014, clearly stated that all Final Briefs were due May 9, 2014, as shown in attached Exhibit A. Respondent LiLing filed her final brief dated May 16, 2014 with a Proof of Service having a blank date as shown in Exhibit B. Service of the Final Brief was actually made on May 27, 2014 as shown on copy of post marked Envelope, Exhibit C.

(3) Respondent LiLing’s Motion to Supplement Record asks the court to allow filing of an Appendix to Record on Appeal and assign page numbers 271-289. It is important to note from the Corrected Record on Appeal that although the court order of November 9, 2011 dismissing complaint as to LiLing Sun prepared by Respondent LiLing’s counsel (R. p.10) referred to the “Judicial Notices” presented by Counsel of Respondent LiLing at the hearing as exhibits A-C, nothing was submitted into evidence at the hearing or marked as exhibits by the court reporter. Therefore, when the transcript of the hearing was prepared and now filed as part of the Record on Appeal (R.p.131), the court reporter certified that there was no exhibits at the hearing.

(4) Respondent LiLing’s belated Final Brief makes no reference to the Appendix to the Record on appeal which appears to serve no purpose in this case but filed to delay its determination. The police report as part of Respondent’s Index is already included in the Corrected Record on Appeal. (R.p.108-114)

For the foregoing reasons, Appellant respectfully requests the court to deny Respondent LiLing’s motion.

Respectfully submitted,



JOSEPH C. SUN  
P. O. Box 151  
Bluffton, SC 29910  
843-227-0963

---

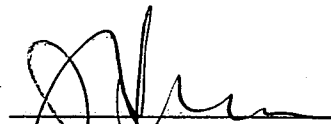
**PROOF OF SERVICE**

---

I certify that I have this date served the Respondents LiLing Sun, Olesya Matyusheky, CODA and Christine Varg a copy of Appellant's Objection to Respondent LiLing Sun's Untimely Final Brief and Motion to Supplement Record on Appeal by depositing a copy of same in the United States Mail, postage prepaid on May 30, 2014 to the following address:

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

Jackson H. Daniels III, Esq.  
40 Calhoun Street, Suite 400  
Charleston, SC 29401-3531



---

JOSEPH C. SUN, pro se  
18 Sixth Avenue  
Bluffton, SC 29910  
843-227-0963



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1015 SUMTER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

April 09, 2014

RECEIVED

JUN 02 2014

Joseph Sun  
18 Sixth Avenue  
Bluffton SC 29910

SC Court of Appeals

Re: Sun, Joseph v. Matyushevsky, Olesya (L. Sun) AND Joseph Sun v. Olysia  
Matyushevsky AND Joseph Sun v. Olysia Matyushevsky (C. Varg)  
Appellate Case No. 2011-204367

Dear Mr. Sun:

Enclosed is a copy of an order regarding your motion in the above case. Please  
provide a signed certificate of counsel within ten days of the date of this letter.  
Final briefs are due May 9, 2014.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: John Samuel Verner Scoville, Esquire  
Charles J. Baker, III, Esquire  
Jackson H. Daniel, III, Esquire  
Sarah E. Wetmore, Esquire

A-

C. Sun  
O. Box 151  
Juffton, SC 29910

CHARLESTON SC 294

301 MAY 2014 PM 3 L



Clerk of Court

South Carolina Court of Appeals

P. O. Box 11629

Columbia, SC 29211

**RECEIVED**

JUN 02 2014

SC Court of Appeals

29211+1629

