

P. O. Box 2543
Bluffton, SC 29910
November 19, 2021

Clerk of Court
South Carolina Court of Appeals
P. O. Box 11629
Columbia, SC 29211

RECEIVED

NOV 22 2021

SC Court of Appeals

Re: Appeal Case No. 2021-000434 (Sun v. Bluffton Park)

Gentlemen:

Today I inadvertently found some incomplete documents on the South Carolina Case Management System that the respondent counsel in the referenced case has used a legal assistant to write a letter (dated November 12, 2021) to the court stating that they may need an extension of time, but the letter also stated that, "He hopes he is back in the office on Monday and the extension will not be necessary." There is no further details up to this date.

Appellant has not been served a copy of that letter or any attachment, (whether by U.S. Mail or by email) and there is no credible facts as to any extension could be justified. Court record shows and Respondent has admitted (by its attachment of the copy of Appellant's Initial Brief served on it in its letter of November 16, 2021 to the court, that they received the service copy of Appellant's Initial Brief and Designation of Matters which showed a service date of June 22, 2021.) Appellant had to find out all papers filed by respondent from Beaufort Public Index.

This letter is written in opposition to Respondent's request. Respondent counsel is a lawyer and a member of South Carolina State Bar therefore should be knowledgeable of the Appellate Rule 208(a)(2), SCACR which provides:

"..... (2) Brief of Respondent. Within thirty (30) days after service of appellant's brief, respondent shall serve one copy of his brief on all parties to the appeal and file with the clerk of the appellate court one copy of the brief with proof of service." That time allowed by South Carolina rule has long passed and the court has been very lenient to repeatedly give it more time to file and serve, after respondent unnecessarily questioned the date required for it to file.

As of this date, almost five months later, Respondent cannot be allowed to inexcusably and pretentiously trying to delay or avoid filing and serving its initial brief and Designation of Matter. The Respondent should deem to have abandoned its right to file its brief. Respondent's behavior is consistent starting from the time it filed this case in October 2019, hastily obtained an order of service by publication when they already had Appellant's residential address, rushed the Master in Equity for an order of foreclosure without allowing Appellant any discovery, by disregarding Appellant's Answer and Counterclaim, and without a trial on the actual damages.

Appellant should be allowed to file his Final Brief and Record on Appeal, or Appellant be granted an Order of Summary Reversal based on Respondent's default.

Respectfully submitted,

JOSEPH C. SUN (843-226-8788)

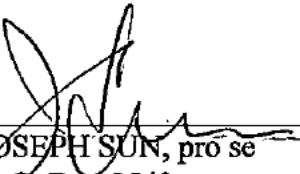
cc: Scott M. Wild, Esq.

PROOF OF SERVICE

I certify that I have this date served the Appellant's Response to respondent's letter of November 12, 2021, on Respondents' counsel by depositing a copy of same in the U.S. Mail postage prepaid to:

Scott M. Wild, Esq.
P. O. Box 6867
Hilton Head Island, SC 29938
email: scott@wildlawfirm.com

This 19th day of November, 2021



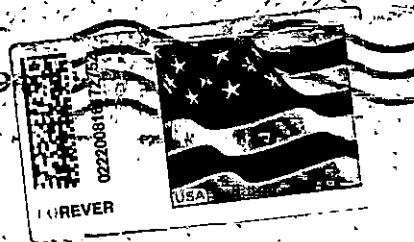
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