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FILED

JUN 04 2018

ASST. CLERK OF COURTS
REPUBLIC OF THE MARSHALL ISLANDS

**IN THE SUPREME COURT
OF THE
REPUBLIC OF THE MARSHALL ISLANDS**

ALEE PHILLIP)	S/C Criminal Case No. 2018- <u>003</u>
Plaintiff / Appellant Juvenile)	Juvenile Criminal Case No. 2017- <u>001</u>
)	
)	APPELLANT JUVENILE'S
-v-)	OPPOSITION BRIEF TO
)	THE APPELLEE'S MOTION
)	TO RESCHEDULE THE
)	PRE-HEARING CONFERENCE
)	
REPUBLIC OF THE MARSHALL)	
ISLANDS)	
Defendant / Appellee)	
_____)	

COMES NOW, the Appellant Juvenile, a Delinquent Child, by and through his Counsel from the Office of the Public Defender, is filing an Opposition Brief to the Appellee's Motion to Reschedule Pre-Hearing Conference as directed by the Court to appear on June 20, 2018, at 12pm, and respond as follows:

1. That, on May 21, 2018, the Appellee moved for Enlargement of Time to file its Answering Brief, of which was due on or about May 16, 2018, to be filed on May 28, 2018. The reason was because of the complexity of the case.
2. On May 29, 2018, the Court granted the Appellee's Motion to file its Answering Brief, pursuant to Rule 28(c), and to be filed to the close of business day on May 28, 2018, and also ordered the Parties to appear before the Court for a Pre-hearing Conference on June 20, 2018, at 12pm.
3. The fact of the matter is, the Appellee have failed to file its Answering Brief on May 28, 2018, and to date of filing this Opposition without any reasons or motions for more Enlargement of Time.
4. Instead, on June 1, 2018, the Appellee is now moving to Reschedule the June 20, 2018 Pre-Hearing Conference. The reason now is for the Appellants' Prosecuting Attorneys, Dr. Taafaki and Laiden, are both attending a "workshop" in the Kingdom of Tonga, from June 12 to June 15, 2018. And that travel arrangements were made around late April or early May, 2018
5. The Appellant is confused that the Appellee never reported about this workshop to the Court when requesting for Enlargement of Time to file its Answering Brief on May 21, 2018.
6. The Appellant respond that, the Office of the Attorney General have a pool of Attorneys at their disposal to be briefed and seat in place of the Appellant's Prosecuting Attorneys at the Pre-hearing Conference. There is the Attorney

General Dr. Manoni, and Deputy AG Kawakami, and four other Assistant Attorneys, unless they are all scheduled to be off-island on June 20, 2018.

7. For the Court to grant the Appellee's Motion to reschedule is not only disrupting with the Court calendar, but also wasting the time of those involved in this Appeal.
8. Therefore, the Appellant Juvenile seek an Order from the Court to **deny** the Appellee's Motion to Reschedule the Pre-hearing Conference on June 20, 2018, at 12pm, and continue the Conference.

Proof of service of this Opposition Brief on all adverse Parties as prescribed by the SCRP is attached.

So filed this June 4, 2018.



Russell Kun, Esq.

Counsel for Appellant Juvenile

CERTIFICATE OF SERVICE

OPPOSITION BRIEF

S/C Criminal Case No. 2018-003

I hereby certify that, upon filing at the High Court Registry, I have served via electronic mail, copies of the Appellant Juvenile's **Opposition Brief to Reschedule Pre-Hearing Conference**, to the Appellee, by and through the Prosecutor, Dr. Falai Taafaki, Esq., at the Office of the Attorney General.

Served on this June 4, 2018.

Komol Tata,



Office of the Public Defender