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FILED
 JUL 02 2018

 CLERK OF COURTS
 REPUBLIC OF THE MARSHALL ISLANDS

IN THE SUPREME COURT
 OF THE
 REPUBLIC OF THE MARSHALL ISLANDS

ALEE PHILLIP)	SCT CRIMINAL CASE NO. 2018-003
Plaintiff/Appellant)	JUVENILE CASE NO. 2017-001
)	
)	
)	<u>APPELLEE'S MOTION OBJECTING</u>
)	<u>APPELLANT'S MOTION FOR OPPORTUNITY</u>
V.)	<u>TO REFILE REPLY BRIEF</u>
)	
)	
REPUBLIC OF THE)	
MARSHALL ISLANDS)	
<u>Defendant/ Appellee</u>)	

COMES NOW, the Appellee/Office of the Attorney General by and through Assistant Attorney General Falai Taafaki, respectfully requests the RMI Supreme Court to deny appellant's motion notifying the Clerk that appellee had failed to serve its **Answer Brief** to the Appellant as required under Rule 25 (b) and (c) of the RMI Supreme Court Rules, and for the said Court to order that appellant be given the opportunity to properly file a Reply Brief to Appellee Answer Brief. In support of this motion, the Appellee offers the following:

1. That on May 21, 2018 Appellee filed motion under Rule 27 of the RMI Supreme Court Rules requesting extension of time to May 28, 2018 file Answer Brief.
2. That on May 21, 2018, Supreme Court granted motion for extension to file appellee Answer Brief on May 28, 2018.
3. That on May 28, 2018 Appellee's attorney representative personally hand delivered and filed Answer Brief together with Certificate of Service with court clerk in compliance with Rule 25 (a).
4. That three (3) copies were made from the filed Answer Brief: one for the Supreme Court, one for counsel for Alee Phillip, and one for Office of the Attorney General.
5. That Appellant filed his Reply Brief to Appellee's Answer Brief on June 11, 2018, indicating that he had had possession of the Answer Brief for several days during which time he had worked on his Reply Brief.
6. That appellant failed to state in his motion as to when he or any of his clerks /secretaries or staff was in actual possession of Appellee's Answer Brief without which he could not have prepared and filed his Reply Brief on June 11, 2018.
7. That even if Appellee had failed to file Answer Brief in accordance with Rule 25 (b) and (c) as alleged by counsel, and Appellant needed time in

order to prepare a proper Reply Brief, he had sufficient opportunity to file a motion to the RMI Supreme Court under Rule 27 for extension of time, but he failed to do so.

8. That Appellant waited instead from May 29, 2018 to June 29, 2019- approximately a month - before he filed this current motion seeking an opportunity to make a proper Reply Brief, admitting he had not addressed certain issues in the Appellee's Answer Brief.
9. That Appellee testifies that the above is true to the best of my knowledge.

Based on the foregoing, the Appellee respectfully asks that the RMI Supreme Court denies Appellant Motion for an opportunity to prepare a proper Reply Brief.

Dated this 2nd Day of July 2018.

Respectfully submitted



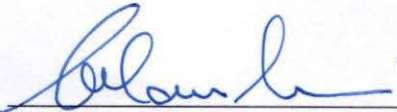
Falai Taafaki
Assistant Attorney General

CERTIFICATE OF SERVICE

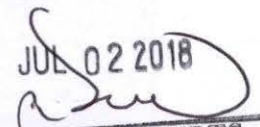
I hereby certify that on this date, 2 July 2018, I caused a copy of the **Appellee's Motion of Objection** to the Appellant's Motion seeking an order granting the opportunity to properly refile a Reply Brief to the Appelle's Answer Brief, to be sent /transmitted to Appellant counsel Russell Kun.

Dated this 2nd Day of July 2018.

Respectfully submitted



Falai Taafaki
Assistant Attorney General

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