

Techemding Clan v. Mariur, et al., 3 ROP Intrm. 122 (1992)

**TECHEMDING CLAN,
Appellant,**

v.

**KEBEKOL Y. MARIUR, et al.,
Appellees.**

CIVIL APPEAL NO. 24-90
Civil Action No. 466-90

Supreme Court, Appellate Division
Republic of Palau

Order denying motion for continuance of oral argument
Decided: February 21, 1992

Counsel for Appellant Blesam Lekesel: *Pro se*

Counsel for Appellee: Mariano Carlos

BEFORE: ARTHUR NGIRAKLSONG, Associate Justice; ROBERT A. HEFNER, Associate Justice; ALEX R. MUNSON, Associate Justice

On January 17, 1992, the parties were notified that this appeal was scheduled for oral argument on February 18, 1992. On February 12 appellant filed a Motion to Continue Oral Argument. The reason offered to justify the continuance was that appellant wished to obtain counsel. Appellee filed an Objection to Continuance on February 14, 1992, arguing that this matter has already been substantially delayed and that appellant has had ample time to find an attorney.

Pursuant to ROP App. Pro Rule 34(d), a request for postponement of oral argument must be made “reasonably in advance” of the date fixed for hearing. The Court takes judicial notice of ¶123 the file in this matter which establishes that appellant has been without counsel since at least July 22, 1991, over six months ago (July 22, 1991 Waiver of Appearance). Appellant has offered no meaningful reason why it failed to obtain counsel during this long period or why it waited until only three full business days before the hearing to inform the Court and appellee that it wished for a postponement of oral argument. Under the circumstances presented, appellant failed to request a postponement reasonably in advance of the hearing and the motion is, therefore, DENIED.