

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

Kenny Smith,

Petitioner,

vs.

Wells Fargo Bank National Association

Respondent

Case No: 568047

MOTION FOR EXTENSION OF TIME

Petitioner in Pro Per, Kenny Smith, hereinafter referred to as "Movant," respectfully presents this Motion for a thirty-day extension of time to file its petition for review before this Honorable Court. In support of this motion, Movant states as follows:

I. STATEMENT OF FACTS

1. Movant relies upon RAP 18.8(a), which empowers the Court to extend procedural deadlines in the interest of justice.
2. The current procedural deadline for filing the petition for review has not yet expired, providing a legitimate basis for this motion. It is essential to emphasize that Movant's request for an extension is not intended to unduly delay proceedings but rather to address present circumstances and sufficiently prepare the Petition.

3. Movant, as a pro se litigant, lacks the expertise in court procedures and legal rules, while the Respondent benefits from representation by licensed attorneys practicing in the state of Washington.
4. Movant finds himself overwhelmed by the looming deadline for filing the petition for review, leaving only a limited timeframe within which to comply.
5. Movant already faces a significant disadvantage in the litigation due to the unavailability of trial counsel.
6. Consequently, the case at hand involves numerous and intricate underlying factual issues. The grant of additional time is indispensable to address these complexities and adequately present the relevant matters before this Court.

II. ARGUMENTS

7. **Interference with Current Proceedings:** The current briefing schedule would substantially interfere with the existing circumstances surrounding the case.
8. Movant asserts that there has been no negligence or bad faith on his part. On the contrary, he has diligently responded to motions, prepared for trial, and strived to present an exhaustive and accurate factual record to facilitate this Court's resolution of the critical claims.
9. The extension sought is to enable Movant to draft a well-reasoned and concise petition for review, thereby aiding this Court in its thorough analysis of the issues at hand. It is essential to emphasize that this request is not driven by any intention to cause delay but rather to ensure the equitable administration of justice.

III. RELIEF REQUESTED

Movant respectfully requests this Honorable Court, pursuant to RAP 18.8(a), to grant a 30-day extension for filing the petition for review. Alternatively, if a 30-day extension cannot be accommodated, Movant seeks a three-week extension as an alternative form of relief.

Dated; July _____ 2023.

Respectfully Submitted By:

SAMPLE

CERTIFICATE OF FILING AND SERVICE

I, Kenny Smith, declare under penalty of perjury under the laws of the State of Washington, that I am now and at all times herein mentioned have been a resident of the State of Washington, over the age of eighteen years, and competent to be a witness herein. On the date stated below Petitioner's Motion for Extension of Time to File Petition for Review was electronically filed with Division II of the Washington Court of Appeals and served upon the following individuals' bye-mail and U.S. Mail, postage prepaid, at _____:

SAMPLE