

No. 841793

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COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION ONE

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SAKUNTLA DEVI, Appellant,

v.

HARLAN MEIER, Respondents

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**APPELLANT’S MOTION FOR EXTENSION OF TIME TO FILE  
OPENING BRIEF**

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Pursuant to RAP 18.8(a), Appellant Sakuntla Devi (“Devi”) respectfully requests an additional twenty-one (21) days in which to file her initial appeal brief, so that the brief will be due on Monday, December 5, 2022. This is Appellant’s first and final request to extend time. In support of her request for an extension of time, Appellant states the following:

**REQUEST FOR EXTENSION OF TIME**

This matter involves a real estate land contract dispute between the parties. The Appellant is appealing an order granting motion for summary judgment and quiet title (dated May 16, 2022); an Order deny motion/petition for reconsideration (dated August 18, 2022) and an Order

approving Plaintiff's motion for attorney's fees and costs (dated September 21, 2022).

While Appellant's brief is near completion, unfortunately, counsel handling the brief was involved in a car accident on November 10, 2022, and has slowed counsel's abilities to finish the brief on the due date of November 14, 2022. Among other things counsel's vehicle is destroyed and counsel is dealing with some minor injuries. Counsel believes he will be able to return to complete the brief in a few days after dealing with some personal issues pertaining to the accident, but in an abundance of caution seeks a one-time only extension of Appellant's opening brief.

Rule of Appellate Procedure 18.8(a) empowers this Court, "on its own initiative or on motion of a party," to "waive or alter the provisions of any of [the Rules of Appellate Procedure]" and to "enlarge or shorten the time within which an act must be done in a particular case in order to serve the ends of justice." Similarly, RAP 1.2(a) provides that the Rules of Appellate Procedure "will be liberally interpreted to promote justice and facilitate the decision of cases on the merits..."

In this case, there is no prejudice to Respondent, who will have additional time to prepare defense on this matter. In fact, this delay will likely be beneficial for Respondent. Respondent's trial counsel recently withdrew from this appellate matter and this extension will give Respondent additional time to find counsel, if he is choosing to do so. Further there is no stay in place preventing Respondent from taking any specific action.

Appellant does not want to submit an incomplete and improperly formatted brief and requires a one time and final extension to file this brief to be due on Monday December 5, 2022.

### **REQUEST RELIEF**

An order extending the time for Appellant to file her opening brief until December 5, 2022.

/s/Justin B Morgan  
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*Attorneys for Appellants*

**AFFADAVIT OF COUNSEL IN SUPPORT OF MOTION**

I, Justin B. Morgan, attest that the facts of the foregoing motion are correct under penalty and perjury of the state of Washington. I was involved in a vehicle accident on November 10, 2022 while driving to an appointment, which has slowed my abilities to complete Appellant's brief by Monday and we need just a little additional time to properly format Appellant's argument.

/s/Justin B Morgan

**DECLARATION OF SERVICE**

I hereby certify that on this day, November 11, 2022, I served a copy of the foregoing, **APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF** on the following party:

Harlan Meier  
171 E Phillips Lake Loop Rd  
Shelton WA 98584

DATED THIS 11<sup>TH</sup> DAY OF November, 2022.

/s/Justin B Morgan  
**Justin Morgan**, WSBA #45372  
JBM LAW PLLC  
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*Attorneys for Appellants*

# TUOHY MINOR KRUSE PLLC

November 11, 2022 - 4:41 AM

## Transmittal Information

**Filed with Court:** Court of Appeals Division I  
**Appellate Court Case Number:** 84179-3  
**Appellate Court Case Title:** Harlan Meier, Respondent v. Sakuntla Devi, Appellant

### The following documents have been uploaded:

- 841793\_Motion\_20221111042222D1284870\_7755.pdf  
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Motion 1 - Extend Time to File  
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### Comments:

Extension of opening brif until 12-5-22

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