

No. 841793

COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

In re Adoption of C.T.K.M., a minor child.

Sakuntla Devi, Appellant,

v.

Harlan Meier, Respondent

**MOTION OF APPELLANT TO EXTEND TIME FOR
PERFECTION SCHEDULE**


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I. MOTION TO EXTEND SCHEDULE

Pursuant to RAP 17.1, Appellant moves for a 60 day extension of the June 17, 2022 Court Schedule (**Exhibit A**). Appellant requests the extension because the Superior Court is deciding a motion for reconsideration (**Exhibit B**, cover page of motion for reconsideration filed on May 23, 2022). The motion for reconsideration may alter, ratify or completely avoid the need for an appeal. Therefore, for efficiency of all parties and the Superior and Appellate Court, Appellant asks for a 60 day extension on all dates in the attached June 17, 2022 and a new letter issued so as to provide additional time for the motion for reconsideration to be decided.

Dated: July 12, 2022.

Respectfully submitted,



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LEA ENNIS
Court Administrator/Clerk

*The Court of Appeals
of the
State of Washington*

DIVISION I
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June 17, 2022

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Case #: 841793
Harlan Meier, Respondent v. Sakuntla Devi, Appellant
King County Superior Court 21-2-16736-1

This may be the only notice you will receive concerning due dates. A document filed prior to or after its due date may affect all subsequent due dates. The parties are responsible for determining adjusted due dates by reviewing the appropriate rules of appellate procedure. Failure to comply with the provision of the rules may result in the imposition of sanctions pursuant to RAP 18.9.

Dear Counsel/Others:

A notice of appeal, filed in the KING COUNTY SUPERIOR COURT on June 13, 2022 was received in this court on June 15, 2022 and was assigned case number 841793. **Use this appellate court case number on all correspondence and filings.**

The time periods for compliance with the Rules of Appellate Procedure are as follows:

1. The **designation of clerk's papers** is due to be filed and served with the trial court, with a copy filed in this court, by July 13, 2022. RAP 9.6(a).
2. The party seeking review must timely arrange for transcription of the report of proceedings and must file a **statement of arrangements** in this court by July 13, 2022. To comply with RAP 9.2(a), the statement should include the name of each court reporter, the hearing dates, and the trial court judge. Serve each court reporter and all counsel of record with a copy of the statement of arrangements, and provide this court with proof of service.

If the party seeking review arranges for less than all of the report of proceedings, all parties must comply with RAP 9.2(c).

If a verbatim report of proceedings will not be filed, you must notify this court, in writing, by July 13, 2022. RAP 9.2(a).

3. The **verbatim report of proceedings** must be filed in the appellate court no later than 60 days after service of the statement of arrangements. The court reporter's notice of filing and proof of service must be filed in this court the same day. RAP 9.5(a).

4. **Appellant's brief** is due in this court 45 days after the report of proceedings is filed. RAP 10.2(a).

Appellant should serve one copy of the brief on every other party and on any amicus curiae and should file proof of service with this court. RAP 10.2(h).

If the record on review does not include a report of proceedings, the appellant's brief is due 45 days after the designation of clerk's papers has been filed. RAP 10.2(a).

5. **Respondent's brief** is due in this court 30 days after service of the appellant's brief. RAP 10.2(b).

Respondent should serve one copy of the brief on every other party and on any amicus curiae and should file proof of service with this court. RAP 10.2(h).

6. A **reply brief**, if any, is due 30 days after service of respondent's brief. RAP 10.2(d).

Sincerely,

A handwritten signature in black ink, appearing to read 'Lea Ennis', written in a cursive style.

Lea Ennis
Court Administrator/Clerk

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6 **SUPERIOR COURT OF WASHINGTON FOR KING COUNTY**

7 HARLAN MEIER,

8 Plaintiff,

9 v.

10 SAKUNTLA DEVI and ET AL.

11 Defendants.

) NO. 21-2-16736-1

) **DEFENDANT'S MOTION FOR**
) **RECONSIDERATION**

12
13 **I. RELIEF REQUESTED**

14 Defendant Sakuntla Devi ("Defendant Devi"), respectfully moves this Court to
15 reconsider the Motion for Summary Judgment for Quiet Title on three grounds:

16 First, Defendant Devi alleged facts, that if true, support an exception to the statue of
17 frauds the "part-performance" doctrine. The Court did not make any findings or rulings about
18 the part performance defense which Defendant raised in her response. Her allegations are
19 supported by an excel sheet that references check numbers that correspond with payments made
20 by Defendant Devi¹, pictures of improvements to the home and documents evidencing exclusive
21 possession.² The Court should allow Defendant Devi to present her case and present facts at trial
22 because they are sufficient, if true, to support the part-performance doctrine. **The Court should**
23 **set a hearing to decide if the facts are sufficient.**

24 ¹ Defendant Devi has twice requested payment records from Plaintiff that have yet to be produced from an account
25 he controlled. The Court should assume that discovery will support Defendant's claims.

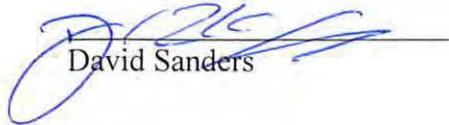
26 ² Plaintiff did not address the part-performance doctrine in his motion for summary judgment so Defendant was not
able to respond to Plaintiff's argument that he made for the first time in his reply brief that Defendant needed more
facts. She has them and they should be evaluated at a trial.

PROOF OF SERVICE

I hereby certify under penalty of perjury of the laws of the State of Washington that on this 5th day of July, 2022, I caused a true and correct copy of the foregoing document to be mailed as follows:

Matthew Klosowski Link
McFerran Law, P.S.
3906 S 74th St Ste 101
Tacoma, WA 98409-1002
mlink@mcferranlaw.com

Dated at Everett, WA this 12th day of July, 2022.


David Sanders

MODERN DAY LAW PLLC

July 19, 2022 - 2:18 PM

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_20220719141537D1441189_3738.pdf
This File Contains:
Motion 1 - Extend Time to File
The Original File Name was AppealMotionDevi.pdf

A copy of the uploaded files will be sent to:

- devduruz@gmail.com
- mlink@mcferranlaw.com

Comments:

Attached document was mailed to Division II court by the deadline, but not e-filed.

Sender Name: David Sanders - Email: david@modernday.law
Address:
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Note: The Filing Id is 20220719141537D1441189