

FILED
SUPREME COURT
STATE OF WASHINGTON
1/18/2022 8:00 AM
BY ERIN L. LENNON
CLERK

No. 100379-0

IN THE SUPREME COURT STATE OF WASHINGTON

In re: the Tort Lawsuit of-

TATYANA MASON (*pro-se*)

-Responding in the Supreme Court

vs.

JOHN MASON and Ms. ROBERTSON

-Petitioners in the Supreme Court

RESPONDENT'S OPOSITION TO
MS. ROBERTSON'S MOTION TO EXTEND TIME TO
FILE FRIVELOUS PETITION FOR REVIEW

Tatyana Mason *pro-se*

Po. Box -6441
Olympia, WA 98507

REQUEST:

Tatyana Mason Respondent (*pro-se*) in this Court requests that the Petitioner Ms. Robertson's Motion to Extend Time to File Frivolous Petition for Review be denied by this Court.

STATEMENTS RELATED TO THIS MOTION:

On October 19, 2021, the Court of Appeals Division II filed its Opinion. The Court of Appeals stated:

“[t]he trial court erred in dismissing Tatyana's claims for abuse of process and intentional infliction of emotional distress as a matter of law *Id* at 297.; [w]e believe that reasonable minds could conclude that conduct complained of here is “so outrageous in character and so extreme in degree, as to be utterly intolerable in a civilized community. *Id* 296” ” *See* (Opinion at 28, 48).

On November 16, 2021, Ms. Robertson's attorney filed his motion for extension of time to file Petition due to his wife's nine months pregnancy.

On November 18, 2021 John Mason's attorney filed his Petition for Review – who is failed to follow this Court's rule RAP 18.17. His Petitions was done unprofessionally with 11 or

12 point font and 26 pages which is over limited this Court's requirement by far. No Certification of Word or Page Count had been filed by John's attorney. His statements of the case had been extremely fabricated.

Additionally, John's attorney is inappropriately reargued in his Petition that John as a "party of interest" in the case is entitled to absolute immunity by supporting his re-argument with irrelevant cases for witness. *See* (John's Petition for Review dated October 18, 2021).

Tatyana is Respondent (*pro-se*) in this Court and a cancer patient who is going through an extremely difficult time in her life. In December and January, 2022 it was planned to do a few surgeries and weekly chemotherapy treatments which cause Tatyana a severe fatigue and pain from the surgeries. Working on the legal issues during this time was extremely stressful.

On November 20, 2021 the Court Clerk issued the letter:

"Motion for Extension of Time filed by Petitioner Laurie Robertson:"

The parties are advised that no ruling is being made at this time on Petitioner Laurie Robertson's motion for an extension of time to file a petition for review. A Department of the Court will decide the motion for extension of time, but only if the Petitioner files a proposed petition for review in this Court by December 20, 2021.

Once the proposed petition for review is received, both the motion for extension of time and the proposed petition for review will be considered by a Department of the Court.

The Court will make a decision without oral argument. However, due to the Petitioner's failure to file a timely petition for review, the Court will only consider the petition for review if it first decides to grant the motion for extension of time. A motion for extension of time to file is normally not granted; *see* RAP 18.8(b).

The Respondent may file an answer to either the motion for extension of time or the Laurie Robertson's proposed petition for review by January 21, 2022." *See* this Court's Clerk Letter dated November 20, 2021

On December 20, 2021 Ms. Robertson's attorney filed his Petition for Review. Ms. Robertson's attorney is also failed to follow this Court's requirements under RAP 18.17. The Petition for Review was done inappropriately as well with 11 or 12

point font and 26 pages which are exceeded this Court's limitation by far. Ms. Robertson's attorney is also failed to file Certification of Word Count. Ms. Robertson's statements of the case in Petition are grossly fabricated. Ms. Robertson attorney's re-argument is supported with irrelevant cases for defamation which are not applicable in this case as the COA-II already redressed this in the Opinion dated October 19, 2021. *See also* (Ms. Robertson's improper Petition dated December 20, 2021).

On January 13, 2022, Tatyana filed her Answer/ Brief to Both Petitions for Review properly and timely before January 21, 2022.

On January 14, 2022 Tatyana filed her Certification of Page Count where she stated that her Answer to Both Petitions has been prepare properly with 14 point font and 20 pages of this Court's requirements.

On January 17, 2022, Tatyana filed Opposition to Ms. Robertson's Motion to Extend Time to File Petition for Review properly and timely.

ARGUMENT:

1. **Request for extension of time to file Petition due to his wife's pregnancy is inappropriate here and should be denied:** The RAP 18.8(b) permits an extension of time to file "only in extraordinary circumstances and to prevent a gross miscarriage of justice" and clearly favors the policy of finality of judicial decisions over the competing policy of reaching the merits in every case. *See Comment, 3 L. Orland, Wash. Prac., Rules Practice* §§ 4521-4525, at 424-28 (3d ed. 1978)

Here, such diligence has not been demonstrated. Mr. Mazzeo counsel for Ms. Robertson stated that his excuse for extension of time to file Petition for Review was his wife's nine months pregnancy. Mr. Mazzeo has *not* mentioned that he was sick, Mr. Mazzeo is a male who cannot be pregnant and he was not giving birth to a child himself - his wife did.

At that time, Mr. Mazzeo was capable to work and file his Petition for Review timely. However, Mr. Mazzeo is perjuring Tatyana, by placing her in a difficult position.

Tatyana who is a cancer patient had to work on the answers to both frivolous Petitions for Review between her planned surgeries and weekly chemotherapy in January 2022 - which was extremely difficult for her to do it due to her health condition. The stress of working on the legal research and English writing during fatigue condition from chemotherapy treatments and pain from surgeries is negatively affected her focus on legal brief and her health is suffering even more.

RAP 18.8(b) the Rules of Appellate Procedure restrict extensions of time in these type of circumstances [similar to Mr. Mazzeo's excuse] for sound policy reasons. The motion to extend time is denied. *See State v. Cline*, 21 Wn. App. 720, 722, 586 P.2d 545 (1978); *State v. Shong-Ching Tong*, 23 Wn. App. 886, 888, 598 P.2d 1384 (1979); *See also Essig v. Lai*, 194 Wash. 2d 1016 (Wash. 2020).

2. **Mr. Mazzeo ignored this Court's rules RAP 18.17 in his Petition for Review:** Mr. Mazzeo who is an attorney for Ms. Robertson, failed to follow this court rules RAP 18.17. The

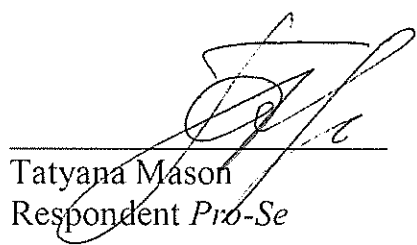
Petition for Review was done unprofessionally with a poor quality of law research -- with 11 or 12 point font and 26 pages which is way above the limits of this Court. Mr. Mazzeo is also inappropriately reargued the issues which even the lower court was not considered. His argument and the cases related to defamations which are inapplicable in this case.

CONCLUSION:

Ms. Robertson's Motion to extend time to file and her Petition for Review filed for improper purposes to harass, increase cost of litigation, which lacks any good faith basis in fact, or in law. Ms. Robertson's Motion to extend time to file Petition for Review should be denied by this Court. *See SABR Mortg. Loan 2008-1 REO Subsidiary v. Borjesson*, No. 100114-2 (Wash. Jan. 4, 2022).

DATED: January 17, 2022

RESPECTFULLY SUBMITTED BY



Tatyana Mason
Respondent *Pro-Se*

CERTIFICATE OF PAGE COUNT

Case No. 100379-0

Case Name:

Tatyana Mason vs. John Mason & Laurie Robertson.

Document Title:

Respondent's Opposition to Ms. Robertson's Motion to Extend Time to File Frivolous Petition for Review

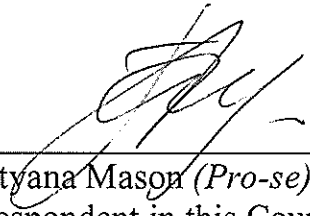
Pursuant to Rule 18.17 of the Rules of this Court, I certify that the accompanying "Respondent's Opposition to Ms. Robertson's Motion to Extend Time to File Frivolous Petition for Review" written by Tatyana Mason (*pro-se*) and submitted to this Court on January 17, 2022 was prepared properly and timely with 14-point typeface and 7 pages, which is less than 20 pages of limitation required by this Court. *See* (Supreme Court Website).

Since Tatyana Mason does not have software of the Word Processor on her computer -- all her documents relied on of the page count with 14 point typeface according to this Court requirements.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: January 17, 2022

RESPECTFULLY SUBMITTED BY



Tatyana Mason (*Pro-se*)
Respondent in this Court
Po. Box 6441
Olympia, WA 98507

PRO-SE

January 16, 2022 - 3:36 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 100,379-0
Appellate Court Case Title: Tatyana Mason v. John Mason and Laurie Robertson
Superior Court Case Number: 17-2-01121-2

The following documents have been uploaded:

- 1003790_Answer_Reply_20220116153334SC938052_3143.pdf
This File Contains:
Answer/Reply - Answer to Motion
The Original File Name was 100379-0 Respondent's Answer to Motion to Extend Time.pdf

A copy of the uploaded files will be sent to:

- drewteams@harborappeals.com
- mike@jmmorganlaw.com
- office@harborappeals.com

Comments:

Sender Name: Tatyana Mason - Email: tatanam377@gmail.com
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Note: The Filing Id is 20220116153334SC938052