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The Court of Appeal of the State of Washington: Division I and Its Supreme Court

In re marriage of:

101000-1

Respondent:

No. 82722-7

CLAIRE REILLY-SHAPIRO

Petition for Discretionary Review by
Supreme Court of the Court of Appeals due
to Transcription not Being Received

And Appellant:

ANTHONY LOMBARDO

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3 **Petition for Discretionary Review**
4 **of the Supreme Court of the Court of Appeals**
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26 Cover Page
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Identity the Petitioner

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3 My name is Anthony Lombardo III. I am the Appellate in the above case and the father of two
4 children 3 and 4. I was the clear stay at home dad for over two years before divorce, cared for
5 the children 50% of the children's awake time for 16 months of temporary orders, and now have
6 been limited to around 20% access to the children since final orders, while the Respondent
7 simultaneously depends on my care repeatedly over the last year on her time with the children,
8 whenever travel, vacation time, illness, sitters do not show, or school is closed demand it. Since
9 final orders, my two year old, now three, has spent up to 9 hours a day in day care, during a
10 pandemic, with a mask on, in roughly a 1,500 sq foot facility with 20 others, while his dad who
11 raised him and his brother, and often his mother, are blocks away in million dollar homes,
12 available to give the boys more appropriate time with others, top get their nap each day, and
13 breath without a mask outdoors in the arboretum etc.. The result is anxiety, lungs full of fluid for
14 9 months, and going to school with symptoms and COVID against protocols, being left in cars
15 unattended, put in car in 22 degrees with just shirts at 8am, and the list goes on.
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Citation of Court of Appeal Decision

Filed May 3rd 2022

In the Matter of the Marriage of

CLAIRE REILLY-SHAPIRO,

Respondent,

and

ANTHONY S. LOMBARDO,

Appellant.

No. 82722-7-I

ORDER DENYING MOTION

TO MODIFY

Appellant, Anthony Lombardo, moves to modify the commissioner's February 7, 2022 ruling dismissing his appeal for failure to timely perfect the record. We have considered the motion, Respondent Claire Reilly-Shapiro's response, and Lombardo's reply under RAP 17.7 and have determined that the motion should be denied.¹

Now, therefore, it is

ORDERED that the motion to modify is denied.

Issues Presented For Review

I am Petitioning the Supreme Court of the Court of Appeals to not dismiss the Appeals Case as the Appellate Court has done, because the transcript was not received in a timely manner. The Appeals Court Division 1 or the Supreme Court of Appeals should hear/see the transcript of this case given its merit for review. The transcriptionist in this case, allegedly has done the only thing she could possible have done in order to get this case dismissed before it is heard and reviewed. I can think of no other logical explanation why a court recommended transcriptionist, paid upfront, would miss 12 of her own often sworn, written and chosen deadlines for filing.

(See Appendix). So the question for the Supreme Court, and thus our county, is what happens when a court recommended transcriptionist decides to continually swear to the court in affidavits that she will file a transcription on a certain date, and then does not, knowing full well doing so will result in dismissal? In other words, what happens to the innocent citizens, when if someone the court itself has put on a list of providers, decides to take justice fully and totally into her own hands? Should my children suffer, and their case not be reviewed? Clearly time to get the case transcribed by someone that does not lie to the court, and surgically delays through extension requests, is in order versus dismissal, without the clear injustices on record being brought for review.

The case itself, once heard and reviewed through transcription, has clear issues of parental gender inequity, perjury, omission to statutory reasons for limitation, the very ones used to limit me, by the opposition, etc. etc. The case is also riddled with issues resulting from early zoom trials where infant children are on the line. First, we must allow the case to be transcribed by another transcriber, given the first one has missed 12 written, 5 sworn, deadlines for filing, resulting in quite literally the only way this case would not be reviewed. We must stand up and

1 ask ourselves: for whatever reason, corruption, threats, political opinion, if all transcriptionists
2 missed 6 straight sworn deadlines for filing, what would the Appeals court do then? Dismiss
3 them all? Hardly. We have a loophole here where transcribers have the **power**, if done precisely
4 as Ms. Thompson has done, to have cases never reviewed and dismissed before the record sees
5 light of day. Clearly the dogma of the Appellate and Supreme Court itself, does not support one
6 person being able to obstruct the judicial process for children, much less if that person is
7 recommended for use by the courts.
8

Statement of the Case

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3 A Superior Court case has had its chance to be reviewed eliminated solely because a court
4 recommended transcriptionist has decided, for whatever reason, to miss 6 sworn affidavit court
5 deadlines for filing. Her well-spaced out throughout last fall, continual requests to extend filing
6 deadlines, but then continually not filing, has quite systematically resulted in the case being
7 dismissed, as she was warned. Since missing her 6th sworn deadline to the Appellate Court of
8 December 31st, she has roughly every three weeks, as can be seen in both previous motion
9 filings and in the appendix herein, said she needs more time in writing. As of end of May, had
10 still not filed the transcription, just recently asking for a few more time. Ms. Thompson
11 continued for months to not to supply file she previously said via email was filed, nor deliver the
12 file in the “almost done” condition she claims to prove progress. (See Appendix) Clearly there
13 is only one rational explanation for all of this, and the answer is something that is not in my
14 control, nor my children’s. The transcriptionist knew the Court would dismiss the case if she
15 missed her fifth sworn deadline of December 31st 2021, and chose to do just that. The appellate
16 court dismissed the case on February 13th, and has denied motion to reconsider that dismissal as
17 of May 3rd. Meanwhile my children are being left in unlocked cars unattended for 15 minutes
18 on 18th Street, put in 22 degree cars in t-shirts for a car ride to school at 8am, and taken to school
19 with COVID to infect others, all in the last month or two, all by third parties, whom apparently
20 are all better for the children I raised, according to the honorable Judge Rosen. I have quite
21 literally had paramedics in my home giving air to my child after being at pre-school all day with
22 symptoms against protocols recently. Meanwhile, myself, the person limited with the children,
23 is asked to care for the boys each and every time they require it, on mother’s time. Reality
24 completely disputes the opposition’s narrative to the court that helped create its decision, and
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1 thus my children suffer. This case must be reviewed, regardless of the pattern of actions of Ms.
2 Thompson.

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Argument

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3 I would never appeal a case without merit. The only way for this case to be reviewed is with a
4 transcript. I used a court recommended transcriptionist. I paid her upfront. I respected her
5 needs to delay filing and ask for extensions five times. As soon as I found out she missed her 6th
6 deadline, December 31st, I asked her what was going on. She said she would be done a week or
7 so later via email (See Appendix). She repeated this behavior throughout March. On March 6th,
8 Ms. Thompson said in an email in March she had filed the transcription, then could not give
9 confirmation and the court confirmed no reception. Ms. Thompson delayed again this May, and
10 refused to send the file she claimed was “almost done” for months. Clearly, Ms. Thompson has
11 systematically done the only actions she could to have the transcript not see the light of day and
12 thus case dismissed. I claim allowing a third party to totally control an appeals case is wrong,
13 especially if they are court recommended. Remedy must be made here. This is a constitutional
14 issue as well as a public interest issue. No transcriptionist should have sole power to silence
15 justice. Our constitution grants us the right to appeal, and I have followed all guidelines myself
16 which I was in control of, and kept up all financial and care responsibilities since final orders,
17 and then some. There are many people that do not want the transcript seen by Appellate Judges
18 for good reason. Are you going to stand by and let that happen?
19
20 Opposition will say I should pay their appeals counsel, before the transcript was seen by anyone,
21 in the hopes that the case is now dismissed. I claim there is a reason Ms. Thompson has done
22 what she has, and no one, other than her should be penalized. We have wasted 9 months waiting
23 for transcript. I was beyond understanding and so was the court. We need to move on, and the
24 case needs to be reviewed like all others.
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Conclusion

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3 I was respectful and patient with a court recommended third party. If a transcriptionist wanted
4 to write a “**How to Get A Case Dismiss Without Having It Reviewed**” book, it would lay out
5 asking via affidavit the court five times in a row for an extension, about every 2-4 weeks,
6 receiving those extensions, having the court warn her about dismissal after 4 months of that if the
7 file is not received by end of year, and then her not filing it then. Clearly, only someone
8 wishing the case not be heard and reviewed, would proceed in that manner. We must eliminate
9 the loophole, and allow the Appellate, **especially during a pandemic influenced totally digital**
10 **family shaping trial**, to prove beyond a doubt that there is a clear problem with our
11 transcriptionist beyond any logical expiation otherwise, move off the problem transcriptionist,
12 and have the time obtain a transcription that can be reviewed by the Courts. I am asking that I
13 have a month to obtain the transcription, and that the Appellate Court or Supreme Court review
14 the case as planned up until it’s February decision not to proceed. The children in this case have
15 no idea nor any affiliation whatsoever that the transcriptionist has allegedly taken it upon herself
16 to try to prevent the case from being reviewed for months. Yet as I write this, I have spent part
17 or all of 10 out of the last 12 days caring for my children, the man that needs to be limited
18 apparently all the sudden, after raising the boys for over 2 year 100% of the time since birth, and
19 50% of the time in temporary orders. This is as absurd as the kids not getting the chance for
20 appeal because a court recommended transcriptionist missed 12 of her own directed deadlines.
21 Kindly, the reasons for all the above absurd paradox are the same, and as a father and citizen, we
22 need the Court to review the case I have sitting in front of me on CD. If opposition did not get
23 caught lying under oath, did not admit to Domestic Violence and Abuse of Conflict, and forgot
24 tell a DVPO judge she attacked me in my home the night before she spoke to him, if witnesses
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1 did not perjure themselves, all at trial on record, then so be it. But if that did happen, then we got
2 a problem, just like the problems out children are experiencing weekly. No parent needs
3 limitations here. The transcript does not lie, but it must be seen to illuminate the truth. Sadly
4 Ms. Thompson likely knows that given the court and I told her over and over again two children
5 were riding on her delivering the transcript as you swore. Since final orders a year ago, our
6 children's health, the health of their classmates, and their well-being has been up for grabs by
7 endless care providers for over a year during a pandemic, under Respondent's watch. Yet
8 meanwhile, I am asked to care for the children over and over again on the mother's time. The
9 reality is, for 4.5 years I am the go to care provider, and that reality, past and present, does not
10 match the transcript for a reason...the transcript needs to be reviewed. No court recommended
11 employee should be able to prevent justice on her own, and if the Court denies review, the Court
12 will be allowing just that, simple as that.
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3 **Appendix**
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- 5 1. Sworn Affidavits from Transcriptionists setting new deadline dates then missed
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7 2. Emails from Transcriptionists asking for continued time in 2022 as late as May
8
9 3. Reconsideration Filing
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11 4. Supplement to Reconsideration Filing (Not heard)
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13 5. Other filings

14 The transcription process generally takes 60 days or so. I could not back out away from a woman
15 in January that was saying she would be done in a week or so, as starting over would take 60
16 days. The court dismissed the case early February, so the was not the 60 days required for
17 transcription after December 31st deadline was not met. Therefor I was stuck with Ms.
18 Thompson, and had no other alternative than to wait.

19 I certify that this Petition contains 1,746 words, in compliance with the Local Civil Rules and is
20 13 pages.

21 Respectfully submitted this 7th day of June 2022.
22
23

24 _____
25 ASL
26 Anthony Lombardo, Respondent
27
28

September 29, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting an extension for the transcription of the hearings requested in this case until October 18, 2021.

My original contact with Mr. Lombardo was July 30th, and the original statement of arrangements was filed on August 11, 2021. Due to some miscommunication between Mr. Lombardo and the court, the audio files were delayed and not received until September 4th.

When I received the audio, I asked for an extension, but Mr. Lombardo expressed a need to meet the October 11th deadline. However, my schedule is such that I am requesting an additional week to complete the transcripts. I request an extension until October 18, 2021.

Thank you!



Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229



Anthony Lomardo <alombardo4640@gmail.com>

Transcriptionist

Julie Thompson <julie@thomtrans.com>
To: Anthony Lomardo <alombardo4640@gmail.com>

Tue, Aug 24, 2021 at 11:23 AM

I think it would be easier for you just to request them online. At this point, I'm about three to four weeks out from starting your project, so if you request the CDs now, I should have them in plenty of time.

Thank you!

Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229

[Quoted text hidden]

Transcriptionist

Julie Thompson <julie@thomtrans.com>
To: Anthony Lomardo <alombardo4640@gmail.com>

Wed, Sep 8, 2021 at 10:31 AM

I'm just going to push forward without pushing the date back. It is doable as is.

And just to be clear, the invoice will need to be paid before I start work on the transcripts.

Thank you!

Julie Thompson, CET

Thompson Transcription

www.thomtrans.com

(209) 552-5229



Anthony Lomardo <alombardo4640@gmail.com>

Payment

Julie Thompson <julie@thomtrans.com>
To: Anthony Lomardo <alombardo4640@gmail.com>

Thu, Sep 9, 2021 at 10:00 AM

Thank you for the payment and the nice message 😊

Enjoy your day!

Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229

Extension

Julie Thompson <julie@thomtrans.com>
To: Anthony Lomardo <alombardo4640@gmail.com>

Wed, Sep 29, 2021 at 8:45 AM

Good morning, Anthony -

I am going to ask you to request a one week extension so that I have until 10/18 to complete the files. I was tight stretch before with getting the audio so late, but I've had some hiccups in my schedule this week. In order to make sure I provide you the best transcripts, I will need a few extra days.

.....

I appreciate it, Anthony.

Have a great day!

Form Transcription Deadline Extension Request
[Rule 9.2(a)]

COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

In the Family Law Court Case & Trial of the Dissolution of
Marriage of

Claire Reilly-Shapiro,
Respondent,

v.

Anthony S. Lombardo III,
Appellant.

**Transcription Deadline
Extension Request to Oct. 18th**

No. [19-3-09930-9] Superior Court
No. [827227] Appellate Court

If it pleases the court, the transcriptional, Julie Thompson, who has been extremely accommodating, flexible and fair during the transcription process has a request for the court. Though Ms. Thompson believed she would have little issue making the October 11th deadline for transcription, even after receiving the audio about 20 days later after the final filing for Statement of Arrangements, due to both of us having issues securing the audio file online because of zoom trial components that are not available for online input required to secure the file online, she has had some "hiccups" this week with her scheduling that have resulted in her needing an extra week for completion of the transcript past the deadline. I have included her affidavit letter and our four correspondence on the issue for the last 45 days. In addition to thanking Ms. Thompson for her professionalism here, please also let me thank the person I spoke to at the appellate court this morning regarding process of filing this extension request. She was super helpful, polite and understanding, and honestly a breath of fresh air during this challenging time. She deserves a ton of credit as well as Ms. Thompson.

Signature

___ASL_____ _9/29/2021_____

[Anthony S. Lombardo III, pro se, 420 25th Avenue East, Seattle WA, 98112]

September 29, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

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When I received the audio, I asked for an extension, but Mr. Lombardo expressed a need to meet the October 11th deadline. However, my schedule is such that I am requesting an additional week to complete the transcripts. I request an extension until October 18, 2021.

Thank you!



Julie Thompson, CET
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www.thomtrans.com
(209) 552-5229



Anthony Lomardo <alombardo4640@gmail.com>

Transcriptionist

Julie Thompson <julie@thomtrans.com>
To: Anthony Lomardo <alombardo4640@gmail.com>

Tue, Aug 24, 2021 at 11:23 AM

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[Quoted text hidden]

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To: Anthony Lomardo <alombardo4640@gmail.com>

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To: Anthony Lomardo <alombardo4640@gmail.com>

Wed, Sep 29, 2021 at 8:45 AM

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I am going to ask you to request a one week extension so that I have until 10/18 to complete the files. I was tight stretch before with getting the audio so late, but I've had some hiccups in my schedule this week. In order to make sure I provide you the best transcripts, I will need a few extra days.

.....

I appreciate it, Anthony.

Have a great day!

October 14, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo.

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting an extension for the transcription of the hearings requested in this case until October 22, 2021.

The audio file for the 2/1/2021 trial day was not included with the original audio files received, though Mr. Lombardo confirmed he did request and pay for it.

Mr. Lombardo requested the missing audio at the beginning of the week. However, the audio has not been provided, and at this point I will need a few extra days to complete the additional audio.

Thank you for your time.



Julie Thompson, CET

Thompson Transcription
www.thomtrans.com
(209) 552-5229

Form Transcription Deadline Extension Request
[Rule 9.2(a)]

COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

In the Family Law Court Case & Trial of the Dissolution of
Marriage of

Claire Reilly-Shapiro,
Respondent,

v.

Anthony S. Lombardo III,
Appellant.

**Transcription Deadline
Extension Request 4 days to Oct. 22nd**

No. [19-3-09930-9] Superior Court
No. [827227] Appellate Court

If it pleases the court, the transcriptionist, Julie Thompson, who has been working diligently on transcription of the refenced above case to meet the current deadline of 10/18, has discovered that the first trial date of 2/1/21 was not included in the audio file sent by the court for transcription. Ms. Thompson brought this to the Appellant's attention with roughly a week to go before deadline. The court date of 2/1/21 was included in the paperwork, calculation and charges for the in person audio order at the Clerk's Office as well as with receipt. Appellant immediately reached out to Superior Court Supervisor to remedy the situation early this week. Due to the Supervisor spending most of this week interviewing candidates to fill up to a quarter of her total staffing, she was unable to reach out until yesterday, Thursday 10/14/21 to remedy the error in the afternoon. The Supervisor, working in Kent, reached out to the King County Superior Court Clerk's Office Manager to solve the issue immediately. Giving full credit to the Supervisor and the Manager, both of which have been some of the most helpful and courteous people I have come across yet in this two year process, by end of business Thursday the issue was resolved and a new audio file of the entire trial was sent via email. Ms. Thompson, with only one full business day left before the current deadline, is requesting a cushion of four days to 10/22 given the timing of this remedy. There are over four hours of audio to be transcribed when including this first trial day, and Ms. Thompson, just to be safe, needs a few days to complete the transcription and integrate these hours chronologically into her transcription in the right way. I have included Ms. Thompson's affidavit letter. In addition to thanking Ms. Thompson for her caution, planning and professionalism here, please also let me thank both the Supervisor and the Manager of the Superior Court's Clerk's Office, for all their diligence, patience and helpful cooperation in correcting the error. Both have been incredibly helpful. I would also like to thank the Appellate Court for its patience here and Ms. Susan Dahlem for pointing out again how to file the extension request. All participants deserve a ton of credit as well as Ms. Thompson. I am confident this four-day extension will be the final request made in this matter now that the error has been corrected.

Signature

____ASL_____ _10/15/2021_____

[Anthony S. Lombardo III, pro se, 420 25th Avenue East, Seattle WA, 98112]

October 14, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo.

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting an extension for the transcription of the hearings requested in this case until October 22, 2021.

The audio file for the 2/1/2021 trial day was not included with the original audio files received, though Mr. Lombardo confirmed he did request and pay for it.

Mr. Lombardo requested the missing audio at the beginning of the week. However, the audio has not been provided, and at this point I will need a few extra days to complete the additional audio.

Thank you for your time.



Julie Thompson, CET

Thompson Transcription
www.thomtrans.com
(209) 552-5229

November 1, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting an extension for the transcription of the hearings requested in this case until November 12, 2021.

I apologize for the delay. The files will be completed no later than Friday, the 12th.

Thank you.

A handwritten signature in black ink, appearing to read 'JT', is written over a light blue rectangular background.

Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229

Form Transcription Deadline Extension Request
[Rule 9.2(a)]

COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

In the Family Law Court Case & Trial of the Dissolution of
Marriage of

**Final Transcription Deadline
Extension Request to Nov. 12**

Claire Reilly-Shapiro,
Respondent,

No. [19-3-09930-9] Superior Court
No. [827227] Appellate Court

v.

Anthony S. Lombardo III,
Appellant.

If it pleases the court, Ms. Julie Thompson, the transcriptionist in this case, has a final transcription extension request for the court. I am not sure the reason for this final delay in the transcription process, but I fully trust Ms. Thompson in her timing, professionalism and planning. Ms. Thompson, in her affidavit, has confirmed that this extension request to Friday, November 12th will be the final request and all files will be turned into the court by then, I have attached Ms. Thompson affidavit requesting the extension.

Signature

ASL
[Anthony S. Lombardo III, pro se, 420 25th Avenue East, Seattle WA, 98112]

11/02/2021

I swear under penalty of law the body of this document above contains 88 words

November 1, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting an extension for the transcription of the hearings requested in this case until November 12, 2021.

I apologize for the delay. The files will be completed no later than Friday, the 12th.

Thank you.

A handwritten signature in black ink, appearing to read 'JT', is written over a light blue rectangular background.

Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229

December 15, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting a final extension for the transcription of the hearings requested in this case until December 30th. Volume I of II will be filed by December 24th with the second volume being filed by the 30th.

Please note that audio was originally received on September 24th and missing audio was received on October 11th. Looking back, at that time I should have requested the full 60 days to complete the requested transcripts to avoid the snowball effect that ensued. This was definitely a lapse on my end. But technically, the December 30th extension is three weeks from a standard transcript request, which is based on the date all material is received. As mentioned above, a portion of this matter will be completed earlier.

I appreciate your time and consideration in granting this extension.

Thank you!



Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229



Anthony Lombardo <alombardo4640@gmail.com>

Sun, Mar 6, 5:18 PM
(22 hours ago)

to Julie, bcc: kgalvin12, bcc: candice, bcc: alissa, bcc: julie

Hi Julie: Hope you are doing great. Sorry to bother you today. First, please let me thank you for all your hard work on the transcript for appeal. As I have said many times, I respect your small business, and I was taken by your ability to understand that my children's future was on the line when you took the job. Each of the six times you failed to meet your own, sworn via affidavit to the court, self directed deadlines with the court, I have reiterated to you in writing how much we believe in you and trust you will get the job done, and respected your timing, needing to take a little more time to finish up. I am new to all this so I let you lead and trusted your character and most of all your, experience in these matters such as extensions.

Forgive me, but I reached out to the court recently, and to my surprise, they said you had not turned in the transcript file for a 7th time, as you write describe below when you say "I will have it completed by Friday", the 21st of January. I am sure they must be mistaken.

To clear this mistake up, please be kind enough to resend the court and me the transcript no later than 4PM tomorrow, Monday the 7th of March. I will be working with the court, hoping for their mercy, in allowing acceptance a late transcript for a 7th time, so three unbiased judges can read what was said via the transcript at trial and make a more appropriate fair decision for our boys.

Thanks for understanding. Have a great day.



Julie Thompson

Sun, Mar 6, 6:12 PM
(21 hours ago)

to me

Hi, Anthony -

I will be back in my office on Wednesday. It was filed some time ago. Once I get back I will pull it back out and resend.

Julie



Anthony Lombardo <alombardo4640@gmail.com>

7:29 AM (7 hours ago)

to Julie

Thanks Julie. I figured they had made a mistake. Sadly however, today is the last day for the court to receive the filing or the case is dead as they threatened, and they say they do not have it right now. They claim they gave you well over a month past your sixth, final self directed deadline of December 31st. Please do whatever possible to either send me the email where it was filed previously or resend today. Perhaps someone near your office can help or the cloud can. **You can also write to our friends at the court, like you just did me, and let them know you sent the file a while ago and you have no idea why they say they do not have it. Please CC me if you choose that option.** Laurie.Sanders@courts.wa.gov Michelle.Collins@courts.wa.gov

Thank you



Anthony Lombardo <alombardo4640@gmail.com>

7:54 AM (7 hours ago)

to Michelle, Laurie

Hi Michelle and Laurie: Hope you had a nice weekend. Michelle, we spoke a week or so ago about the fact that you still had not received the transcript for my case. You let me know today, March 7th, was the deadline to file a reconsideration motion for the commissioner to not dismiss the case due to not receiving the filing, and I was planning on doing so today as directed.

Below however is an email from the transcriptionist this morning that claims she filed the transcription quite a while ago. Not sure what is going on here, but nothing surprises me at this point. Please be kind enough to double check if the court has received the filing. The transcriptionist email is julie@thomtrans.com.

I will be happy to formulate a motion for reconsideration today if need be, but unless she is lying today, the transcriptionist says you have had the file since well before the case was dismissed due to lack of filing mid February, which was at least 5 weeks after her last affidavit said the transcript would be in on December 31st, and at least 3 weeks after her email at the bottom of this chain said she would have it in, "Friday" January 21st, which I shared with you guys at the time.

Thank you kindly.

Anthony Lomardo <alombardo4640@gmail.com>

Jan 16, 2022,
1:35 PM

to Julie, bcc: julie, bcc: kgalvin12, bcc: alissa

Hi Julie: I just wanted to say happy new year and thank you so much for telling the court you would have "volume 1 & 2 in by christmas eve and Volume 3 in by December 31st" in your sworn affidavit to the court attached. I know you had previously missed your other four deadlines you asked for, but it put my mind at ease that you were granted what you asked for in Mid December.

When my mother Julie reached out to you on the phone on Friday December 31st to make sure you were going to deliver the transcript to the court on time, as you said you would, it put her mind at ease when you told her you had until Monday the 3rd due to the holidays, and for her "not to worry, it would be handed in on time." My mom is 77, loves her grandchildren, and is well aware of what was said at trial and therefore in the transcript, including but no limited to the opposition had been caught on record lying to the GLA and in her deposition, had admitted to domestically violent acts on record, and abuse of conflict acts. Therefore, like me, a concerned grandmother, was just making sure the transcription would be seen by the just appellate court, instead of the court dismissing the case, as they threatened, if indeed you did not deliver the transcript as you swore you would and were paid to do upfront. Thank you for putting her mind at ease. That meant alot to me and her. Clearly you would not have told the court what you did in your affidavit mid December, nor would you have told my mom not to worry December 31st, if indeed you were not mostly done with the transcript, and it was not possible for you to complete and deliver the transcript on time.

Just to be safe, if for whatever reason you have forgotten to deliver the transcript by December 31st as you swore you would in your affidavit attached, to Susan Dahlem at the appellate court, or for whatever reason you were unable to get it delivered by Monday the 3rd as you told my mother you would be doing, clearly the two weeks since then that have passed would have been more than enough time to do so given you would have been almost done when you said what you did to the court and my mother, so please do so by Monday, MLK day. Otherwise I am sure you would understand how things would look to both the court, the world and my family, and what not doing so would mean, outside of and including the appeal itself being dismissed, which you were clearly aware would happen if you failed.

As always, I have full confidence in you, your business and your honest word, and ability to deliver what you said you would do and were paid to do. Thank you for all your hard work, accepting this reminder and my gratitude.

Anthony
Attachments area



Julie Thompson <julie@thomtrans.com>

Jan 19, 2022,
6:23 AM

to me

I will have it completed by Friday. I had to put it aside for a bit.....

Julie Thompson <julie@thomtrans.com>

Apr 29,
2022,
2:45 PM

to me

I'm going to be out of my office until May 9th. I did have to redo most of it, and it's almost done. I don't have enough time to get it completely finalized before we leave, though I will try my best to send up some of it up on Saturday or Sunday morning. I'm going to complete it and finalize it when we get back on the 9th.



Anthony Lombardo <alombardo4640@gmail.com>

May 17,
2022,
2:50 PM

to Julie, bcc: Michelle, bcc: Laurie

Hi Julie: Thanks so much. I appreciate your willingness to set your 12th transcription delivery deadline for May 9th as you write below. We were all so excited to hear that "it's almost done" and that you would "send some of it up by Saturday or Sunday Morning" following and that you would "complete and finalize it on the 9th", much like you said so regarding your 11 other delivery dates previously below.

You are not going to believe this Julie, but it is my understanding you have sent nothing again, for the 12th time, now 18 days after you wrote below, nor have you sent any proof of the file you claim you sent "a while back" on March 6th. I wonder: considering the court told you that if you did not file the transcript by Dec. 31st, after you swore in your 5th extension request via affidavit that you would have "volume 1&2 by Christmas Eve" and "Volume 3 by New Years Eve," I wonder what the court will think now that we are over four months past that deadline with nothing?

The good news is you also say below "its almost done." Assuming you have completed the little part to go in the last 18 days, please send the file to me. If the file is not completed, please send the file as is, as you claim is "almost done."

Thank you,

Anthony Lombardo <alombardo4640@gmail.com>

Tue,
May 17,
2:50 PM

to Julie, bcc: Michelle, bcc: Laurie

Hi Julie: Thanks so much. I appreciate your willingness to set your 12th transcription delivery deadline for May 9th as you write below. We were all so excited to hear that "it's almost done" and that you would "send some of it up by Saturday or Sunday Morning" following and that you would "complete and finalize it on the 9th", much like you said so regarding your 11 other delivery dates previously below.

You are not going to believe this Julie, but it is my understanding you have sent nothing again, for the 12th time, now 18 days after you wrote below, nor have you sent any proof of the file you claim you sent "a while back" on March 6th. I wonder: considering the court told you that if you did not file the transcript by Dec. 31st, after you swore in your 5th extension request via affidavit that you would have "volume 1&2 by Christmas Eve" and "Volume 3 by New Years Eve," I wonder what the court will think now that we are over four months past that deadline with nothing?

The good news is you also say below "its almost done." Assuming you have completed the little part to go in the last 18 days, please send the file to me. If the file is not completed, please send the file as is, as you claim is "almost done."

Julie Thompson

Tue,
May 17,
2:53 PM

to me

It will be by the end of next week. I had to push a couple in front of yours.....



Anthony Lombardo <alombardo4640@gmail.com>

Tue,
May 17,
3:25 PM

to Julie, bcc: Laurie, bcc: Michelle

Hi Julie:

I think you are not hearing me.

You said 18 days ago below that the file was "almost done" and you would be sending it on the "9th of Ma"y at worst.

You are confirming today the file is almost done again below. Please send the file As Is now to me. "Almost Done" If you want to complete it on your own by end of next week. Great.

Reality is reality Julie and truth is truth. If reporting reality and truth to you is condescending, I sincerely apologize.

Your affidavits and the below email chain, without any bias, prove the following as Fact of written record:

1. You have now set 13 deadlines for delivery of the transcript which you were paid upfront to complete, to the court and myself, half sworn in affidavit to the court and the other half in writing below
2. You have missed all of the first 12 of your own deadlines and sent nothing instead, despite knowing the court would dismiss the case if not received over 4 months ago.
3. When you say on your 12th deadline below the transcript will be "delivered by May 9th," you do not need to hear back from me to do what you said you would do
4. There are almost 100 pages below of record that say one thing from me, SEND THE Transcript ASAP as you state you will. You do not need to hear that from me ever again

in order to deliver what you say in writing. No one in this universe would need that kind of follow up, muchless chastise me for not doing so, so please, save the excuse. Nothing has changed..

You already used the "I did not hear from you" excuse and "I had to put others in front of you" on other deadline misses.

Please Send me the file "ALMOST DONE" as you claim it presently is.



Julie Thompson

May 17,
2022,
3:34 PM

to me

Yes, next week. You can't use it in the form it's in.



Anthony Lombardo <alombardo4640@gmail.com>

May 17,
2022,
3:40 PM

to Julie, bcc: Laurie, bcc: Michelle

No, not next week. Please send the file as is now, no matter what form it is in since it is almost done, and has been for 18 days.

Form Appellate Motion for Commissioner Reconsideration on Dismissing the Appeal due to Late Transcript

COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

In the Family Law Court Case & Trial of the Dissolution of
Marriage of

**Appellate Motion for Commissioner
Reconsideration on Dismissing the
Appeal due to Late Transcript**

Claire Reilly-Shapiro,
Respondent,

No. [19-3-09930-9] Superior Court
No. [827227] Appellate Court

v.

Anthony S. Lombardo III,
Appellant.

I understand how busy the court is, so I will keep this motion brief. A question to the Court will be proposed for answer at the end. Thank you in advance for your valuable time, attention and most of all, the court's logical understanding of this matter. Late last summer the Appellate Court gave me a list of court approved Transcriptionists to use for transcription for our Appeal. I picked Julie Thompson from that list the court provided me. I paid Ms. Thompson upfront to do the transcription of my hearings and trial. I took this step because my appeal has clear and straightforward merit for review given what would appear on this said transcript. Our children of the ages of 2 and just now 4 are young enough to have no idea of proceedings or transcription, so to me there was no penalty to them in having an unbiased, judicial second look at our divorce case.

On five different occasions, from September to December 2021, Ms. Thompson told the court in a sworn affidavit she would have the transcription filed on a certain date

in that 4 month period, and provided reason for the extension request. The Court has received all of those affidavits, as attachments to the motions for extension. The five motions for extension were granted. Ms. Thompson always provided good reason for extensions and the Court was nice enough to accommodate, but at the same time, the Court warned her on extension 4 & 5 that the case would indeed be dismissed if her December 31st deadline was not met.

Before I proceed, please allow me to suggest that the question, of why on earth a court approved service provider would miss 5 sworn self-appointed court deadlines, did indeed come up. Ms. Julie Thompson was a court approved service provider with a business. She deserved the respect, patience and level headed communication that anyone deserves. I was raised by a mom, a sister, 6 lady cousins, 7 aunts and 3 grandmothers. Giving Ms. Thompson, a court recommended service provider, the benefit of the doubt made good sense. The Court can see the respect and patience I provided Ms. Thompson in each of the final paragraphs of my Motions to the Court for Extension.

After writing the court in order to inquire about post transcription reception steps, I found second week of January that indeed, Ms. Thompson had missed her fifth deadline, where she swore to the court, "I will have Volume I & II in by December 24th and Volume 3 in by December 31st." Upon my inquiry in email, Ms. Thompson then wrote and said she would have the file in by Friday January 21st. **Exhibit 1**. I have provided those emails to both Michelle and Laurie at the court, to keep them informed. In February, I discovered yet again that the court had not received the file and the Court had dismissed the case, after the Court being patience another five weeks past her December 31st deadline. Upon writing Ms. Thompson, she explains in **Exhibit 1**, that

indeed she filed the Transcription before the case was dismissed, and will resend this Wednesday. See **Exhibit 1**

Sadly, either the Transcript has been mishandled upon delivery by either Ms. Thompson or the Court, or the court recommended service provider has missed a 6th self-appointed deadline, and has CLEARLY been dishonest in her statements, and has been all along, in order to accomplish the only actions she possible could, in order to have the case dismissed because of no transcript received, Now if it's the former, I am sure Ms. Thompson can prove to the Court when she sent the transcription and we can be done. If it's the latter, the only question is this:

Is it ok for a court approved third party to purposely and premeditatively sabotage an appeal through their own actions? There is simply no viable explanation for missing 6 self-appointed deadlines. The writing is on the wall. No matter what the reason, if one or all of the appellate cases are sabotaged by a third party, much less if the providers are court approved, consideration for eliminating that misconduct, and applying that consideration to the case or cases at hand, via logical conclusion, must be available to the people and their families, especially when all parties have been forced to have conducted themselves only digitally via divorce proceedings for over two years, because of COVID.

I understand that rules and time lines are set up to protect both parties and their families. However, I had to depend on only one other party, other than the Court in this whole process other than myself. That Court recommended third party has currently eliminated, on her own, any opportunity for the transcript, and thus, the truth, in this case to be revealed through review. I am an Ivy league educated MBA, with no conviction

record, that gave up his entire career to be a **real** stay at home dad for 3.5 years, and crushed it. The Respondent knows that, which is why her track record for care is what it is. Then the Respondent volunteered 50% splitting of all awake time for 17 months post separation. Now I see my children 18% of the time. I have spent almost 30 days out of the last 60 with my children, because of Respondent weddings, Respondent work holiday schedules, illness of the kids, and COVID outbreaks, far beyond the final court mandate, for a reason. When it's convenient for the Respondent to us my care, as she has since our son's birth, her narrative you will find in the transcript is completely undermined (as undermining as a Transcriptionist missing 6 deadlines, if that tells you anything.) What's more, only one party in the transcript is caught lying under oath, admitting to Abuse of Conflict and Domestic Violence, and that is not the person writing this motion. Again, the paradoxes continue. The two facts above, transcriptionist and real care, are not mutually exclusive or coincidence.

If Ms. Thompson cannot prove to the Court she delivered the Transcript on time before dismissal, which I really hope she can so that the trust we both put in her can be acknowledged, short of some allowed extended tardiness, as she has said in Exhibit 1, by Wednesday of this week, then I move that the court subpoena the Transcript which has been paid for. I move that Ms. Thompson not be recommended by any county in five states she works, and I move that if the Transcript is not complete, that the court allow me a week to find someone to finish it by end of March. We will find out shortly, if indeed Ms. Thompson ever transcribed a word, while she swore to the Court she just needed a little more time to finish, each and every time she asked for extension. This case is not dead as the Dismissal Letter suggested due to non-activity. The Court has seen the real

activity for six months, and now today, after everything, we find out Ms. Thompson has said in writing she delivered the file. I have bent over backwards, as have you, for Ms. Thompson. Please understand there is only so much someone like me can do when a court approved service provider does the only thing it could do, string the court along 6 different times in sworn affidavits, to get an appellate case dismissed. I cannot make her deliver, just trust in her and do my part. It does not matter what her reasoning is, to lie to the court and my family 6 times so that justice and fairness cannot have a chance to prevail, is wrong. The Court's life, my life and our two son's lives for the next 18 years should not hinge on Ms. Thompson. That would not be in the spirit of why we have appeals to begin with.

Much like no human being could explain why 6 deadlines have been missed, no human can explain how a stay at home PCG dad could go from 100% to 18% without a conviction, drugs, proven domestic abuse or child abuse. Any human that could explain those items, can explain why we should be giving Putin \$1 billion a day for oil and gas, while he murders kids. Some things are just black and white, and I ask the Court, in the spirit of its dogma, to see clearly here and accept either the transcription at it was delivered or give me until the end of the month to find someone trustworthy, that can deliver. Our children are not affected either way or I would not tough it.

.

Signature

ASL
[Anthony S. Lombardo III, pro se, 420 25th Avenue East, Seattle WA, 98112] 3/07/2022

I swear under penalty of law the body of this document above contains 1492 words



Anthony Lombardo <alombardo4640@gmail.com>

Sun, Mar 6, 5:18 PM
(22 hours ago)

to Julie, bcc: kgalvin12, bcc: candice, bcc: alissa, bcc: julie

Hi Julie: Hope you are doing great. Sorry to bother you today. First, please let me thank you for all your hard work on the transcript for appeal. As I have said many times, I respect your small business, and I was taken by your ability to understand that my children's future was on the line when you took the job. Each of the six times you failed to meet your own, sworn via affidavit to the court, self directed deadlines with the court, I have reiterated to you in writing how much we believe in you and trust you will get the job done, and respected your timing, needing to take a little more time to finish up. I am new to all this so I let you lead and trusted your character and most of all your, experience in these matters such as extensions.

Forgive me, but I reached out to the court recently, and to my surprise, they said you had not turned in the transcript file for a 7th time, as you write describe below when you say "I will have it completed by Friday", the 21st of January. I am sure they must be mistaken.

To clear this mistake up, please be kind enough to resend the court and me the transcript no later than 4PM tomorrow, Monday the 7th of March. I will be working with the court, hoping for their mercy, in allowing acceptance a late transcript for a 7th time, so three unbiased judges can read what was said via the transcript at trial and make a more appropriate fair decision for our boys.

Thanks for understanding. Have a great day.



Julie Thompson

Sun, Mar 6, 6:12 PM
(21 hours ago)

to me

Hi, Anthony -

I will be back in my office on Wednesday. It was filed some time ago. Once I get back I will pull it back out and resend.

Julie



Anthony Lombardo <alombardo4640@gmail.com>

7:29 AM (7 hours ago)

to Julie

Thanks Julie. I figured they had made a mistake. Sadly however, today is the last day for the court to receive the filing or the case is dead as they threatened, and they say they do not have it right now. They claim they gave you well over a month past your sixth, final self directed deadline of December 31st. Please do whatever possible to either send me the email where it was filed previously or resend today. Perhaps someone near your office can help or the cloud can. **You can also write to our friends at the court, like you just did me, and let them know you sent the file a while ago and you have no idea why they say they do not have it. Please CC me if you choose that option.** Laurie.Sanders@courts.wa.gov Michelle.Collins@courts.wa.gov

Thank you



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to Michelle, Laurie

Hi Michelle and Laurie: Hope you had a nice weekend. Michelle, we spoke a week or so ago about the fact that you still had not received the transcript for my case. You let me know today, March 7th, was the deadline to file a reconsideration motion for the commissioner to not dismiss the case due to not receiving the filing, and I was planning on doing so today as directed.

Below however is an email from the transcriptionist this morning that claims she filed the transcription quite a while ago. Not sure what is going on here, but nothing surprises me at this point. Please be kind enough to double check if the court has received the filing. The transcriptionist email is julie@thomtrans.com.

I will be happy to formulate a motion for reconsideration today if need be, but unless she is lying today, the transcriptionist says you have had the file since well before the case was dismissed due to lack of filing mid February, which was at least 5 weeks after her last affidavit said the transcript would be in on December 31st, and at least 3 weeks after her email at the bottom of this chain said she would have it in, "Friday" January 21st, which I shared with you guys at the time.

Thank you kindly.

Anthony Lombardo <alombardo4640@gmail.com>

Jan 16, 2022,
1:35 PM

to Julie, bcc: julie, bcc: kgalvin12, bcc: alissa

Hi Julie: I just wanted to say happy new year and thank you so much for telling the court you would have "volume 1 & 2 in by christmas eve and Volume 3 in by December 31st" in your sworn affidavit to the court attached. I know you had previously missed your other four deadlines you asked for, but it put my mind at ease that you were granted what you asked for in Mid December.

When my mother Julie reached out to you on the phone on Friday December 31st to make sure you were going to deliver the transcript to the court on time, as you said you would, it put her mind at ease when you told her you had until Monday the 3rd due to the holidays, and for her "not to worry, it would be handed in on time." My mom is 77, loves her grandchildren, and is well aware of what was said at trial and therefore in the transcript, including but no limited to the opposition had been caught on record lying to the GLA and in her deposition, had admitted to domestically violent acts on record, and abuse of conflict acts. Therefore, like me, a concerned grandmother, was just making sure the transcription would be seen by the just appellate court, instead of the court dismissing the case, as they threatened, if indeed you did not deliver the transcript as you swore you would and were paid to do upfront. Thank you for putting her mind at ease. That meant alot to me and her. Clearly you would not have told the court what you did in your affidavit mid December, nor would you have told my mom not to worry December 31st, if indeed you were not mostly done with the transcript, and it was not possible for you to complete and deliver the transcript on time.

Just to be safe, if for whatever reason you have forgotten to deliver the transcript by December 31st as you swore you would in your affidavit attached, to Susan Dahlem at the appellate court, or for whatever reason you were unable to get it delivered by Monday the 3rd as you told my mother you would be doing, clearly the two weeks since then that have passed would have been more than enough time to do so given you would have been almost done when you said what you did to the court and my mother, so please do so by Monday, MLK day. Otherwise I am sure you would understand how things would look to both the court, the world and my family, and what not doing so would mean, outside of and including the appeal itself being dismissed, which you were clearly aware would happen if you failed.

As always, I have full confidence in you, your business and your honest word, and ability to deliver what you said you would do and were paid to do. Thank you for all your hard work, accepting this reminder and my gratitude.

Anthony
Attachments area



Julie Thompson <julie@thomtrans.com>

Jan 19, 2022,
6:23 AM

to me

I will have it completed by Friday. I had to put it aside for a bit.....

December 15, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting a final extension for the transcription of the hearings requested in this case until December 30th. Volume I of II will be filed by December 24th with the second volume being filed by the 30th.

Please note that audio was originally received on September 24th and missing audio was received on October 11th. Looking back, at that time I should have requested the full 60 days to complete the requested transcripts to avoid the snowball effect that ensued. This was definitely a lapse on my end. But technically, the December 30th extension is three weeks from a standard transcript request, which is based on the date all material is received. As mentioned above, a portion of this matter will be completed earlier.

I appreciate your time and consideration in granting this extension.

Thank you!



Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229

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The Court of Appeal of the State of Washington: Division I

In re marriage of:

Respondent:

CLAIRE REILLY-SHAPIRO

And Appellant:

ANTHONY LOMBARDO

No. 82722-7

Reply to Answer to Motion for Court to Reconsider Dismissing the Appeal

COMES NOW the Appellant Anthony Lombardo, respectfully submits this reply to the Court to the Respondent’s answer to Motion to Reconsider Dismissing Appeal..

I. FACTUAL REPLY TO ANSWER

First please allow me to thank this Duty Panel for its valuable time. The answer to motion provided to the court by the Respondent deflects and pivots away from the central issue at hand in the motion, and the writers of the answer are banking on this Duty Panel being made up of different court employees than the ones that were involved in all previous appeal motions/decisions/record. The counsel for the respondent is hoping the Duty Panel members will not do their homework. Consequently, the Appellant will provide the relevant record, and compel this Panel to avoid deflecting and pivoting away from this issue and address the real issue at hand: A court recommended transcriptionist has sworn to the Appellate Court in five different affidavits that she would file the transcript to the court on five different chronologically

1 later deadlines in 2021, and has not done what she swore she would do each of those five times.
2 Moreover, in the first three months of this year, that court recommended transcriptionist has put
3 forth three other delivery deadlines in writing which she has also missed, she has put in writing
4 she sent the transcript to the court “a while back”, without proof upon request nor actual
5 reception at the court, and she now says the file was corrupted and needs to be delivered this
6 weekend. In no Universe is there any reasonable excuse for this court recommended
7 transcriptionist to have missed 8 filing deadlines she herself prescribed in writing, knowing full
8 well that last missing the last deadlines would likely result in dismissal. The only reason for her
9 doing so is obvious, and should not affect the court’s right to review the decisions in underlying
10 divorce case, mainly why a career sacrificing, excellent stay at home father of over two years of
11 life, at the behest of the mother, now interacts with his children over 80% less than pre-divorce
12 and 70% less than 16 months of temporary orders, which was also volunteered by the
13 Respondent.
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15

16 **REPLY TO ANSWER’S ARGUMENT**

17 The Respondent’s counsel has levied three main reasons why the court should not reconsider the
18 appeal on the grounds the transcriptionist has clearly done the only thing possible she could do in
19 order to make sure the transcript is never seen by anyone. All three reasons argue the court
20 should not have done what it did in the past, as reason to silence the transcript record and thus
21 the appeal itself. First the Respondent points out that I waited 49 days too long to file my appeal.
22 That somehow, I just sat on my hands and was over 7 weeks late on filing the appeal, and thus
23 the court should not have granted any extension then. This could not be further from the truth,
24 and the Duty Panel should ask themselves why the Respondent expects you to believe something
25 that is not true. **Exhibit 1** is my motion for notice of appeal extension. It clearly proves that
26 filed the appeal on time, but with the Superior Court at the suggestion of an attorney. Once I
27
28

1 followed up on my own with the Appellate Court instead of sitting on my hands as the
2 Respondent states in her answer, a court employee Laurie Sanders, and I discovered the error.
3 Once I proved to Ms. Saunders the Notice had been filed on time with the wrong court, Ms.
4 Saunders let me know these kinds of things “happen all the time,” and an extension was granted,
5 and that deadline was met. Not only was the extension granted, met and is in the past, something
6 that should not be doubted now, but the Respondent wants you believe a lie, that I sat on my
7 hands and did nothing, and the court granted the extension because of COVID. Again, the Duty
8 Panel might consider why the Respondent has chosen to mislead the court, instead of addressing
9 the real issue at hand. What ever happened to the facts? I ask this Duty Panel to read the
10 Respondent’s answer to the original motion to extend the Appeal filing date, as see, the old
11 reason they gave for asking for the court to not grant the extension was because it was filed a few
12 minutes late. And that somehow our 2 and 3 year old would be worse off if the appeal happened
13 given it was filed a few minutes late, than they would be if the Appellate Could review what was
14 going to happen with them for the next 15 years. Is the reason the Respondent used such
15 illogical reasoning in her former answer, the same they are using dishonesty and pivoting to
16 make sure the Appeal Court never sees the record now in this Answer? And is this reason also
17 related to how on earth a court recommended transcriptionist could miss 8 of her own deadlines?
18 We all might have to use a bit of logic here. The respondent, her counsel, her financiers, several
19 professionals, Judge Rosen, and key witnesses at trial, all want the Appeals Court to have
20 absolutely nothing to do with the transcript and thus the record in this divorce case. Could these
21 answers and reasons be indicative behavior of someone that had something to hide, like how on
22 does a stay at home parent have under 20% time with their children all the sudden? No matter
23 for now in this reply. What I do know is silencing the future of the record and its truth by
24 dismissing the appeal is not an answer to our present relevant problem.
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1 Similarly, the Respondent suggests I did nothing in November when the Transcriptionist missed
2 her fourth deadline. **Exhibit 2** shows otherwise. I follow up with the transcriptionist and the
3 court with emails, call and motions, and the extension was granted. The transcriptions, on her
4 own, without any control of myself, decided to miss her third and fourth self-appointed deadline.
5 In each of the deadlines the transcriptionist missed, I followed up with either the court or the
6 transcriptionist or both to see if the transcript was going to be files on time, and when it could
7 not, for whatever reason, the transcriptionist then gave me her affidavits, and I spent the time
8 and money to file a motion for extension with the court, and they were granted. Often, I emailed
9 and forwarded all communication with my contacts at the appellate court to keep them informed
10 and we approached a deadline or one was recently passed, in addition to filing motions for
11 extensions which were again, granted, and should not be doubted at this time. See **Exhibit 2**.
12
13 The respondent then suggests as her third reason for not reconsidering the dismissal that again I
14 sat around and did nothing for over 45 days after the transcriptionist missed her 5th deadline to
15 file the appeal December 31st. Again, a flat out lie. First, I had the children's grandmother,
16 godmother, aunt and uncle call the transcriptionist the day it was due to encourage her and make
17 sure she would not miss the deadline due to the dismissal consequences. See **Exhibit 3**. The
18 transcriptionist reassured my mother in her phone call that all was on time. Second, **Exhibit 4**
19 spells out exactly what I did with both the transcriptionist and the court employees regarding this
20 matter. Again, I waited a week or two out of respect for the court and the court recommended
21 employee, and asked about next steps now that transcription was filed. Finding out unexpectedly
22 from Ms. Saunders the file had not been sent, I took action. Then the transcriptionist said in
23 writing 3 different times when it would be sent or that in fact it had already been sent also in
24 **Exhibit 4**. I did the opposite of doing nothing. In her 5th request for extension, the
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1 transcriptionists takes all the blame for missing the first four deadlines, and goes as far as to say
2 that Volume 1 will be turned in December 2024th and Volume 3 December 31st.

3 Please understand there is only so much I can do to a court recommended employee. I cannot
4 jump through the computer screen and grab the transcript, and I certainly cannot be disrespectful
5 in any way to someone recommended by the court given the circumstances of the appeal. Given
6 what we know now, that the Transcriptionist was not ever going to file on time from the
7 beginning, she could have been looking for any reason along the way to blame her decision to
8 sabotage the appeal on me, so as you can see by the exhibits, on 8 different occasions, I was
9 incredibly diligent, supportive and respectful to Miss Thompson in case she actually and
10 legitimately needed the extensions. She has the experience, I followed her lead.

11
12 By far the most important piece of information we have gained from **Exhibit 4**, ie the
13 communications with the transcriptionist in 2022, we can now put aside any reasonable doubt,
14 that this court recommended employee has essentially done the only actions she could do in her
15 power to have the case dismissed, by not doing what she says in writing 8 times. Mind you, I
16 paid this employee upfront, and I have over \$40K effort and over 100 hours in time devoted to
17 not only honoring the transcriptionist need out of respect, but simultaneously discovering much
18 like the court has, that indeed this recommended service provider's one goal was to get the case
19 dismissed. To be clear with this Panel, **Exhibit 4** shows the transcriptionist setting 3 more
20 deadlines to file, missing them, then saying she actually sent the file, which she has been unable
21 to show proof of when asked, and now suggests the file is corrupted and has proposed a 9th
22 deadline of this weekend. If there was any doubt the transcriptionists intentions, even after she
23 failed to do as she swore five times with the court, **Exhibit 4** buries any possible other excuse for
24 failing to deliver what she was paid to do upfront, and swore she would do, then lied about
25 doing, all in writing. So now the big question? What does the court do when one or all of the
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27
28

1 court recommended transcriptionists for appeal, decide, for whatever reason, self-interest or
2 corruption, that they are going to essentially write a “how to book” on getting appeals dismissed
3 and keeping the record hidden from the very body whose job it is to make sure nothing fishy is
4 going on with court decisions.?
5
6

7 **THE BIG QUESTION FOR THIS DUTY PANEL**

8 Is it ok with the court that a court recommended employee has removed, purely on her own, the
9 right for the court and my children to have their future reviewed? If so, dismiss the case, silence
10 the record, and continue the long trail of perplexing occurrences in this case since filing for
11 divorce. But what happens if all transcriptionists decide to do this. Is it ok for one, for all? No
12 chance.
13

14 The evidence is clear, the transcriptionist has wasted six months of our time, and done really the
15 only thing she could do to make sure the case would be dismissed: she strung the Court along 5
16 times and me 8, has then claimed she actually sent the file, and now its corrupted, etc., all to get
17 the case dismissed. If that is not OK, please reconsider the dismissal for my boys’ sake.
18

19 What I can tell you for sure is this: my children are 2 and 3 for most of this and 3 and 4 now.

20 Although they are very bright, they have no idea what the transcriptionist has done for six
21 months. They do not know what a lawyer is, a trial, court, or anything like that, and trust me, as
22 they stay at home dad for over two years, I know. The downside to the boys for the next 15
23 years, by not letting a record be seen, which on its best day, put the children 50 50, is infinitely
24 greater than whether the court receives the transcript Jan 1 or April 1. My sons have no idea
25 regardless of when its filed, and will not have a clue about the appeal in any way. Although I
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1 respect limitations on time designed to protect children, the transcriptionists actions, and its
2 negative effect for the last three months in delaying, do not exists or apply to boys of my age.

3 As a result of the evidence as well as showing the arguments of the respondent are mainly based
4 on falsehoods, as well as expecting the court to regret its former decisions, I am getting down on
5 my knees and respectfully imploring this Court and Duty Panel to collect the transcript this
6 weekend from Julie Thompson and use it for the Appeal. If it does not arrive by this weekend as
7 she states, then I suggest we subpoena the file and allow me to have it completed as fast as it can
8 be humanly done, based solely on the fact that the Transcriptionist, for some unknown reason,
9 has on her own, decided to keep the one thing I needed to depend on others for, from being seen
10 in this Appeal. I know if the situation were reversed, I would welcome a review of the parenting
11 plan, if only to benefit the boys in certainty, unless of course I had something to hide, had been
12 caught lying on record, and had admitted to domestic violent acts and abuse of conflict on
13 record.
14
15

16 I certify that this memorandum contains 2,332 words, in compliance with the Local Civil Rules.
17

18
19 Respectfully submitted this 28th day of March 2022.
20

21
22 ASL
23 Anthony Lombardo, Respondent
24
25
26
27
28

Thu, Apr 1,
4:52 PM

to me

Hi Anthony,

It was nice talking to you today. I am sorry that your trial result was not what you wanted. If you decide to appeal, you must file a Notice of Appeal to the Court of Appeals within 30 days of entry of the written orders. We discussed the appellate process and why it is important for you to have counsel. Please let me know if you have further questions. Thank you.

Very truly yours,

Philip

Tue, Apr 13,
3:56 PM

to me

Hi Anthony,

I am just coming back from vacation and am slammed. I want to be clear that I do not represent you. As we discussed in your consultation, if you want to hire me to represent you, you will need to sign a Representation and Fee Agreement and also, pay a \$10,000 advance fee deposit. As I previously indicated, I would be honored to represent you in your appeal.

However, if you want me to assist in filing your Notice of Appeal as a Pro Se (unrepresented party) and unbundled services, please call in a payment of \$690 to my receptionist. That is \$400 for 1 hour of my time and \$290 for the appeal. Thank you.

Very truly yours,

Philip
Attorney at Law

Apr 14, 2021,
3:14 PM

to me

Hi Anthony,

You will need to do this yourself.

Very truly yours,

Philip

Exhibit 2



Anthony Lombardo <alombardo4640@gmail.com>

RE: Notice of Appeal

12 messages

Sanders, Laurie <Laurie.Sanders@courts.wa.gov>
To: "alombardo4640@gmail.com" <alombardo4640@gmail.com>

Thu, Apr 29, 2021 at 4:20 PM

Below are contact resources specifically identified to support customers' use of the eFiling application and Clerk's Office electronic processes. The phone lines and email boxes are staffed during the [Clerk's Office business hours](#). When calling if you receive voice mail please leave a message. Calls will be returned in the order they are received.

📌 eServices Help Desk

For questions and assistance with the eFiling application and ECR Online, contact us:

- call 206-477-3000, or
- email eServices@kingcounty.gov.

📌 eWorking Copies

View eWorking Copies information, step-by-step guides, FAQs and Helpful Tips [here](#).

For questions and assistance, contact us:

- call 206-477-3021 (also available during the closed office hour of 12:15 - 1:15 pm), or
- email eworkingcopies@kingcounty.gov.

📌 Ex Parte via the Clerk

View the Ex Parte Motions and Hearings Manual, Master List, Ex Parte via the Clerk forms and FAQs [here](#).

For questions and assistance, contact us:

- Seattle staff: 206-477-0848, or
- Kent staff: 206-477-3047.

📌 General Information

Clerk's Office staff performs a variety of duties and services for the court, litigants and the public. If you need additional information or assistance not address above, please contact us:

- call 206-296-9300, or
- email clerksofficecustomerservice@kingcounty.gov.

Laurie Sanders

Deputy Clerk

Court of Appeals, Division I

600 University Street

Seattle, WA 98101

Direct Dial: 206-464-6013

From: Sanders, Laurie
Sent: Thursday, April 29, 2021 12:24 PM
To: 'alombardo4640@gmail.com' <alombardo4640@gmail.com>
Subject: Notice of Appeal
Importance: High

Mr. Lombardo:

We have been trying to reach you regarding the attached notice of appeal but the phone number you listed on the transmittal has a voicemail for some type of real estate services and does not give your name. There are currently no appeals pending before this court for this trial court number. RAP 5.1 and 5.2 states a notice of appeal must be filed with the trial court within 30 days after the entry of the decision. The trial court docket does not reflect a notice of appeal filed in their court. Only appellate court filings are accepted through the inmate e-filing portal.

Laurie Sanders

Deputy Clerk

Court of Appeals, Division I

[600 University Street](#)

[Seattle, WA 98101](#)

Direct Dial: 206-464-6013

Anthony Lombardo <alombardo4640@gmail.com>
To: "Sanders, Laurie" <Laurie.Sanders@courts.wa.gov>

Tue, May 25, 2021 at 4:12 PM

Hi Ms. Sanders:

First, please allow me to thank you for taking the time to share and speak with me two weeks ago. As I mentioned in our call, I cannot tell you how grateful me and our boys are for someone to have taken time out of their busy day, especially given the state of the world, to educate us on the process. You deserve a lot of positive energy for doing so. If there's anyone (manager) I can speak with regarding your service, please let me know. In life, people seem to be verbose when they need to complain. I have spent my life trying to be verbose when credit is due and you deserve much credit. You have been at this court 19 years, and I think our country is much better off because you are there. You were so helpful.

I spent a week or so trying to continue trying to figure out how to use the family court site to file the appeal I had filed with your court at your suggestion. After much trials and tribulation, I took your advice again and focused on what you were nice enough to send me above, and called the staff line for help. Since then I have not only figured out how to file and appeal with the family court you mentioned, but I was also able to distill a pdf for all relevant info into the appeal pages so just one pdf will be filed as you directed. Thank you for the direction. If you would be kind enough to email me the fili for the motion you mentioned for your court to hear my appeal given the family court filing is late, even though I filed on time with your court at the poor advice of an attorney as mentioned, I would greatly appreciate it.

In the meantime, thanks so much for all your help.

Anthony Lomabrdo
[Quoted text hidden]

Sanders, Laurie <Laurie.Sanders@courts.wa.gov>
To: Anthony Lombardo <alombardo4640@gmail.com>

Thu, May 27, 2021 at 10:29 AM

Mr. Lombardo:

Per your request, here is a link to the format you should follow when filing a motion for extension of time to file your notice of appeal:

https://www.courts.wa.gov/court_rules/pdf/RAP/APP_RAP_FORM18.pdf

I'm glad I was able to be of assistance. My apologies for not replying sooner but I was out of the office unexpectedly.

Thank you,

Laurie Sanders
Deputy Clerk
Court of Appeals, Division I
600 University Street
Seattle, WA 98101
Direct Dial: 206-464-6013

From: Anthony Lomardo [mailto:alombardo4640@gmail.com]
Sent: Tuesday, May 25, 2021 4:12 PM
To: Sanders, Laurie <Laurie.Sanders@courts.wa.gov>
Subject: Re: Notice of Appeal

External Email Warning! This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

[Quoted text hidden]

Anthony Lomardo <alombardo4640@gmail.com>
To: "Sanders, Laurie" <Laurie.Sanders@courts.wa.gov>

Thu, May 27, 2021 at 4:06 PM

Thanks Laurie and no worries at all, I got your out of the office notice, and was not too concerned on timing given our conversation about having a good reason for filing late, ie bad legal advice, the fact that I am on record getting it to your court and opposing counsel on time even though it was the wrong court and your assertion that this kind of thing happens all the time. Quick question, should I file the motion for extension with your court? Would you also like me to email you the motion too. Also, I know you had requested/suggested one pdf for the notice appeal finding, but I wanted to make sure you thought the notice filing should be one pdf with all total orders included or should I file the notice of appeal as one pdf and the back up orders as another pdf(all orders in one). Again, I thought I'd wait for you to get back to file given our conversation last time, given not too worried about timing given the bad advice and the fact that I managed to figure out how to file the notice of appeal on record with your court and with opposition on time. Finally, just curious, it appears there is a no fee notice filing with fmailly court and a for fee foiling, and just wanted to know the difference.

PS... between us hope not too much info here, not sure how on earth I was given the final orders as they are now given I was the stay at home dad for 3.5 years, but given they are what they are as discussed, please keep in mind that something rotten might be out there with regard to this case, so if you feel it helpful, please advise your colleagues that we just need a fair shot, and the motion for extension needs to be granted for all the reasons we spoke of. My guess is whatever entity leaned on the universe to get the final orders as they are given my wife in on record lying to the court in deposition and trial and I am Primary care giver, is the same entity which will try to lean on the appellate court to not grant an appeal given its late. I could be paranoid here but just throwing it out there just in case. Not suggesting you guys would ever listen to anything but justice and fairness, but so far, me and my boys have received nothing resembling justice and fairness.

Again thanks so much for being here, and being so helpful, informative and on baised for my boys. Hope you have a very nice holiday weekend planned. I cannot tell you how greatful me and my boys are for your service, and most of all, use our appreciation and good energy when you need it as we pull out of the last 15 months....

[Quoted text hidden]

Sanders, Laurie <Laurie.Sanders@courts.wa.gov>
To: Anthony Lomardo <alombardo4640@gmail.com>

Tue, Jun 1, 2021 at 2:57 PM

Mr. Lomardo:

The motion for extension of time can be filed with this court once you have filed your notice of appeal with the King County Superior Court and they have transferred it to us. I checked both King County's electronic records and their electronic docket today for your trial court number. There is no record you have filed a notice of appeal yet with them and we have no active case in our court for you at this time. The documents you filed with the Court of Appeals in April were returned to you in May as the notice of appeal had not been filed with the trial court.

[Quoted text hidden]

Anthony Lomardo <alombardo4640@gmail.com>
To: "Sanders, Laurie" <Laurie.Sanders@courts.wa.gov>

Tue, Jun 1, 2021 at 4:08 PM

Thanks Laurie. Yeah, given the time pressure was off a bit given our talk, I was just waiting to hear your response with regard to the notice pdf: specifically if the notice of appeal needs to be all one pdf filed with the court, or two separate pdfs, one the notice of appeal itself and the other the backup docs. I know you had suggested a preference on the phone regarding one or two pdfs instead of multiple, so I was just clarifying which.. My previous email to you also asked you a question about notice having a no fee versus fee, so please let me know the difference if you can. Thanks again for all your help. I know you are only there two days a week, but I was hoping to get my two relevant notice of appeal questions answered given your knowledge and what you expressed regarding preferences when we talked, before I hit send to the family court, just to make sure I do everything right.

Hope you had a great weekend!!!! And enjoying the beautiful weather. I was with the ys fboour straight days this weekend and they have never slept better or been happier in 16 months.

[Quoted text hidden]

Sanders, Laurie <Laurie.Sanders@courts.wa.gov>
To: Anthony Lomardo <alombardo4640@gmail.com>

Tue, Jun 1, 2021 at 4:11 PM

Your notice of appeal and attachments should be filed as a single PDF. You will need to pay a filing fee but it is paid with King County Superior Court at the time of filing the notice of appeal.

[Quoted text hidden]

Anthony Lomardo <alombardo4640@gmail.com>
To: "Sanders, Laurie" <Laurie.Sanders@courts.wa.gov>

Tue, Jun 1, 2021 at 4:20 PM

Thanks, I see the payment info. They had an option for a no fee filing as well. Are you familiar with that or the difference. Thank you so much for responding in a few minutes ago, as I am trying to get this out asap because I know filing ASAP but in a way that has all the Is and Ts crossed is important.

[Quoted text hidden]

Sanders, Laurie <Laurie.Sanders@courts.wa.gov>
To: Anthony Lomardo <alombardo4640@gmail.com>

Tue, Jun 1, 2021 at 4:23 PM

If you file without the filing fee, we will immediately set a motion to dismiss the appeal for failure to pay the filing fee. You can file without paying but you will have to pay it eventually.

[Quoted text hidden]

Anthony Lomardo <alombardo4640@gmail.com>
To: "Sanders, Laurie" <Laurie.Sanders@courts.wa.gov>

Tue, Jun 1, 2021 at 4:28 PM

Got it. Thanks so much. You have been amazingly helpful and frankly, the one person that has been there for justice for me and the boys in 16 months, so thank you for that from the bottom of my heart. Really. Filing now that I have all the info and appreciate the patience. Keep your eye out Thursday when you are back.

[Quoted text hidden]

Anthony Lomardo <alombardo4640@gmail.com>
To: "Sanders, Laurie" <Laurie.Sanders@courts.wa.gov>

Wed, Jun 9, 2021 at 11:06 AM

Hi Laurie: Hope you are well. Notice of appeal has been filed. Not sure if I need a case number or what to file with your court the extension motion.

Thanks again for everything so far.

Anthony

[Quoted text hidden]

Sanders, Laurie <Laurie.Sanders@courts.wa.gov>
To: Anthony Lomardo <alombardo4640@gmail.com>

Tue, Jun 15, 2021 at 1:22 PM

I think you probably have heard from the case manager by now but your case number is 82722-7.

[Quoted text hidden]

Exhibit 3

ANTHONY LOMBARDO

April 14, 2021 - 4:46 PM

Filing Motion for Discretionary Review

Transmittal Information

Filed with Court: Court of Appeals Division I
Appellate Court Case Number: Case Initiation
Trial Court Case Title: Reilly-shapiro Vs Lombardo
Trial Court Case Number: 19-3-09930-9
Trial Court County: King County Superior Court
Signing Judge:
Judgment Date: 03/15/2021

The following documents have been uploaded:

- Noitce of Appeal Shapiro v Lomabrdo Family Law.pdf
This File Contains:
Motion for Discretionary Review

A copy of the uploaded files will be sent to:

- lucia@duboislaw.net

Comments:

Sender Name: Anthony Lombardo - Email: alombardo4640@gmail.com

Address:

420 25th Ave. East

Seattle, WA, 98112

Phone: (858) 459-7325

Note: The Filing Id is 20210414164510D1415183

Exhibit 4



Anthony Lomardo <alombardo4640@gmail.com>

Notice of E-Service Confirmation 19-3-09930-9

1 message

EService.NoReply@kingcounty.gov <EService.NoReply@kingcounty.gov>
To: alombardo4640@gmail.com

Mon, Jun 21, 2021 at 3:47 PM

You have initiated electronic service of the following document(s) on the parties listed below who have consented to accept electronic service via the King County eFiling Application. Case: 19-3-09930-9, Title: REILLY-SHAPIRO VS LOMBARDO.

The parties being served may view the documents within 15 calendar days after the date of this email, by clicking on the links below. After that time, the e-filed document(s) can be viewed in person at the clerk's office or may be available for a fee via "ECR Online."

E-Filed Document(s):

Description: NOTICE OF APPEAL TO COURT OF APPEALS

Lead Document:

<https://dja-efsp.kingcounty.gov/EFiling/EService/ViewDocument.aspx?F+uvA85e6qfxlrlcWZoeQ==>

Parties:

KIMBERLY NICHOLS, Attorney for Petitioner/Plaintiff

Served by:

Anthony Lombardo

If you are unable to connect directly to the E-served document by selecting the hyperlink above, please copy and paste the entire URL into your web browser's address bar. Thank you, King County Superior Court Clerk's Office ***Do not reply to this email. Please contact the Clerk's Office at 206-477-3000 or by email at Eservices@kingcounty.gov if you have questions. ***

King County Superior Court Clerk's Office E Filing Confirmation Receipt

Case Number: 19-3-09930-9 SEA
Case Title: REILLY-SHAPIRO VS LOMBARDO
Submitted By: Anthony Lombardo
User ID: alombardo
Submitted Date/Time: 6/21/2021 3:49:58 PM
Received Date/Time: 6/21/2021 3:49:58 PM
Total Cost: \$0.00

DOCUMENTS

Document Type: AFFIDAVIT / DECLARATION / CERTIFICATE OF SERVICE - SERVED
File Name: Certificate.pdf
Cost: \$0.00

Printed On: 6/21/2021 3:50:34 PM

SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR
THE COUNTY OF KING

REILLY-SHAPIRO

vs.

LOMBARDO

Case No.: 19-3-09930-9 SEA

CERTIFICATE OF E-SERVICE

(AFSRS)

I, Anthony Lombardo, certify that I initiated electronic service of the following document(s) on the parties listed below who have consented to accept electronic service via the King County eFiling Application. Service was initiated on June 21, 2021 at 03:47:31 PM.

Document(s):

1. NOTICE OF APPEAL TO COURT OF APPEALS

Parties:

1. KIMBERLY NICHOLS, Attorney for Petitioner/Plaintiff
email: kimberly@duboislaw.net

Executed this 21st day of June, 2021.

s/ Anthony Lombardo
420 25th Ave E
Seattle, WA 98112
8584597325
alombardo4640@gmail.com

1 time within 30 days, though inappropriately so, the Notice was filed with the appropriate court,
2 roughly 47 days from the deadline.

3 **III. GROUNDS FOR RELIEF & ARGUMENT**

4 The filer of the Notice, the Respondent pro se, received poor advice from a lawyer about where
5 to file the Notice of Appeal. Moreover, the Respondent can prove and has proven to Appellant
6 Court that his notice was in fact filed, as directed within 30 days of written orders in his family law
7 case. Clearly the Respondent would not have known to file with the Appellate Court unless
8 advised to, though incorrectly by said attorney. Once the Respondent was advised of the error of
9 where to file, how to file with a fairly difficult portal system, and what format to file the single
10 PDF in by Ms. Sander's, working around her two day a week schedule and absences, as well as
11 heeding her suggestion that timing was no longer as much the issue as filing itself, the
12 Respondent was able to file on with proper court roughly 47 days late. The Respondent was also
13 able to e-serve the opposing counsel as directed for proof of service as can be seen in **Exhibit 4**.
14 Based on statute and evidence presented herein, Mr. Lombardo's requests for relief should be
15 granted.
16

17
18
19 I certify that this memorandum contains 1,092 words, in compliance with the Local Civil Rules.
20

21 Respectfully submitted this 24th day of June 2021.
22
23

24 ASL
25 Anthony Lombardo, Respondent
26
27
28

Exhibit 2

March 28th, 2022

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

Affidavit Regarding Grandmother Communication with Transcriptionist 12/292/21

My name is Julie Solley and I am the grandmother of the two children in the above case. In the afternoon of December 29th 2021, I called the Transcriptionist, Julie Thompson, to encourage her and ask if she was on schedule for meeting her 5th deadline to file the transcript with your court. Miss Thompson told me “not to worry, it would be filed on time, and turned in the following Monday due to holiday.”

Considering Miss Thompson missed this deadline, for the fifth time, after reassuring me, and considering Miss Thompson has since said she has turned the file into the court and refuses to send confirmation of that send, as well as said she would meet 3 other deadlines she has not met in writing, I think it is clear as day what the intention of the transcriptionists is, and I do not feel my grandchildren should be penalized by having the appeal dismissed, based on Ms. Thompsons actions. Doing so would allow this individual to govern what gets appealed and what does not. Clearly not right.

I appreciate your time and consideration in allowing the appeal after collecting the transcript.

JS

Julie Solley

970-367-6670

Juliesolley@att.net



Anthony Lomardo <alombardo4640@gmail.com>

Transcripts

Julie Thompson <julie@thomtrans.com>
To: Anthony Lomardo <alombardo4640@gmail.com>

Wed, Dec 15, 2021 at 2:20 PM

Hi, Anthony -

I see I missed your call. Please just email me for communication. It is easier for me to respond.

Please expect your files to be completed by the end of the month.

Thank you.

November 1, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo.

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting an extension for the transcription of the hearings requested in this case until November 12, 2021.

I apologize for the delay. The files will be completed no later than Friday, the 12th.

Thank you.

A handwritten signature in black ink, appearing to read 'JT', is written over a light blue rectangular background.

Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229

December 15, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting a final extension for the transcription of the hearings requested in this case until December 30th. Volume I of II will be filed by December 24th with the second volume being filed by the 30th.

Please note that audio was originally received on September 24th and missing audio was received on October 11th. Looking back, at that time I should have requested the full 60 days to complete the requested transcripts to avoid the snowball effect that ensued. This was definitely a lapse on my end. But technically, the December 30th extension is three weeks from a standard transcript request, which is based on the date all material is received. As mentioned above, a portion of this matter will be completed earlier.

I appreciate your time and consideration in granting this extension.

Thank you!



Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229

Exhibit 3

March 28th, 2022

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

Affidavit Regarding Grandmother Communication with Transcriptionist 12/292/21

My name is Julie Solley and I am the grandmother of the two children in the above case. In the afternoon of December 29th 2021, I called the Transcriptionist, Julie Thompson, to encourage her and ask if she was on schedule for meeting her 5th deadline to file the transcript with your court. Miss Thompson told me “not to worry, it would be filed on time, and turned in the following Monday due to holiday.”

Considering Miss Thompson missed this deadline, for the fifth time, after reassuring me, and considering Miss Thompson has since said she has turned the file into the court and refuses to send confirmation of that send, as well as said she would meet 3 other deadlines she has not met in writing, I think it is clear as day what the intention of the transcriptionists is, and I do not feel my grandchildren should be penalized by having the appeal dismissed, based on Ms. Thompsons actions. Doing so would allow this individual to govern what gets appealed and what does not. Clearly not right.

I appreciate your time and consideration in allowing the appeal after collecting the transcript.

JS

Julie Solley

970-367-6670

Juliesolley@att.net

Exhibit 4



Anthony Lombardo <alombardo4640@gmail.com>

Thank you

Anthony Lombardo <alombardo4640@gmail.com>

Sun, Jan 16, 2022 at 1:35 PM

To: Julie Thompson <julie@thomtrans.com>

Bcc: julie solley <juliesolley@att.net>, kgalvin12@gmail.com, alissa lombardo <alissalombardo@gmail.com>

Hi Julie: I just wanted to say happy new year and thank you so much for telling the court you would have "volume 1 & 2 in by christmas eve and Volume 3 in by December 31st" in your sworn affidavit to the court attached. I know you had previously missed your other four deadlines you asked for, but it put my mind at ease that you were granted what you asked for in Mid December.

When my mother Julie reached out to you on the phone on Friday December 31st to make sure you were going to deliver the transcript to the court on time, as you said you would, it put her mind at ease when you told her you had until Monday the 3rd due to the holidays, and for her "not to worry, it would be handed in on time." My mom is 77, loves her grandchildren, and is well aware of what was said at trial and therefore in the transcript, including but no limited to the opposition had been caught on record lying to the GLA and in her deposition, had admitted to domestically violent acts on record, and abuse of conflict acts. Therefore, like me, a concerned grandmother, was just making sure the transcription would be seen by the just appellate court, instead of the court dismissing the case, as they threatened, if indeed you did not deliver the transcript as you swore you would and were paid to do upfront. Thank you for putting her mind at ease. That meant alot to me and her. Clearly you would not have told the court what you did in your affidavit mid December, nor would you have told my mom not to worry December 31st, if indeed you were not mostly done with the transcript, and it was not possible for you to complete and deliver the transcript on time.

Just to be safe, if for whatever reason you have forgotten to deliver the transcript by December 31st as you swore you would in your affidavit attached, to Susan Dahlem at the appellate court, or for whatever reason you were unable to get it delivered by Monday the 3rd as you told my mother you would be doing, clearly the two weeks since then that have passed would have been more than enough time to do so given you would have been almost done when you said what you did to the court and my mother, so please do so by Monday, MLK day. Otherwise I am sure you would understand how things would look to both the court, the world and my family, and what not doing so would mean, outside of and including the appeal itself being dismissed, which you were clearly aware would happen if you failed.

As always, I have full confidence in you, your business and your honest word, and ability to deliver what you said you would do and were paid to do. Thank you for all your hard work, accepting this reminder and my gratitude.

Anthony

**Transcription Final Extention Request to 12-21-21 Lombardo.pdf**

309K

Julie Thompson <julie@thomtrans.com>

Jan 19, 2022,
6:23 AM

to me

I will have it completed by Friday. I had to put it aside for a bit....

From: Anthony Lombardo [mailto:alombardo4640@gmail.com]

Sent: Sunday, January 16, 2022 1:35 PM

To: Julie Thompson <julie@thomtrans.com>

Subject: Thank you

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Anthony



Anthony Lomardo <alombardo4640@gmail.com>

Mar 6, 2022,
5:18 PM

to Julie, bcc: kgalvin12, bcc: candice, bcc: alissa, bcc: julie

Hi Julie: Hope you are doing great. Sorry to bother you today. First, please let me thank you for all your hard work on the transcript for appeal. As I have said many times, I respect your small business, and I was taken by your ability to understand that my children's future was on the line when you took the job. Each of the six times you failed to meet your own, sworn via affidavit to the court, self directed deadlines with the court, I have reiterated to you in writing how much we believe in you and trust you will get the job done, and respected your timing, needing to take a little more time to finish up. I am new to all this so I let you lead and trusted your character and most of all your, experience in these matters such as extensions.

Forgive me, but I reached out to the court recently, and to my surprise, they said you had not turned in the transcript file for a 7th time, as you write describe below when you say "I will have it completed by Friday", the 21st of January. I am sure they must be mistaken.

To clear this mistake up, please be kind enough to resend the court and me the transcript no later than 4PM tomorrow, Monday the 7th of March. I will be working with the court, hoping for their mercy, in allowing acceptance a late transcript for a 7th time, so three unbiased judges can read what was said via the transcript at trial and make a more appropriate fair decision for our boys.

Thanks for understanding. Have a great day.



Julie Thompson

Mar 6, 2022,
6:12 PM

to me

Hi, Anthony -

I will be back in my office on Wednesday. It was filed some time ago. Once I get back I will pull it back out and resend.

Julie

From: Anthony Lomardo [mailto:alombardo4640@gmail.com]
Sent: Sunday, March 06, 2022 5:19 PM
To: Julie Thompson <julie@thomtrans.com>
Subject: Fwd: Thank you

Hi Julie: Hope you are doing great. Sorry to bother you today. First, please let me thank you for all your hard work on the transcript for appeal. As I have said many times, I respect your small business, and I was taken by your ability to understand that my children's future was on the line when you took the job. Each of the six times you failed to meet your own, sworn via affidavit to the court, self directed deadlines with the court, I have reiterated to you in writing how much we believe in you and trust you will get the job done, and respected your timing, needing to take a little more time to finish up. I am new to all this so I let you lead and trusted your character and most of all your, experience in these matters such as extensions.

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----- Forwarded message -----

From: Julie Thompson <julie@thomtrans.com>
Date: Wed, Jan 19, 2022 at 6:23 AM
Subject: RE: Thank you
To: Anthony Lomardo <alombardo4640@gmail.com>

I will have it completed by Friday. I had to put it aside for a bit after the harassing and threatening phone calls from your family.

From: Anthony Lomardo [mailto:alombardo4640@gmail.com]
Sent: Sunday, January 16, 2022 1:35 PM
To: Julie Thompson <julie@thomtrans.com>
Subject: Thank you

Hi Julie: I just wanted to say happy new year and thank you so much for telling the court you would have "volume 1 & 2 in by christmas eve and Volume 3 in by December 31st" in your sworn affidavit to the court attached. I know you had previously missed your other four deadlines you asked for, but it put my mind at ease that you were granted what you asked for in Mid December.

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As always, I have full confidence in you, your business and your honest word, and ability to deliver what you said you would do and were paid to do. Thank you for all your hard work, accepting this reminder and my gratitude.

Anthony



Anthony Lomardo <alombardo4640@gmail.com>

Mar 7, 2022,
7:29 AM

to Julie

Thanks Julie. I figured they had made a mistake. Sadly however, today is the last day for the court to receive the filing or the case is dead as they threatened, and they say they do not have it right now. They claim they gave you well over a month past your sixth, final self directed deadline of December 31st. Please do whatever possible to either send me the email where it was filed previously or resend today. Perhaps someone near your office can help or the cloud can. **You can also write to our friends at the court, like you just did me, and let them know you sent the file a while ago and you have no idea why they say they do not have it. Please CC me if you choose that option.** Laurie.Sanders@courts.wa.gov Michelle.Collins@courts.wa.gov

Thank you



Anthony Lombardo <alombardo4640@gmail.com>

Mar 7, 2022,
7:54 AM

to Michelle, Laurie

Hi Michelle and Laurie: Hope you had a nice weekend. Michelle, we spoke a week or so ago about the fact that you still had not received the transcript for my case. You let me know today, March 7th, was the deadline to file a reconsideration motion for the commissioner to not dismiss the case due to not receiving the filing, and I was planning on doing so today as directed.

Below however is an email from the transcriptionist this morning that claims she filed the transcription quite a while ago. Not sure what is going on here, but nothing surprises me at this point. Please be kind enough to double check if the court has received the filing. The transcriptionist email is julie@thomtrans.com.

I will be happy to formulate a motion for reconsideration today if need be, but unless she is lying today, the transcriptionist says you have had the file since well before the case was dismissed due to lack of filing mid February, which was at least 5 weeks after her last affidavit said the transcript would be in on December 31st, and at least 3 weeks after her email at the bottom of this chain said she would have it in, "Friday" January 21st, which I shared with you guys at the time.

Thank you kindly.

----- Forwarded message -----

From: **Julie Thompson** <julie@thomtrans.com>

Date: Sun, Mar 6, 2022 at 6:12 PM

Subject: RE: Thank you

To: Anthony Lombardo <alombardo4640@gmail.com>

Hi, Anthony -

I will be back in my office on Wednesday. It was filed some time ago. Once I get back I will pull it back out and resend.

Julie

From: Anthony Lomardo [mailto:alombardo4640@gmail.com]
Sent: Sunday, March 06, 2022 5:19 PM
To: Julie Thompson <julie@thomtrans.com>
Subject: Fwd: Thank you

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Forgive me, but I reached out to the court recently, and to my surprise, they said you had not turned in the transcript file for a 7th time, as you write describe below when you say "I will have it completed by Friday", the 21st of January. I am sure they must be mistaken.

To clear this mistake up, please be kind enough to resend the court and me the transcript no later than 4PM tomorrow, Monday the 7th of March. I will be working with the court, hoping for their mercy, in allowing acceptance a late transcript for a 7th time, so three unbiased judges can read what was said via the transcript at trial and make a more appropriate fair decision for our boys.

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I will have it completed by Friday. I had to put it aside for a bit.....



Anthony Lomardo <alombardo4640@gmail.com>

Mar 25, 2022, 12:59
PM (3 days ago)

to Julie, bcc: Michelle, bcc: Laurie

Hi Julie: Hope you had a great week. Just making sure you were able to do what you describe below: resending the transcript again to the court on March 9th, along with proof of when it was sent to the court originally, as you state below had been done "some time ago." Forgive me, I never received anything back from you. If you went ahead and did what you said below, and resent the court the transcription along with proof of when it was sent originally on March 9th, as you said you would do below, that is great, thank you, and please send me the resend and proof of original send communication you sent on March 9th so I can include it with me reply to the court today. If you did not do as you said you would do below on March 9th, please do so now: resend the court and me the transcription along with proof of when you originally sent it to the court, given that will be crucial to them granting a 7th transcription filing extension.

Thank you again for your help and following through with your directive stated.

Anthony

----- Forwarded message -----

From: **Julie Thompson** <julie@thomtrans.com>

Date: Sun, Mar 6, 2022 at 6:12 PM

Subject: RE: Thank you

To: Anthony Lomardo <alombardo4640@gmail.com>

Hi, Anthony -

I will be back in my office on Wednesday. It was filed some time ago. Once I get back I will pull it back out and resend.

Julie

Anthony Lomardo <alombardo4640@gmail.com>

Mon, Mar 7,
7:29 AM

to Julie

Thanks Julie. I figured they had made a mistake. Sadly however, today is the last day for the court to receive the filing or the case is dead as they threatened, and they say they do not have it right now. They claim they gave you well over a month past your sixth, final self directed deadline of December 31st. Please do whatever possible to

either send me the email where it was filed previously or resend today. Perhaps someone near your office can help or the cloud can. **You can also write to our friends at the court, like you just did me, and let them know you sent the file a while ago and you have no idea why they say they do not have it. Please CC me if you choose that option.** Laurie.Sanders@courts.wa.gov Michelle.Collins@courts.wa.gov

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As always, I have full confidence in you, your business and your honest word, and ability to deliver what you said you would do and were paid to do. Thank you for all your hard work, accepting this reminder and my gratitude.

Anthony



Anthony Lomardo

Mar 27, 2022, 6:02 PM
(20 hours ago)

Hi Julie: Hope you had a nice weekend. Just making sure you got below and were able to execute if you are busy.



Julie Thompson

Mar 27, 2022, 6:58 PM
(19 hours ago)

Hey, Anthony - I didn't receive the previous email, but I'm still catching up with email from the past week remember



Anthony Lomardo <alombardo4640@gmail.com> Mar 27, 2022, 10:39 PM
(15 hours ago)

to Julie

Hey Julie: Thanks so much for writing back and hope you had a great weekend. Good news...all the court and I need for right now, as I have stated below for a few weeks now, is to know that what you say below in the email chain below in yellow is true. If you indeed sent the transcript as you clearly state and write below in yellow, please be kind enough now to send to both me and the court the very and exact file you say you sent below, along with the sent log and or the confirmation the court is good enough to guarantee whenever documents are filed or uploaded, as you clearly state below you had filed. As I did below on the 6th of March, I am providing you again, the email addresses of persons at the court that need the field transcript and proof of send when you sent it: Laurie.Sanders@courts.wa.gov Michelle.Collins@courts.wa.gov. You can CC me.

If for whatever reason, new or old, you did not file the Transcript as you clearly state you had already done on March 6th below in yellow, **and** you did not file it on **Friday January 21st** as you put in writing below **in yellow** as well, nor did you sent it on **Wednesday March 9th** as you **also** state below **in yellow**, much like you did not file the transcript on time before your 5 other self appointed deadlines you swore to the court you would honor in 2021, please file the Transcript with the court immediately, as I have said below both on the 7 and March 25th, and CC me on the filing, **new format corruption issue or not.**

Once one of the two items above is done now, we can work out when you can have the transcript fixed with the help of your assistant or you retyping a day or two finished by this weekend, as you now state is your new, 9th extended delivery date. Sadly, this is the first I have heard of the new "formatting" issue your deribe below just now believe it or not Julie.

Thank you kindly for all your help over the last 7 months. As with every communication I have had with you for 7 months, all on record, **I will remind you that you have my uttermost support and respect.**

At this point, perhaps and potentially understandably, from the court's standpoint, it might be one thing for you to have missed all 5 of your self appointed extended deadlines, which were sworn by you in writing via affidavit, to deliver the transcript to the court. It may be a whole different ball game for the court if indeed, what you claim you have done or will do three different times since then, below, in writing in yellow, **actually did not occur**, ever, ie the court, despite what you clearly state below, still has not received a copy of the transcript as we sit here today, 12 weeks after your own last sworn affidavit deadline, and simultaneously, you have no way of proving what you say to both me below and the court and in sworn affidavits, is true otherwise. Between now and 3PM tomorrow, you have a final chance to show the court and myself via proof, that any of the nine in writing deadlines you presented in the last 7 months, what you wrote and swore to the court via affidavit and wrote to me below is true: that indeed you have sent the file to the court as you have said, regardless of condition, even once. As always, I am going to assume you are the amazing and professional person that a court recommended business woman is and can be, as a court recommended service provider in several states and counties, and we all can believe in what you write or swear to in writing, so that justice can be reviewed and better served for two innocent boys, a goal you have been clear about understanding for 7 months now.

Best.and LOOK FORWARD TO EITHER THE CONFIRMATION OF WHAT YOU SAY YOU SENT BELOW, OR THE RESEND NOW TO BOTH ME AND THE COURT ABOVE, FORMAT ISSUES OR NOT.

Thanks

We are so grateful.



Anthony Lombardo <alombardo4640@gmail.com>

Happy New Year and Checking in

Anthony Lombardo <alombardo4640@gmail.com>
To: "Sanders, Laurie" <Laurie.Sanders@courts.wa.gov>

Fri, Jan 14, 2022 at 2:02 PM

Hi Laurie: I hope you and your family are doing well. Happy New Year.

I know I have a case manager, but I wanted to reach out to you and check in and see how you were.

After missing four of her own self appointed deadlines, I believe our transcriber has finally delivered to your court the transcript of all hearings and trial. I would like to confirm your court's reception of those files. Assuming it was received as promised (again), I would also like to ask about the next step, since perhaps the most tedious and time consuming part of the process has been completed in the transcription.

From what I remember, I believe both sides submit a case brief to the appellate court. Would you be kind enough to simply let me know if I am correct and when that is due. Happy to hear about any other pointers.

I know you are busy, and I know you have other things to do than write me emails. That said, I am truly grateful for your time, and I want you to know how much of a pleasure it has been to communicate with you and a few others on your staff. It means so much to have kind, helpful folks when dealing with our globe right now and cases, which I am sure you are a first hand witness of having to get used to.

Gratefully yours,

Anthony Lombardo



Anthony Lombardo <alombardo4640@gmail.com>

Happy New Year and Checking in

Sanders, Laurie <Laurie.Sanders@courts.wa.gov>
To: Anthony Lombardo <alombardo4640@gmail.com>
Cc: "Collins, Michelle" <Michelle.Collins@courts.wa.gov>

Fri, Jan 14, 2022 at 2:06 PM

Mr. Lombardo:

No transcripts have been filed in case #82722-7. They were due by December 30, 2021 and your case is in jeopardy of being dismissed.

Laurie Sanders

Deputy Clerk

Court of Appeals, Division I

600 University Street

Seattle, WA 98101

Direct Dial: 206-464-6013

From: Anthony Lombardo [mailto:alombardo4640@gmail.com]

Sent: Friday, January 14, 2022 2:02 PM

To: Sanders, Laurie <Laurie.Sanders@courts.wa.gov>

Subject: Happy New Year and Checking in

External Email Warning! This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

Hi Laurie: I hope you and your family are doing well. Happy New Year.

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Gratefully yours,

Anthony Lombardo



Anthony Lomardo <alombardo4640@gmail.com>

Happy New Year and Checking in

Anthony Lomardo <alombardo4640@gmail.com>

Fri, Jan 14, 2022 at 2:57 PM

To: "Sanders, Laurie" <Laurie.Sanders@courts.wa.gov>, julie solley <juliesolley@att.net>

Cc: "Collins, Michelle" <Michelle.Collins@courts.wa.gov>

Hi Ms. Sander's: As you can imagine, I am absolutely breathless reading your news. Had I not randomly written to you just now, I would have never known. Ms. Thompson self chose four deadlines with the court and missed them all. Then she wrote the court for a fourth time in Mid December swearing in an affidavit she would have the first two volumes to you by Christmas and the final to you by the 31st. She spoke directly to my mother CC'd, inquiring about such an important matter affecting her grandchildren, that she would be done on time, on the Friday before the end of year: "we have until Monday due to the holiday and it will be filed on time....do not worry." Meanwhile she has not written to me or returned my calls from Dec 12th - Present.

Something is wrong with this picture and I think that is clear. I paid this lady upfront. Her behavior is borderline punitive and damaging. It is almost as if she did everything in her power to make sure the truth held in the hearings and trial do not see the light of day, purposely, as I have everything in writing, and have done absolutely nothing on my end to have earned such treatment. It's like how to book for a transcriptionist to be paid and get the case dismissed because of no transcript.

More importantly, there must be some sort of protection for parties in the court and the children they represent, from a reporter that has clearly and in writing not delivered at no fault of his own, in an almost unimaginable contradictory way, four times now.

From temporary orders, to counsel leaving last minute, to GALS doing 6 month investigations recommending 50/50% splits, then changing her recommendation at trial to 80/20%, to a Judge hearing directly that the opposition lied under oath, to her admitting to domestic violence on record and abuse of conflict on Record, and then him using those very items to limit my time with the children, the stay at home dad with nothing but hearsay. To put it mildly, this divorce has been the twilight Zone. Apparently, whatever helped those things happen, has led Ms. Thompson to follow suit, in the most mysterious way of all of them.

I received a list of who to use for transcription from the court. I paid one to do a job upfront. She has now lied in writing to the court four times. Only two innocent children are suffering. They spend 4 days a week during Omicron with multiple strangers for care before and after school, when the person that raised them 100% of the time is available to them before and after school. This is a dangerous time for them given.

Please consider consulting with the case manager, the person CC'd in your email and the judge that has signed motions in this case, and please be so kind to let me know what I need to begin in order to remove this newest clear example or just another artificial hurdle trying to keep the truth for these boys from real justice.

Thank you and I am very sorry you and your court have to deal with such unbelievable incompetence and or flat out corruption.

Antony

On Fri, Jan 14, 2022 at 2:06 PM Sanders, Laurie <Laurie.Sanders@courts.wa.gov> wrote:

Mr. Lombardo:

No transcripts have been filed in case #82722-7. They were due by December 30, 2021 and your case is in jeopardy of being dismissed.

Laurie Sanders

Deputy Clerk

Court of Appeals, Division I

600 University Street

Seattle, WA 98101

Direct Dial: 206-464-6013

From: Anthony Lombardo [mailto:alombardo4640@gmail.com]

Sent: Friday, January 14, 2022 2:02 PM

To: Sanders, Laurie <Laurie.Sanders@courts.wa.gov>

Subject: Happy New Year and Checking in

External Email Warning! This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

Hi Laurie: I hope you and your family are doing well. Happy New Year.

I know I have a case manager, but I wanted to reach out to you and check in and see how you were.

After missing four of her own self appointed deadlines, I believe our transcriber has finally delivered to your court the transcript of all hearings and trial. I would like to confirm your court's reception of those files. Assuming it was received as promised (again), I would also like to ask about the next step, since perhaps the most tedious and time consuming part of the process has been completed in the transcription.

From what I remember, I believe both sides submit a case brief to the appellate court. Would you be kind enough to simply let me know if I am correct and when that is due. Happy to hear about any other pointers.

I know you are busy, and I know you have other things to do than write me emails. That said, I am truly grateful for your time, and I want you to know how much of a pleasure it has been to communicate with you and a few others on your staff. It means so much to have kind, helpful folks when dealing with our globe right now and cases, which I am sure you are a first hand witness of having to get used to.

Gratefully yours,

Anthony Lombardo



Anthony Lomardo <alombardo4640@gmail.com>

Happy New Year and Checking in

Anthony Lomardo <alombardo4640@gmail.com>
To: "Sanders, Laurie" <Laurie.Sanders@courts.wa.gov>
Cc: "Collins, Michelle" <Michelle.Collins@courts.wa.gov>

Wed, Jan 19, 2022 at 10:16 AM

Hi Ms. Sanders: Some good news finally. Julie, the transcriptionist, wrote to me for the first time in a month to say the court would have the file in 48 hours time. She decided to take 20 days more from her fifth self directed deadline date of Dec 31st, because my mom, children's godmother and aunt called her the day it was due December 31st, cheering Julie on, while politely and respectfully inquiring on record, as concerned family members, to rightfully make sure the file would be sent as she told the court it would be on December 31st, after her four deadline misses already and potential dismissal if not received. Go figure. I am glad 20 days helped her get over their inquiry and cheer calls???? Their calls were as respectful and positive as every one of my motions to the court regarding Julie. I am holding my breath!!!

Thank you so much for your patience and understanding in this matter.

On Fri, Jan 14, 2022 at 2:57 PM Anthony Lomardo <alombardo4640@gmail.com> wrote:

Hi Ms. Sander's: As you can imagine, I am absolutely breathless reading your news. Had I not randomly written to you just now, I would have never known. Ms. Thompson self chose four deadlines with the court and missed them all. Then she wrote the court for a fourth time in Mid December swearing in an affidavit she would have the first two volumes to you by Christmas and the final to you by the 31st. She spoke directly to my mother CC'd, inquiring about such an important matter affecting her grandchildren, that she would be done on time, on the Friday before the end of year: "we have until Monday due to the holiday and it will be filed on time....do not worry." Meanwhile she has not written to me or returned my calls from Dec 12th - Present.

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Please consider consulting with the case manager, the person CC'd in your email and the judge that has signed motions in this case, and please be so kind to let me know what I need to begin in order to remove this newest clear example or just another artificial hurdle trying to keep the truth for these boys from real justice.

Thank you and I am very sorry you and your court have to deal with such unbelievable incompetence and or flat out corruption.

Antony

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Mr. Lombardo:

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Laurie Sanders

Deputy Clerk

Court of Appeals, Division I

600 University Street

Seattle, WA 98101

Direct Dial: 206-464-6013

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Sent: Friday, January 14, 2022 2:02 PM

To: Sanders, Laurie <Laurie.Sanders@courts.wa.gov>

Subject: Happy New Year and Checking in

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Hi Laurie: I hope you and your family are doing well. Happy New Year.

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From what I remember, I believe both sides submit a case brief to the appellate court. Would you be kind enough to simply let me know if I am correct and when that is due. Happy to hear about any other pointers.

I know you are busy, and I know you have other things to do than write me emails. That said, I am truly grateful for your time, and I want you to know how much of a pleasure it has been to communicate with you and a few others on your staff. It means so much to have kind, helpful folks when dealing with our globe right now and cases, which I am sure you are a first hand witness of having to get used to.

Gratefully yours,

Anthony Lombardo

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The Court of Appeal of the State of Washington: Division I

In re marriage of:

Respondent:

CLAIRE REILLY-SHAPIRO

And Appellant:

ANTHONY LOMBARDO

No. 82722-7

Supplement to Reply to Answer to Motion
for Court to Reconsider Dismissing the
Appeal Dated 3/28/22

COMES NOW the Appellant Anthony Lombardo, respectfully submits this supplement to the reply to the Court to the Respondent’s answer to Motion to Reconsider Dismissing Appeal dated 3/28/2022. New evidence pertinent to the Duty Panel’s discussion and decision has come up yesterday since the Reply filing deadline last week,

I. SUPPLIMENT TO REPLY TO ANSWER

First, please allow me to thank this Duty Panel for its valuable time. If the Court and Duty Panel would consider adding, reviewing and including this Supplement to my Reply to Answer to Motion for Reconsideration, I believe the panel will truly find the pages following par for the course right in line with what the Motion for Reconsideration and Reply to Answer to Motion suggested.

As an opening detail before new evidence is presented, I will state some detail. During the Appeal process for this case, all orders, in care and financial responsibility have been kept

1 100% current and executed. The court should not think in any way, the Appellate is using a
2 delayed appeal process to avoid any parental or financial responsibility whatsoever. In fact the
3 opposite is true: Since roughly the start of this year, under penalty of perjury, I swear the
4 Appellate has consistently and on countless occasions, been asked to spend up to 100% more
5 time with the children than mandated in final orders during various weeks, and thus been happily
6 forced to care for the children on the mother's time due to sitters not showing up, COVID
7 protocols forcing the children not to attend school, the children are ill, or the Respondent has
8 vacation or emergent travel needs. Just three days ago Monday, I was asked not only to care for
9 the children on Respondent's time with the children, but asked to get health care for the children
10 for the 4th time since final orders, despite the false narrative to the superior court the Respondent
11 put forth resulted in the final orders limiting my time with the children to under 20% of the time,
12 with no ability to make any health care decisions, Please remember, ironically the Respondent
13 was the clear stay at home primary care parent for over 2 years for both children, all at the
14 direction of the Respondent. All the Respondent's dependency and choice to continually use me
15 as care provider instead of herself or a third party as mandated, whenever it's convenient for the
16 Respondent, is completely in line with the Respondents putting both children completely in the
17 charge of the Appellate for over 2.5 years, and whenever she was working during 16 months of
18 temporary orders, and is completely contradictory to her narrative at trial which triggered the
19 limitations the Respondent continually undermines.

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24 That detail said, comes now more irony for the case. The Transcriptionist, Julie
25 Thompson, recommended by the court for transcription, has stated below yesterday that she has
26 indeed missed her on record 9th self-imposed deadline to file transcription, made on March 28th,
27 the evidence of which was included in said Reply, and now needs seven to ten days more for a
28 tenth deadline to file said Transcription. See below. What's more, requests for this court

1 recommended transcriptionist to supply any evidence whatsoever that she indeed filed the
2 transcripts with the court, as she stated below and provided in previous motion exhibits, has
3 come up fruitless. Ms. Thompson has chosen to miss her 9th deadline here despite being paid
4 upfront last September for her Transcription, despite Ms. Thompson being aware since
5 December the Court would likely dismiss the case if she missed her 5th self-imposed deadline of
6 December 31st, despite being granted by the court 5 extensions in 2021, and despite Ms.
7 Thompson knowing a judicial review of two toddlers parental care plan for the next 15 years is
8 wholly dependent on her filing the transcript on time. It's one thing for Ms. Thompson to miss 9
9 of her own deadlines, it's quite another to say she filed the transcription previously at follow up,
10 in writing, and to have not done or able to so or provide evidence of in actuality, and it is a whole
11 other animal for her to have done both knowing what she has known the entire time. Only one
12 conclusion can be drawn: Ms. Thompson is not performing and has mislead the court for the last
13 eight months.in order to get the Appeal dismissed on her own, despite being a court
14 recommended transcriptionist.
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18 The court and this duty panel might ask itself: if Ms. Thompson only needed a week or
19 two more 5 times in 2021 to complete the Transcription as her many sworn affidavits stated, why
20 was the Transcription not completed and filed anytime in 2021. Why did miss Thompson say
21 she filed the Transcription previously in writing, as supplied to the court and duty panel, if she
22 actually did not, or at least has chosen not to prove what she says is true in the four requests to do
23 so, given the circumstances above? If Miss Thompson has corrupted the file as she stated in late
24 March, then why did she miss her deadline to file last weekend, and why does she need another
25 10 days to file now as evidence in this supplement backup, and why will she not provide any
26 evidence whatsoever that she indeed filed the Transcription previously as stated in writing. Why
27 would Ms. Thompson do any of this knowing full well the case would be dismissed if she did?
28

1 Below, why, now over three months later, does Miss Thompson request another ten days as if
2 she is completely oblivious that the court said it would dismiss that case if she missed her Dec
3 31st deadline? The answer is clear: Miss Thompson has written and implemented a “How To”
4 book on how to get a case dismissed based solely the actions of the Transcriptionist, and thus has
5 fooled both me and the Court in each of her five sworn affidavits requesting extension in 2021
6 and each of her 4 new written deadlines in 2022, and the excuses for requiring those deadlines.
7 It can be assumed, after countless requests to supply evidence to filing, by not supplying any
8 proof of her previous said failing, that no filing was ever made. I have proven to the court Miss
9 Thompson said she filed the Transcript on March 6th, and yet for a month now no proof has been
10 provided, or file received. If we cannot believe what Miss Thompson says, we had no business
11 working with Miss Thompson from the start.
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14 Clearly, this kind of service is dangerous, and not what the court had in mind through its
15 recommendation of Ms. Thompson as a transcription for appeal. This brings to question: what
16 is to stop any transcriptionist from having any appeal dismissed purposely? What does the Duty
17 Panel and therefor the Court do, when someone they have recommended, has indeed sabotaged
18 any chance a strong case for appeal has for review? What is stopping any Transcriptionist for
19 sabotaging an appeals case, or all appellate cases, and what should the court to for an appeal if
20 indeed The Transcriptionist has succeeded in having the case dismissed solely through her
21 actions? Should someone that cannot meet 9 deadlines, and says in writing things that
22 apparently are not true, yet are court recommended, be able to influence children, and their right
23 for review, which affects the next 15 years of their lives? Clearly not, and therefore, the typical
24 rules on this appeal dismissal must be flexible to accommodate such reality.
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CONCLUSION

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2 It can be judicially concluded, based on HER 9 missed filing deadlines, (5 sworn to the
3 court in affidavits in 2021 and four in writing to me since then, as well as lack of any proof the
4 transcriptionists sent the file previously as she clearly states on March 6th), as suggested in the
5 my Motion for Reconsideration as well as the Reply to Answer to Motion, that The
6
7 Transcriptionist has premeditatively and purposely mislead both the court and myself for eight
8 months, into believing that what she writes, swears to in five affidavits, etc. is true, when what
9 Ms. Thompson has written has not proven to be true, all in order to get the Appeal case
10 dismissed, the one way she could make sure it would be dismissed: stringing the Court along
11 over five times until the rules, which she is totally familiar with, forced the dismissal. This is not
12 the fault of my toddlers or myself or the court's, however, looking at the reality of what the
13 transcriptionist has done over 8 full months, completely on her own, the usual timing guidelines
14 and thus deadlines for dismissal must be now set aside, and a more appropriate solution other
15 than dismissal must be mandated by the court on this case, and any other case in the future where
16 Transcriptionist chooses to abuse the power granted to them by the court to sway justice and thus
17 the purpose of the Appellate court in this manner. As a result of the rock solid evidence
18 provided in my motion, reply and this supplement, the Duty Panel and court should immediately
19 subpoena the Transcript as is from Miss Thompson, and the Appellate should have a short time
20 period to have the Transcription completed. This action and time required will have absolutely
21 no detriment to the two children whom have no idea that Transcriptionist has wasted 8 months,
22 nor that a case is even going on. In this particular circumstance, the upside to the children in
23 reviewing this case's childcare orders far outweighs the downside to them given the transcript
24 will be delivered in April instead of January 1, a billion to one, and no Transcriptionist's actions
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1 should prevent or even influence that. There, the case should not be dismissed and the
2 Transcription should be completed immediately.

3 I certify that this memorandum contains 1,636 words, in compliance with the Local Civil
4 Rules.

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7 Respectfully submitted this 7th day of April 2022.

8
9
10 ASL
11 Anthony Lombardo, Respondent

Communication Most Recent to Oldest

Anthony Lombardo <alombardo4640@gmail.com>

4/6/22 3:24 PM
(57 minutes ago)

to Julie,

Hi Julie:

Thanks so much for writing back Julie. That means so much. It sounds like you are now saying in writing below that you cannot deliver the transcript again for your ninth deadline of last weekend, and need another seven to ten days or so. Thanks for completing:) Trust me when I say we are all waiting with baited breath for your 10th deadline to arrive!!

However: today, I politely and respectfully need you to send a receipt, confirmation or any kind of proof **whatsoever** of what you wrote in your March 6th email **below**, ie you had previously sent the transcript to the court. That evidence is the only thing relevant to the court while we wait for your tenth deadline to approach next week. Without you doing so, I cannot control what others might think and or the consequences. If you did not actually send the file as you state below, please own it now for the court, so they and I can follow one path for my family. If you did send the file previously as you state below, please send confirmation of that send now, so the court can follow a different path. Doing neither respectfully is not an option, as I am sure by doing nothing, the assumption that you did not send the file as you state below, will be compelled by anyone looking at this, considering we have asked over almost a month now and nothing has come to my end. Thanks so much for understanding Julie. I will sit here and will look for the confirmation of the file you said you sent with the court members I include below CC'd, or an omission that what you state below is not true, so the court can weight that evidence, alongside the evidence that you now say you need a tenth deadline extension. The court can come to its own conclusions, obvious or not, on how to proceed for our family in their duty panel. For your convenience Ms. Thompson, I have included your email from March 6th below, again. Hope this helps!!

----- Forwarded message -----

From: **Julie Thompson** <julie@thomtrans.com>
Date: Sun, Mar 6, 2022 at 6:12 PM
Subject: RE: Thank you
To: Anthony Lomardo <alombardo4640@gmail.com>

Hi, Anthony -

I will be back in my office on Wednesday. **It was filed some time ago.** Once I get back I will pull it back out and resend.

Julie

Julie Thompson

4/6/22 2:00 PM
(2 hours ago)

to me

Still waiting on the transcript. I won't have time to redo it until next week, but if I need to, next week will be dedicated to your file. I will update you next Wednesday if I don't have it completed by then.

Anthony Lomardo <alombardo4640@gmail.com>

4/6/22 1:50 PM
(2 hours ago)

to Julie,

Hi Julie: Hope you are having a great week and Happy Spring. I want to try to be as supportive to you, yet diligent for my family at the same time, as I have always been since last September.

1. Below in the email chain, last week, on March 28th, you said in writing again for the 9th time, that you would file the transcript to the court and myself on a certain date, but this 9th time, by last weekend. See below. I have received nothing from you, again.
2. Below additionally, on March 25th and again on March 27th, I asked you to resend to me and the court the file that you claimed on March 6th below "**had been sent some time ago**", after I followed up with you about the file on March 6th, about the filing you said you would accomplish, for the 6th time, on Jan 21st. Then and below, I asked you to resend the file you claimed on March 6th you sent previously, along with proof or confirmation of when it was sent "some time ago." You responded below that you would resend the file you claimed you previously sent, to the court by Wednesday **March 9th**. Sadly, I still have not yet seen the file you claim to have sent nor the proof/confirmation of your send that would be vital to the court, as stated below in writing would be sent on March 9th, nor the filing itself. Ever.
3. Below, as well, you say in writing on Jan 19th that you will have the file sent by Jan 21st after missing your **5th** sworn in affidavit to the court deadline of December 31st, where you were fully aware for over a month the court would dismiss the appeal if you failed to meet your fifth Dec. 31st deadline. The court was good enough to give you almost six weeks to receive the file past your own Dec. 31st deadline before the court put their foot down. Thankfully, as noted above and below, you claimed in writing on March 6th, after the court put their foot down, that you had filed the transcript "some time ago", and all we asked then and now is that you show proof or confirmation of that

send. Clearly if you can prove what you said below was true, that the file was sent **before** the court put its foot down, the court would potentially judicially have to lift its foot up and continue with the appeal. But again sadly, I have not seen what you said you would send below. I am just trying to give them something real here. If you have not sent the file like you said you had below, clearly the court would have to recognise a different set of circumstances, which would also potentially judicially result in continuing the appeal, despite the court's clear warnings to the contrary, before that new set of circumstances were known, for sure, to the court.

As you know I paid you upfront 8 months ago, and I have shown you what you deserve in every communication, the utmost respect and patience for you and your business since September of last year. I respect small businesses, especially those started and run by women, and recommended by the court that holds my family's fate, above all. After missing your first **5** self appointed sworn via affidavits to the court deadlines to file the transcript in 2021, **to be clear below**, you state in writing below on four other occasions, that you will indeed both send the file to the court and me in 2022 on certain dates: Jan 21st, March 9th, and again this past weekend, and additionally you state below that you will resend the file you claim had already been sent. Again nothing has come across my desk.

Please, for the 9th time, be kind enough to deliver the file, which you clearly state you would file for the 9th time, by last weekend. Please, for the 4th time I am asking, also send proof or confirmation of what you claim on March 6th "had already been filed" with the court, and say you will redeliver by March 9th. Not doing so would potentially make the court, my family, and others now looking into this on record 8 month process, wonder how and why possibly, a court recommended third party service provider, could or would miss 9 self appointed deadlines, 5 sworn, as well as claim to have sent a file, that so far I have not received and have no confirmation of send, nor deliver the file, that a week ago most recently you said for the first time, apparently was corrupt, but would indeed be corrected and sent by last weekend.

As always I will stand firm that you professionally will eventually do as you say, in writing. My respect holds firm. You have known for 8 months that my 2 and 3 year olds' child care for the next 15 years is on the line with this appeal, and that only the transcript, in only your power, has been the one item preventing the appeal from moving forward, and eventually around December, that the court would dismiss the case if you did not file. Here we are five months later.. Others potentially might not be so stanch in your support, feeling it might be possible, that someone missing 9 self appointed deadlines, 5 sworn, as well as claiming with no proof to me, reception or confirmation a file was sent previously, was never going to send the file as they stated 9 times in writing they would, and that file has never been filed as they stated it was, nor was the file mysteriously corrupted and resent this past weekend, as they stated it was and would be. Let's give those potential folks something real. Let's rest the naysayers minds, because we would not want anyone to think you have purposely strung the court along 5 times in 2021, knowing full well this could cause dismissal as threatened by the court, and then strung me along now 4 times in 2022, in order to purposely

prevent the appeal, despite taking payment, swearing to the court itself in would it would be filed over and over again and understanding the children I was asked to raise for 2.5 years were anxiously awaiting the opportunity for the appeals court to review the transcript based solely on your follow through of what you yourself write. Moreover, I do not want to look in anyway complacent in placing my trust where the court had placed its trust, after you missing now 9 deadlines, when you include your last email to me last week. So I am just following up and giving you the benefit of the doubt you deserve....again.

Please send the transcript to myself and the court as you say below you will, and please send to the court and myself the confirmation of the send, which below on March 6th, you state you "sent some time ago". Please

CC Michelle.Collins@courts.wa.gov and Laurie.Sanders@courts.wa.gov

Thank you kindly

*The Court of Appeals
of the
State of Washington*

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750

LEA ENNIS
Court Administrator/Clerk

November 29, 2021

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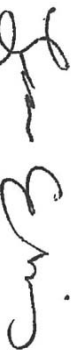
Case #: 82722-7
Claire Reilly-Shapiro, Respondent v. Anthony Lombardo, Appellant
King County Superior Court No. 19-3-09930-9

Counsel:

The following notation ruling by Commissioner Jennifer Koh of the Court was entered on
November 24, 2021:

“The verbatim report of proceedings is overdue. Neither Appellant Anthony Lombardo
nor Transcriptionist Julie Thompson has provided any explanation for the failure to
comply with their previously requested extension of time to November 12, 2021. If the
report of proceedings or a proper motion for extension of time based on good cause is
not filed by December 3, 2021, sanctions of \$250 may be imposed against Thompson
and/or Lombardo.”

Sincerely,



Lea Ennis
Court Administrator/Clerk

ssd

COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

In the Family Law Court Case & Trial of the Dissolution of
Marriage of

**Response to Motion to Dismiss Appeal &
Final Transcription Extension Request to
Dec. 31 Combined**

Claire Reilly-Shapiro,
Respondent,

No. [19-3-09930-9] Superior Court
No. [827227] Appellate Court

v.

Anthony S. Lombardo III,
Appellant.

If it pleases the court, I am responding to the Motion to Dismiss the Appeal case above based on the transcription not being received by the Dec. 3rd deadline. As previously put before the court, the hearing and trial audio from the Superior Court's Clerk's Office was received incomplete originally. The Clerk's office took responsibility for this error, and resent the total complete audio within two weeks during October. Ms. Julie Thompson, the transcriptionist in this case, has attached an affidavit which explains that she should have, at that point, asked for a full sixty-day extension once the final complete audio was received. Instead she believed at the time she did not need the entire 60 days normally allocated for transcription, Ms. Thompson has taken full responsibility for this "lapse" on her part in her affidavit contained herein. There has been a bit of a snow ball effect that has hindered Ms. Thompson's delivery of said transcription, since that time with her total, very large workload, given the timing and realities of divorce proceeding and thus

needed transcriptions in our country currently, as I am sure this Court is fully aware of. This court was good enough to warn us of a pending deadline of December 3rd to receive the transcript, or fines could be levied in the form of \$250. I understand that the fines might well be levied in this amount, but hope they are not. We are now less than 2 weeks past that December 3rd deadline. I would find it very bad form to dismiss the entire Appellate case based on being just 13 days past the deadline put forth by the Court of Dec. 3rd in my opinion. Ms. Thompson has been eloquent, detailed an apologetic in her affidavit attached. A final transcription extension request for the court is being placed now before the court to Dec. 31st, just under three weeks past the normal 60 days allowed for transcription, once the full audio was properly compiled and sent by the Clerk's Office. Ms. Thompson has been nice enough to say in her affidavit attached to this Motion Response that she is willing to deliver two thirds of the transcription, Volumes 1 & 2, by December 24th and the final Volume 3 by December 31st. I fully trust Ms. Thompson in her timing, professionalism and planning. I am willing to agree of dismissing this Appeal without fight, if Ms. Thompson does not deliver the full transcription on or before December 31st.

As a final note more poignant note, the Respondent's counsel claims the Appeal should be dismissed given the time needed to obtain the transcript has taken too long, and thus is hard on our children. Respectfully, the children in this case have been two years old and three years old throughout this matter, the oldest just turning four. The children in this case are completely and totally unaware cognitively that transcription, transcription delays, and for that matter, the Appeal itself, is going on digitally in the background of their lives. I have been the primary care giving stay at home father of these children for

the majority of their lives, and know as well as anyone what they register in their minds. Because of the rulings of the Superior Court, these very children have had upwards of nine different care providers during the pandemic since divorce proceeds began, and since final orders, are stuck indoors, non-socially distant at day care for 6-9 hours a day during the pandemic, instead of with their primary care giving father, which they have spent 100% of their awake time with, for the first two years of their lives, short of 6 hours a week of real and actual preschool (not day care). These facts are one of the core reasons for my Appeal, coupled with the proof dishonesty to the Court under oath, admission to abuse of conflict and to domestic violence, all during trial, that will be forthcoming for the Appeals Court to fully digest and be judicial via in the transcript itself. It is these very discoveries and admissions on record at trial, that are the true and real reasons the Respondent and her counsel do not want the transcript and thus the Appeal itself to see the light of day, not our children suffering from something they have no clue is even happening digitally in the background at their age. Nonetheless, the fact that these very discoveries and admissions exist, at no fault or control of my own, give the Respondent stress understandably, and thus her desire for dismissal of the Appeal. Giving up on these two young innocent boys that have no voice in court, based on being 13 days past the Appellate Court's December 3rd deadline at this point, and just 3 weeks past by the time the transcript is fully complete and delivered, much less because of something the children do not even register is going on, would be a grave injustice, and against the very essence of the Appellate Court's existence for our citizens, both with Court voice and without, in my opinion. For all of the reasons above, both in time and in moral, I ask the court as respectful as I can in my heart and the hearts of our two boys, to

deny the motion to dismiss the Appeal and grant this one final transcription extension request to December 31st, with the knowledge that if the transcription it is not received by then, I will agree to the dismissing of the Appeal without fight. Thank you for the Court's extremely valuable time at this super busy and complicated time for the Court.

Signature

ASL 12/16/2021
[Anthony S. Lombardo III, pro se, 420 25th Avenue East, Seattle WA, 98112]

I swear under penalty of law the body of this document above contains 944 words

December 15, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

I am requesting a final extension for the transcription of the hearings requested in this case until December 30th. Volume I of II will be filed by December 24th with the second volume being filed by the 30th.

Please note that audio was originally received on September 24th and missing audio was received on October 11th. Looking back, at that time I should have requested the full 60 days to complete the requested transcripts to avoid the snowball effect that ensued. This was definitely a lapse on my end. But technically, the December 30th extension is three weeks from a standard transcript request, which is based on the date all material is received. As mentioned above, a portion of this matter will be completed earlier.

I appreciate your time and consideration in granting this extension.

Thank you!



Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229

Form Final Transcription Deadline Extension Request

COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

In the Family Law Court Case & Trial of the Dissolution of
Marriage of

**Final Transcription Deadline Extension
Request to Dec. 31**

Claire Reilly-Shapiro,
Respondent,

No. [19-3-09930-9] Superior Court
No. [827227] Appellate Court

v.

Anthony S. Lombardo III,
Appellant.

If it pleases the court, I am requesting a final transcription deadline. As previously put before the court, the hearing and trial audio from the Superior Court's Clerk's Office was received incomplete originally. The Clerk's office took responsibility for this error, and resent the total complete audio within two weeks during October. Ms. Julie Thompson, the transcriptionist in this case, has attached an affidavit which explains that she should have, at that point, asked for a full sixty-day extension once the final complete audio was received. Instead she believed at the time she did not need the entire 60 days normally allocated for transcription, Ms. Thompson has taken full responsibility for this "lapse" on her part in her affidavit contained herein. There has been a bit of a snow ball effect that has hindered Ms. Thompson's delivery of said transcription, since that time with her total, very large workload, given the timing and realities of divorce proceeding and thus needed transcriptions in our country currently, as I am sure this Court is fully aware of. This court was good enough to warn us of a pending deadline of December 3rd to receive

the transcript, or fines could be levied in the form of \$250. I understand that the fines might well be levied in this amount, but hope they are not. We are now less than 2 weeks past that December 3rd deadline. Ms. Thompson has been eloquent, detailed an apologetic in her affidavit attached. A final transcription extension request for the court is being placed now before the court to Dec. 31st, just under three weeks past the normal 60 days allowed for transcription, once the full audio was properly compiled and sent by the Clerk's Office. Ms. Thompson has been nice enough to say in her affidavit attached to this Motion Response that she is willing to deliver two thirds of the transcription, Volumes 1 & 2, by December 24th and the final Volume 3 by December 31st. I fully trust Ms. Thompson in her timing, professionalism and planning. I am willing to agree of dismissing this Appeal without fight, if Ms. Thompson does not deliver the full transcription on or before December 31st. For the reasons above I kindly and respectfully ask the Court to grant this final extension.

Signature

ASL
[Anthony S. Lombardo III, pro se, 420 25th Avenue East, Seattle WA, 98112]

12/16/2021

I swear under penalty of law the body of this document above contains 382 words

December 15, 2021

Superior Case No.: 19-3-09930-9

Appeal Case No.: 827227

Claire Reilly-Shapiro v Anthony Lombardo

REQUEST FOR TIME EXTENSION FOR TRANSCRIPTS

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Julie Thompson, CET
Thompson Transcription
www.thomtrans.com
(209) 552-5229

ANTHONY LOMBARDO

June 07, 2022 - 4:57 PM

Transmittal Information

Filed with Court: Court of Appeals Division I
Appellate Court Case Number: 82722-7
Appellate Court Case Title: Claire Reilly-Shapiro, Respondent v. Anthony Lombardo, Appellant

The following documents have been uploaded:

- 827227_Motion_20220607165439D1008235_0801.pdf
This File Contains:
Motion 1 - Extend Time to File
The Original File Name was Exention Request for Deadline Discretionary Review Petition Lombardo.pdf
- 827227_Petition_for_Review_20220607165439D1008235_9864.pdf
This File Contains:
Petition for Review
The Original File Name was Petition for Discretionary Review By Court of Appeals Supreme Court Lombardo.pdf

A copy of the uploaded files will be sent to:

- andrienne@washingtonappeals.com
- cate@washingtonappeals.com
- lucia@duboislaw.net
- valerie@washingtonappeals.com

Comments:

Separate Motion for 2 day extension and Edited Petition Included. Please sue the attached petition. Thank you kindly for your valuable time

Sender Name: Anthony Lombardo - Email: alombardo4640@gmail.com

Address:

420 25th Ave. East

Seattle, WA, 98112

Phone: (858) 459-7325

Note: The Filing Id is 20220607165439D1008235