

FILED
Court of Appeals
Division II
State of Washington
10/10/2023 2:10 PM

FILED
SUPREME COURT
STATE OF WASHINGTON
10/10/2023
BY ERIN L. LENNON
CLERK

IN THE COURT OF APPEALS OF THE STATE OF
WASHINGTON DIVISION TWO

STATE OF WASHINGTON

Respondent,

v.

TRINNEL ANTHONY DIAL,

Appellant.

COA NO. COA NO. 57109-9-II
SUP. CT. 102458-4

MOTION FOR EXTENSION OF
TIME TO FILE PETITION FOR
REVIEW

I. IDENTITY OF MOVING PARTY

Appellant, through counsel, respectfully
requests relief designated in section 2.

II. STATEMENT OF RELIEF SOUGH

Pursuant to RAP 9.5(b), so that the ends of justice
might be served, Appellant through counsel, moves the
court for the entry of an order continuing the time to file the
Petition for Review from October 6, 2023 to October 10,
2023.

III. GROUND FOR RELIEF SOUGHT

As grounds for and in support of this motion appellant, through counsel, shows unto the Court as follows:

1. Within the past 6 weeks, counsel has had to complete four Opening Briefs to Divisions Two and Three, and five Petitions for Review to the Washington Supreme Court.
2. Of those briefs, one of them had a record of over 3500 pages and another over 2000 pages.
3. Due to an exceedingly large workload, counsel mistakenly thought the final day to file this Petition was October 7, 2023. Given that this day fell on the weekend, counsel thought that the deadline was automatically moved to Monday, October 9, 2023, pursuant to Cr.R 6(a).

4. Petitioner respectfully beseeches this court to grant an additional four days to file this Petition to ensure Mr. Dial receives effective and competent representation. No prejudice will occur to the State in granting the additional four days.


IV. CONCLUSION

The requested continuance is necessary and essential so that counsel for appellant may provide competent representation. The above continuance is not sought for purposes of delay or tactical advantage.

DATED this 10th day of October, 2023

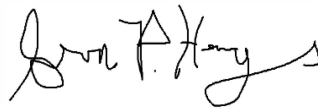
Pursuant to RAP 18.17, Shawn P. Hennessy certifies that the number of words in this, excluding the caption, certificate of compliance and certificate of service document is 255.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Shawn P. Hennessy". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Shawn P. Hennessy
WSBA No. 59801
Attorney for Appellant

I, SHAWN P. HENNESSY, a person over the age of 18 years of age, served the Pierce County Prosecutor's Office (pcpatcecf@piercecounitywa.gov) a true copy of the document to which this declaration is attached on October 10, 2023. Service was made electronically.



Shawn P. Hennessy
WSBA No. 59801
Attorney for Appellant

LAW OFFICER OF LISE ELLNER, PLLC

October 10, 2023 - 2:10 PM

Transmittal Information

Filed with Court: Court of Appeals Division II
Appellate Court Case Number: 57109-9
Appellate Court Case Title: State of Washington, Respondent v Trinnel A. Dial, Appellant
Superior Court Case Number: 21-1-02234-9

The following documents have been uploaded:

- 571099_Motion_20231010140913D2563154_4070.pdf
This File Contains:
Motion 1 - Extend Time to File
The Original File Name was Dial m2e PFR.pdf

A copy of the uploaded files will be sent to:

- LiseEllnerlaw@comcast.net
- PCpatcecf@piercecountywa.gov
- britta.halverson@piercecountywa.gov
- pcpatcecf@piercecountywa.gov
- val.liseellnerlaw@gmail.com

Comments:

Trinnel Dial m2e P4R

Sender Name: Shawn Hennessy - Email: shennessy.liseellnerlaw@outlook.com
Address:
PO Box 2711
Vashon, WA, 98070
Phone: (716) 430-5883

Note: The Filing Id is 20231010140913D2563154