

Received
Washington State Supreme Court

FEB 03 2015
E CRF
Ronald R. Carpenter
Clerk

NO. 90991-1

SUPREME COURT OF THE STATE OF WASHINGTON

MIKE HOBBS,

Appellant,

v.

STATE OF WASHINGTON,
AUDITOR'S OFFICE,

Respondent.

MOTION OF EXTENSION OF TIME TO FILE
BRIEF OF APPELLANT

I. IDENTITY OF MOVING PARTY

This motion is presented by Mike Hobbs, Appellant in Mike Hobbs v. State of Washington, No.90991-1.

II. STATE OF RELIEF SOUGHT

Pursuant to RAP 1.2 and RAP 18.8. appellant Hobbs moves the Court for an extension of time to file the brief of appellant until November 7, 2014 (when the brief was actually filed).

III. GROUNDS FOR RELIEF SOUGHT

As the court is aware, my attorney has been suspended from the practice of law. When I was first notified that my appeal had been denied, on 10/26/2014 I advised my attorney that I needed to request a review by the Supreme Court. I asked how much

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1 the appeal would cost. My attorney advised that he would let me know on Monday
2 10/27/2014. I sent an email reminder to my attorney on 11/1/2014 again asking him
3 how much money I needed. In a phone conversation, my attorney advised that we
4 would meet at the office of the Clerk of the Supreme Court on 11/7/2014. At no time
5 prior to 11/7/2014 was I advised that the petition was going to be filed late. Only after I
6 wrote the check for the filing fee and the petition was filed was I told that the petition
7 was one day late.

8 It is extremely important to me that I be afforded an opportunity for justice in this
9 matter. The SAO did not follow the spirit of the Public Disclosure Act. The trial court
10 and the appeals court rulings force future requestors to file lawsuits in order to insure
11 that government entities follow the law. The SAO did not fulfill its obligation to the
12 Public. My request was given to staff that were not trained to preserve meta-data.
13 Essential information was destroyed instead of disclosed.

14 I am an expert on the federal funding of foster care. I originally filed the Public
15 Disclosure Request because I could not believe that the SAO had not published the
16 result of an investigation which showed there were "opportunities" for additional federal
17 funding. To my knowledge DSHS did not follow the recommendations in the letter from
18 the SAO to DSHS. Publishing the result of that recommendation would have advised
19 the public that DSHS was not following the RCW.

20 At my deposition, I testified that I wanted to know the process used by the SAO for
21 reaching its decision. The RCW which requires maximization of federal funding was
22 violated. At the Appeals Court the AAG mischaracterized my deposition. I asked my
23 attorney to file the request because the SAO had ignored me for over 2 years.

24 If the public cannot trust the State Auditor to follow the letter and intent of the
25 Public Records Act, who can we trust?

1 I understand that the brief was filed late. It was not my error that caused the late
2 filing and no other party has been injured. The decision in this case is a matter of great
3 concern to the citizens of the state of Washington. Therefore, I ask that this Court to
4 not impose sanctions for the short delay.

5 **IV. CONCLUSION**

6 For all these reasons, the Court should grant an extension of time to file the brief of
7 the appellant until November 7, 2014 (when the brief was actually filed).

8
9
10 Presented by:

Approved for entry:
Notice for presentation waived:

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13
14 

15 Michael Ray Hobbs
16 5263 East Eagle Ln. SW
Tumwater, WA 98512

17 Date

2/3/15

18 **Certificate of Service**

19 I, the undersigned, certify that on the 3rd day of February, 2015, I caused a true and correct copy of
20 this pleading in No. 68008-1 (consol. w/No.68009-9) to be served, by the method(s) indicated
below, to the following person(s):

21 Certified Mail to:

22 Jean M. Wilkinson, Senior Counsel and
23 Matthew Kernutt, Assistant Attorney General
Office of the Attorney General
24 Government Compliance & Enforcement Division
1125 Washington Street SE / PO.Box 40100
25 Olympia, WA 98504-0100

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