

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE WASHINGTON STATE SUPREME COURT

STATE OF WASHINGTON,

Plaintiff-Respondent,

vs.

ROBERT OSTASZEWSKI,

Defendant-Appellant.

Sup. Ct. No.

Court of Appeals No. 47648-7-II

MOTION FOR EXTENSION OF TIME TO
PETITION FOR REVIEW

I. IDENTITY OF MOVING PARTY

Appellant Robert Ostaszewski, through his attorney, Suzanne Lee Elliott, seeks the relief designated in Part II.

II. RELIEF SOUGHT

Appellant asks this Court to extend the time for filing his petition for review to June 30, 2017

III. ARGUMENT FOR RELIEF

An opinion in this case was filed on April 25, 2017. I drafted and completed a Petition for Review May 5. I know that because it is saved on my computer on that date. For some reason, the petition was not filed on that date. I only became aware of this when I received the mandate today. My only excuse is that it has been a tumultuous spring as my officemate is planning to retire shortly and I have been assisting him in closing his practice.

RAP 18.8 (a) provides that this court may waive or alter the 30-day rule for filing petitions in order to serve the ends of justice. Mr. Ostaszewski should not be prejudiced by my

1
2
3
4
5 IN THE WASHINGTON STATE SUPREME COURT
6

7 STATE OF WASHINGTON,

8 Plaintiff-Respondent,

9 vs.

10 ROBERT OSTASZEWSKI,

11 Defendant-Appellant.

Sup. Ct. No.

Court of Appeals No. 47648-7-II

MOTION FOR EXTENSION OF TIME TO
FILE PETITION FOR REVIEW

12 **I. IDENTITY OF MOVING PARTY**

13 Appellant Robert Ostaszewski, through his attorney, Suzanne Lee Elliott, seeks the relief
14 designated in Part II.

15 **II. RELIEF SOUGHT**

16 Appellant asks this Court to extend the time for filing his petition for review to June 30,
17 2017

18 **III. ARGUMENT FOR RELIEF**

19 An opinion in this case was filed on April 25, 2017. I drafted and completed a Petition
20 for Review May 5. I know that because it is saved on my computer on that date. For some
21 reason, the petition was not filed on that date. I only became aware of this when I received the
22 mandate today. My only excuse is that it has been a tumultuous spring as my officemate is
23 planning to retire shortly and I have been assisting him in closing his practice.

24 RAP 18.8 (a) provides that this court may waive or alter the 30-day rule for filing
25 petitions in order to serve the ends of justice. Mr. Ostaszewski should not be prejudiced by my


MOTION FOR EXTENSION OF TIME TO FILE A
PETITION FOR REVIEW – 1

LAW OFFICE OF
SUZANNE LEE ELLIOTT
1300 Hoge Building
705 Second Avenue
Seattle, Washington 98104
(206) 623-0291

1 oversight in this matter. He deserves to present his issues to this Court because they appear to
2 merit further review.

3 DATED this 30th day of June, 2017.

4 Respectfully submitted:

5
6 
7 Suzanne Lee Elliott, WSBA 12634
8 Attorney for Robert Ostaszewski

9 **CERTIFICATE OF SERVICE**

10 I hereby certify that on the date listed below, I served by email where applicable and by
11 United States Mail, postage prepaid, one copy of the foregoing pleading on the following:

12 Mr. John Cross
13 Kitsap County Prosecutor
14 614 Division Street, MS-35
15 Port Orchard, WA 98366-4681
16 Email: jcross@co.kitsap.wa.us

17 Mr. Robert Ostaszewski #382896
18 Washington Corrections Center
19 PO Box 900
20 Shelton, WA 98584

21
22
23
24
25
26 JUNE 30, 2017
Date

Christina L. Alburas
Christina L. Alburas, Paralegal

LAW OFFICE OF SUZANNE LEE ELLIOTT

June 30, 2017 - 4:19 PM

Transmittal Information

Filed with Court: Court of Appeals Division II
Appellate Court Case Number: 47648-7
Appellate Court Case Title: State of Washington, Respondent/ Cross-Appellant v. Robert Ostaszewski,
Appellant/ Cross-Respondent
Superior Court Case Number: 14-1-00280-5

The following documents have been uploaded:

- 7-476487_Motion_20170630155734D2953917_6468.pdf
This File Contains:
Motion 1 - Extend Time to File
The Original File Name was Motion for Extension of Time to file a Petition Review FINAL.06.30.17.pdf

A copy of the uploaded files will be sent to:

- jcross@co.kitsap.wa.us
- kcpa@co.kitsap.wa.us
- rsutton@co.kitsap.wa.us

Comments:

Motion for Extension of Time to File Petition for Review

Sender Name: Christina Alburas - Email: calbouras@hotmail.com

Filing on Behalf of: Suzanne Lee Elliott - Email: suzanne-elliott@msn.com (Alternate Email: suzanne@suzanneelliottlaw.com)

Address:
705 Second Avenue
Suite 1300
Seattle, WA, 98104
Phone: (206) 538-5301

Note: The Filing Id is 20170630155734D2953917