

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
7/16/2019 9:09 AM  
BY SUSAN L. CARLSON  
CLERK

97434-9

IN THE SUPREME COURT  
FOR THE STATE OF WASHINGTON

STATE OF WASHINGTON,  
  
RESPONDENT,  
  
v.  
  
CLARISSA LOPEZ,  
  
APPELLANT/PETITIONER.

Court of Appeals No. 50919-9-II

MOTION FOR EXTENSION OF TIME TO  
FILE APPELLANT'S PETITION  
FOR REVIEW

Marie Trombley, attorney for CLARISSA LOPEZ, moves for an extension of time to file a petition for review. This motion is based on the attached declaration of Marie Trombley.

Respectfully submitted July 16, 2019.



WSBA # 41410  
PO Box 829  
Graham, WA 98338  
253-445-7920  
Email: marietrombley@comcast.net

MOTION FOR EXTENSION OF TIME TO  
FILE PETITION FOR REVIEW- Page 1 of 3

Marie J. Trombley  
Attorney at law  
PO Box 829  
Graham, WA 98338  
253-445-7920  
Email: marietrombley@comcast.net

DECLARATION

1. I, Marie Trombley, declare under penalty of perjury, under the laws of the United States and the State of Washington, that the following is true and correct.
2. I am the attorney for Clarissa Lopez. I am requesting an extension of time to file a petition for review from July 11, 2019 to July 22, 2019.
3. The Court of Appeals issued its written opinion, *State v. Clarissa Lopez*, Court of Appeals No. 50919-9-II on June 11, 2019. Counsel forwarded a copy of the opinion to Ms. Lopez that same day. Counsel asked Ms. Lopez to communicate in writing by June 25, 2019, her decision about pursuing further review with this Court.
4. Counsel received a letter from Ms. Lopez on July 15, 2019. The letter was dated June 14, 2019. The envelope had two postmark dates from two different postal stations: the letter went through the Tacoma unit on June 17<sup>th</sup> and the Olympia unit on July 10, 2019. (See attachment). It appears that the letter was misrouted and because of that there was over a three-week delay in its delivery. The result is that the letter arrived after the deadline filing date.
5. RAP 18.8(a)(b) authorizes the Court to alter the time provisions for filing a petition for review in extraordinary circumstances and to prevent a gross miscarriage of justice. Here, the delivery of the letter which was timely posted, but not received until almost a month later qualifies an extraordinary circumstance. Ms. Lopez wishes to exercise her right to request review by this Court, and it would be a gross miscarriage of justice to deny her the opportunity and privilege of access to this Court's review.

1 6. I do not believe any party will be prejudiced by the Court granting an enlargement of  
2 time. This request is not made for the purposes of delay and will serve the ends of  
3 justice.

4 7. On July 16, 2019, I served by electronic service, by prior agreement between the parties,  
5 a true and correct copy of this motion for an extension of time to: Lewis County  
6 Prosecuting Attorney (at [appeals@lewiscountywa.gov](mailto:appeals@lewiscountywa.gov) and  
7 [sara.beigh@lewiscountywa.gov](mailto:sara.beigh@lewiscountywa.gov)).

8  
9 *Marie Trombley*

10 WSBA # 41410  
11  
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**ATTACHMENT**

Clarissa Lopez 894593

FC02

Washington Correction Center for Women

9601 Bujaeich Rd NW

Big Harbor, WA 98332

TACOMA WA 983  
TACOMA WA 983  
TACOMA WA 983  
TACOMA WA 983



Marie J. Trombley  
Attorney at law  
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THIS WAS MAILED BY AN INCARCERATED  
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98338-082929



**MARIE TROMBLEY**

**July 16, 2019 - 9:09 AM**

**Filing Petition for Review**

**Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** Case Initiation  
**Appellate Court Case Title:** State of Washington, Respondent v Clarissa Alisha Lopez, Appellant (509199)

**The following documents have been uploaded:**

- PRV\_Motion\_20190716090902SC687949\_1084.pdf  
This File Contains:  
Motion 1 - Extend Time to File  
*The Original File Name was Clarissa Lopez Motion.pdf*

**A copy of the uploaded files will be sent to:**

- appeals@lewiscountywa.gov
- sara.beigh@lewiscountywa.gov
- teri.bryant@lewiscountywa.gov

**Comments:**

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Sender Name: Marie Trombley - Email: marietrombley@comcast.net  
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GRAHAM, WA, 98338-0829  
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**Note: The Filing Id is 20190716090902SC687949**