

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
8/31/2018 8:00 AM  
BY SUSAN L. CARLSON  
CLERK

WASHINGTON SUPREME COURT

NO. 96139-5

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**COURT OF APPEALS, DIVISION ONE,  
OF THE STATE OF WASHINGTON**

NO. 77742-4

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KEVIN ERICKSON Pro Se , as Personal representative for  
the Estate of Ryan Erickson,  
Petitioner,

v.

AMERICA'S WHOLESALE LENDER, a New York corporation,  
Defendant;

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC., an  
inactive Washington corporation,  
Defendant;

and

U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR GSAA  
HOME EQUITY TRUST 2006-1, QUALITY LOAN SERVICE CORP.  
OF WASHINGTON,  
Respondents.

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**MOTION FOR EXTENSION OF TIME TO FILE AN AMENDED  
BRIEF**

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Pursuant Rule RULE 18.8 WAIVER OF RULES AND EXTENSION AND REDUCTION OF TIME

(a) Generally. The appellate court may, on its own initiative or on motion of a party, waive or alter the provisions of any of these rules and enlarge or shorten the time within which an act must be done in a particular case in order to serve the ends of justice, subject to the restrictions in sections (b) and (c). (b) Restriction on Extension of Time. The appellate court will only in extraordinary circumstances and to prevent a gross miscarriage of justice extend the time within which a party must file a notice of appeal, a notice for discretionary review, a motion for discretionary review of a decision of the Court of Appeals, a petition for review, or a motion for reconsideration. The appellate court will ordinarily hold that the desirability of finality of decisions outweighs the privilege of a litigant to obtain an extension of time under this section. The motion to extend time is determined by the appellate court to which the untimely notice, motion or petition is directed. (c) Restriction on Changing Decision. The appellate court will not enlarge the time provided in rule 12.7 within which the appellate court may change or modify its decision. (d) Terms. The remedy for violation of these rules is set forth in rule 18.9. The court may condition the exercise of its authority under this rule by imposing terms or awarding compensatory damages, or both, as provided in rule 18.9.

I am the Personal Representative of my brother Ryan Erickson's Estate. Due to the following circumstances I hereby move the above-entitled Court for an extension of time for an additional ninety-day extension to find another attorney to file an Amended brief to the WA Supreme Court.

We are diligently looking for a new attorney. I have fired Helmut Kah due many reasons, one being I have lost confidence in him, and Helmut did not keeping me in the loop on what is happening with my brothers estate case. I have not heard from him since 2016.

My family has constantly asked what the status of this case is in the Appeals court. Helmut has never let us know. We had no idea the case was ruled against us in the Appeals Court. Nor did we have any idea Helmut filed the case in the Washington Supreme Court.

Helmut has never allowed us to read and authorize any of the briefs. Attached you will see an email from my mother asking for an update on the case in the Appeals court on the 25th of July and an answer from Helmut telling her he would update her in a week. Helmut then filed

the case with the Washington State Supreme Court on July 26, without our knowledge or approval to do so. WE HAD NO IDEA THE CASE WAS OUT OF THE APPEALS COURT.

### **CONCLUSION**

Based on the matters set forth, the Appellants request that the Court grant an extension of time for an additional ninety-day extension to find another attorney to file an Amended brief to the WA Supreme Court.

### **CERTIFICATE OF SERVICE**

I hereby certify that on 8/31/2018 , I caused to be electronically filed the foregoing Motion for Extension with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Kevin Erickson, Pro Se

5421 Pearl Ave S.E.

Auburn, WA 98092

[Kevin@Shearforce.net](mailto:Kevin@Shearforce.net)

[Shelleystotalbodyworks@comcast.net](mailto:Shelleystotalbodyworks@comcast.net)

206-255-6324

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

[david.elkanich@hklaw.com](mailto:david.elkanich@hklaw.com)

[garrett.garfield@hklaw.com](mailto:garrett.garfield@hklaw.com)

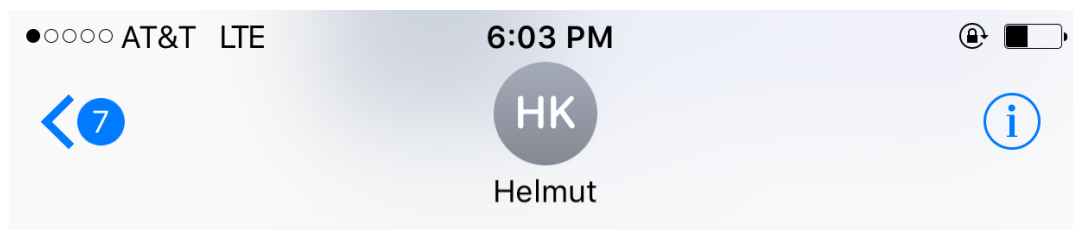
Helmut Kah, Attorney at Law, WSBA 18541

20205 144 th Ave NE, Suite 208

Woodinville, WA 98072-4451

206-234-7798

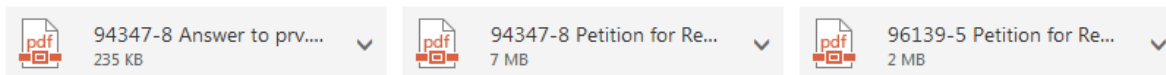
[helmutkah@outlook.com](mailto:helmutkah@outlook.com)



Any news from Appeals court on my sons SOLcase?

Wed, Jul 25, 3:38 PM

We will get up to date on that matter after next week.



3 attachments (10 MB) Download all Save all to OneDrive - Personal

----- Original Message -----

From: SHELLEY'S TOTAL BODY WORKS <shelleystotalbodyworks@comcast.net>  
To: "Smith, Jill" <jill.smith@naturalresourcelawgroup.com>  
Date: August 8, 2018 at 6:24 PM  
Subject: Fwd: cases filed for review

----- Original Message -----

From: SHELLEY'S TOTAL BODY WORKS <shelleystotalbodyworks@comcast.net>  
To: Helmut Kah <helmutkahlaw@outlook.com>  
Date: August 8, 2018 at 6:23 PM  
Subject: Fwd: cases filed for review

How could you have file this and not told my son nor I this happened? No notice to either of us at all. Of course we never read the case before it was filed.

Exhibit A

**KEVIN ERICKSON - FILING PRO SE**

**August 31, 2018 - 1:09 AM**

**Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 96139-5  
**Appellate Court Case Title:** Kevin Erickson v. America's Wholesale Lender, et al.  
**Superior Court Case Number:** 15-2-12744-1

**The following documents have been uploaded:**

- 961395\_Motion\_20180830172205SC099782\_6028.pdf  
This File Contains:  
Motion 1 - Extend Time to File  
*The Original File Name was MOTION FOR EXTENSION OF TIME TO FILE AN AMENDED BRIEF fin.pdf*

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

- HelmutKah@outlook.com
- Kevin@shearforce.net
- david.elkanich@hklaw.com
- garrett.garfield@hklaw.com
- helmut\_kah@yahoo.com
- shelleytotalbodyworks@comcast.net

**Comments:**

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Sender Name: Kevin Erickson - Email: shelleytotalbodyworks@comcast.net  
Address:  
5421 Pearl Ave S.E.  
Auburn, WA, 98092  
Phone: (206) 255-6324

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