

NO. 97882-4

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

RICHARD L. FERGUSON,

Petitioner,

vs.

BAKER LAW FIRM, P.S., et
al.,

Respondent

**PETITIONER'S MOTION
FOR LEAVE TO FILE
OVER-LENGTH AND
UNTIMELY AMENDED
PETITION FOR REVIEW**

I. IDENTITY OF THE MOVING PARTY

Petitioner, RICHARD L. FERGUSON, is the moving party and asks the Court for the relief requested below.

II. RELIEF REQUESTED

Mr. Ferguson asks the Court, for a summary determination under RAP 17.4(c), for leave to accept his previously-filed over-length and untimely Amended Petition for Review, for the reasons stated below.

Such an order is within the Court's authority to expand time under RAP 18.8(a), and would serve the ends of justice. This motion is not subject to the restrictions in RAP 18.8 sections (b) or (c), because the Petition for Review (Preliminary) was timely filed.

III. REASONS TO GRANT APPELLANT'S MOTION

1. Ferguson timely filed his Petition for Review, and advised all parties that he intended to amend or supplement the Petition.
2. Ferguson requested additional time to amend or supplement his petition, and was granted additional time to March 27, 2020.
3. Ferguson's family was recovering from symptoms of COVID-19, with his at-home son being diagnosed with pneumonia, although doctors refused COVID-19 testing. Ferguson is 59 ½ years of age, at risk, and has been psychologically impacted by the COVID-19 pandemic, the doctors' repeated refusals to test his son, and his parents, who are in their 80's, and whose mother lives in assisted living.
4. Ferguson has previously advised the court that he suffers from depression and anxiety, often severe and debilitating. Ferguson is unrepresented by counsel, has no legal assistance, and is overwhelmed by the legal work on this matter, and the stress of the COVID-19 pandemic.
5. On March 27, 2020, Ferguson's Amended Petition was 44 pages, and Ferguson sought to get it down to 25 pages, believing that 25 pages would be in accordance with the rules.
6. Ferguson filed his 23 ½ -page Amended Petition on April 7, 2020, and was advised that it was over-length and untimely.

7. The brief was long because there are five (5) orders and two (2) judgments on appeal. It was untimely because it was difficult to condense the petition into 20 pages, without leaving out the background and history of the case.

8. This case involves important issues of constitutional law, in a case brought by an unrepresented party, which need to be considered by the Supreme Court for reasons stated in the Amended Petition.

9. Respondents are attorneys, who are represented by multiple additional attorneys, and will not be prejudiced by the delay, or the 3½ extra pages. Ferguson agrees that Respondents should be allowed the time they need to respond to the Amended Petition.

IV. CONCLUSION

Pursuant to RAP 18.8(a), good cause exists, and the ends of justice will be served by accepting Ferguson's Amended Petition for Review, and allowing Respondents time to respond.

RESPECTFULLY SUBMITTED this 13th day of April, 2020.

s/ Richard L. Ferguson

Richard L. Ferguson, Pro Se Petitioner
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V. DECLARATION

1. I am Richard L. Ferguson, Petitioner in this matter, and I am over the age of eighteen (18), and am competent to testify to the matters herein.
2. I hereby declare that the statements in the Motion herein are true and correct to the best of my knowledge.
3. I am serving this Motion on all registered parties by electronically filing through the Court's Web Portal, and understand that it will be email-served to all parties. I am happy to provide a hard copy to any party upon request.

Sworn to under penalty of perjury under the laws of the State of Washington by Richard L. Ferguson, DATED this 13th day of April, 2020.

s/ Richard L. Ferguson

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RICHARD FERGUSON - FILING PRO SE

April 13, 2020 - 10:29 AM

Transmittal Information

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