

IN THE WASHINGTON STATE SUPREME COURT  
OLYMPIA, WASHINGTON

SUPREME COURT CASE # 100114-2

In re } FROM APPEALS COURT #817531 } WILMINGTON SAVINGS AND  
FOR SANWICH SAVINGS AND LOAN or SABR MORTGAGE LOAN 2008-1  
REO SUBSIDIARY-1LLC LOAN FSB ACTING AS TRUSTEE } KING  
COUNTY SUPERIOR COURT CASE #14-2-26804} PLAINTIFF V

V. BRUCE BORJESSON DEFENDANT }

BY BRUCE R BORJESSON 9519 4TH NW SEATTLE WASHINGTON 98117  
PHONE 2067658977 OR pacres13@gmail.com

MOTION FOR EXTENSION OF TIME OF ABOVE CASE FROM THE  
APPEALS COURT

{Requesting a Discretionary Review by the Washington State Supreme Court

ON SEPTEMBER 6 2021 }

}MOTION TO EXTEND TIME TO  
}FILE PETITION FOR REVIEW

I. IDENTITY OF MOVING PARTY :Petitioner, Bruce R Borjesson, Pro Se by  
his own action respectfully requests the relief stated in Part II.

II. STATEMENT OF RELIEF SOUGHT:

Pursuant to RAP 1.2 (c) , 13.4(a), and 18.8 (b), (c) petitioner requests that this  
Court extend the time for review by one day to August 19, 2021.

III. FACTS RELEVANT TO MOTION AND GROUNDS FOR RELIEF  
AND AFFIDAVIT OR DECLARATION OF STATEMENT OF FACTS:

The petition for review was due on August 18, 2021. Defendant Bruce Borjesson, acting Pro Se., respectfully requests this Court grant a one-day extension of time to file the petition for review due to extraordinary circumstances and to prevent a gross miscarriage of justice.

1. The Court of Appeals affirmed Mr Borjesson's appeal of Superior Court case #14-2-26804-1 SEA, filed with the Appeals Court on July 18, 2021, Under RAP 13.4 (a) the petition for review was due 30 days later. On August 18 /delivered on August 19,2021. Mr. Borjesson raised THREE issues in the petition for review on August 19,2021 including understanding of the unlawful subdivision ruling by the King County Court via a Summary Judgment Hearing, NOT Trial. Then during the appeal process there was lack of considerable and incompleted denovo review by the Appeals Court. That furthermore by the lack of no or limited de novo review by the appeals court a grave miscarriage of justice is being done.
2. That the appeals court which normally in de novo would include in its affirmation a considerable legal analysis, insights, and judicial investigative amounts of jurisprudence lacked due diligence as required by RCW, and RA. Mr. Borjesson has extensively examined other briefs and this affirmation was the shortest non judicial analysis of a case yet provided. The normal denovo reviews in almost all cases have at the very least a item by issue by CP or RP quoted by the defendant then replied by the Appeals Court. This is not so in this case. Furthermore that the lack of reasonable due judicial diligences constitutes a first amendment violation by the Appeals Court by not reading the Petition, and a 4<sup>th</sup> and 14<sup>th</sup> Amendment to the US Constitution/Washington State Constitution violations of due process. For Example: The Certified Survey provided by Mr. Borjesson (defendant) and the Plaintiffs attorneys short version without the Certified Survey (see Exhibit A) show with the numbers of the size of the legal description (also admitted to Without the Certified Survey MAPS by the Plaintiffs) will never pass the legal descriptions and ordinances for a legal Descriptions of the property as a lawful subdivision of real estate. The appeals Court's Commissioner Masako Kanazawa ruled upon Motion by the Defendant the entry of the Certified Survey, the City of Seattle DPD House Map, and the legal description given to the court by the Plaintiffs. The properties are Parcel A and Parcel B. Another example of the Appeals

- Court not doing judicial due diligence shows in Exhibit A, B, and C that a gross miscarriage of Justice is being carried out with very limited response by the Appeals Court. An unlawful subdivision by the Appeals Court affirming the summary Judgment hearing at the King County Court (case 14-2-26804-1-SEA.) was affirmed. So how will this affect ALL the next houses and properties and collateralizations of real Properties?
3. Further more the Claims by both the King County Court, and now the Appeals Court that a full blown TRIAL has been said and done is false. There was a very short Summary Judgement HEARING by the King County Court. Then the Appeals Court also showing that it had not completed the de novo review, affirmed that there was a TRIAL. No Trial has ever occurred.
  4. The Superior Court also made the judicial error by issuing on Sept 28 2015 an Order demanding that both Plaintiffs and Defendant provide full disclosure to the Court. CP(248-250). The Court never sent the Defendant and possibly the Plaintiff copies required to be delivered by RCW of this order {CP 248-250}. Then on Oct 2, 2015 at the Summary Judgement hearing no mention was made nor noticed either by the Plaintiffs nor by the Court that the Order for Discovery was to be either cancelled ( by the Court) or both Defendant and Plaintiff who did not receive the Courts Order would then be held in contempt of court.
  5. Let us not forget that the US District Bankruptcy Court case #15-16110 CMA, under the Honorable Christopher M Alston ruled that the Parcel B is owned by Mr.Borjesson. {That the house is located on both Parcel A (#0081) and Parcel B (#0085) } by certified survey and ruled by Federal Court ruling from the bench, needs to be addressed. Otherwise it is a further grave miscarriage of justice. And now inclusive by the affirmation of the Appeals Court. Mr. Borjesson has unencumbered ownership of parcel B by virtue of taxes paid, and the Homestead Act (via US District Bankruptcy Court case # 15-16110 CMA} Judge Alston's rulings). The Plaintiffs are ignoring this ruling, and are furthering the illegal falsehoods of building size/land survey discrepancy that were to act as collateral for the alleged loan.
  6. RAP 1.2 (c) allows this Court to waive or alter the RAPs "in order to serve the ends of justice, subject to the restrictions in Rule 18.8(b)(c)." RAP

18.8(b) permits the appellate court to extend the time within a party must file a petition for review, “in extraordinary circumstances and to prevent as gross miscarriage of justice. “ Such circumstances are present where the filing was untimely due to “excusable error or circumstances beyond the parties control. : *Beckman V DSHS, 102WN App. 687 , 694 11 P.3d. (2000) (quoting Reichelt V Raymark Indus. Inc, 52 Wn. App. 763, 765,764,P 2<sup>nd</sup> 653 (1988).*

7. This case presents extraordinary circumstances. Mr. Borjesson a 72 year old diabetic, invalid, innocent and righteous , has periods of time due to severe diabetic/heart conditions, that when his mental faculties are not energized, or legally available. The petition was prepared but the date of delivery was thought to be 30 days from 19<sup>th</sup> of July to 19<sup>th</sup> Of August. Through no fault of his own Mr. Borjesson did not realize that an additional day of July 31 needed to be counted. His accounting as normalcy was 30 days from July 19 to August 19 were 30 days./ Therefore it was inadvertently misinformed and misdated for the timely delivery to the Supreme Court. This was entirely out of Mr. Borjesson Control, an constitutes extraordinary circumstances . In order to prevent a gross miscarriage of justice the requested Motion for extension of time be granted.
8. Granting a one-day extension of time to file the already prepared petition for review would promote justice and facilitate this court’s decisions on the merits. RAP 1.2(a) Mr. Borjesson should not be penalized for a one day miscalculation error.

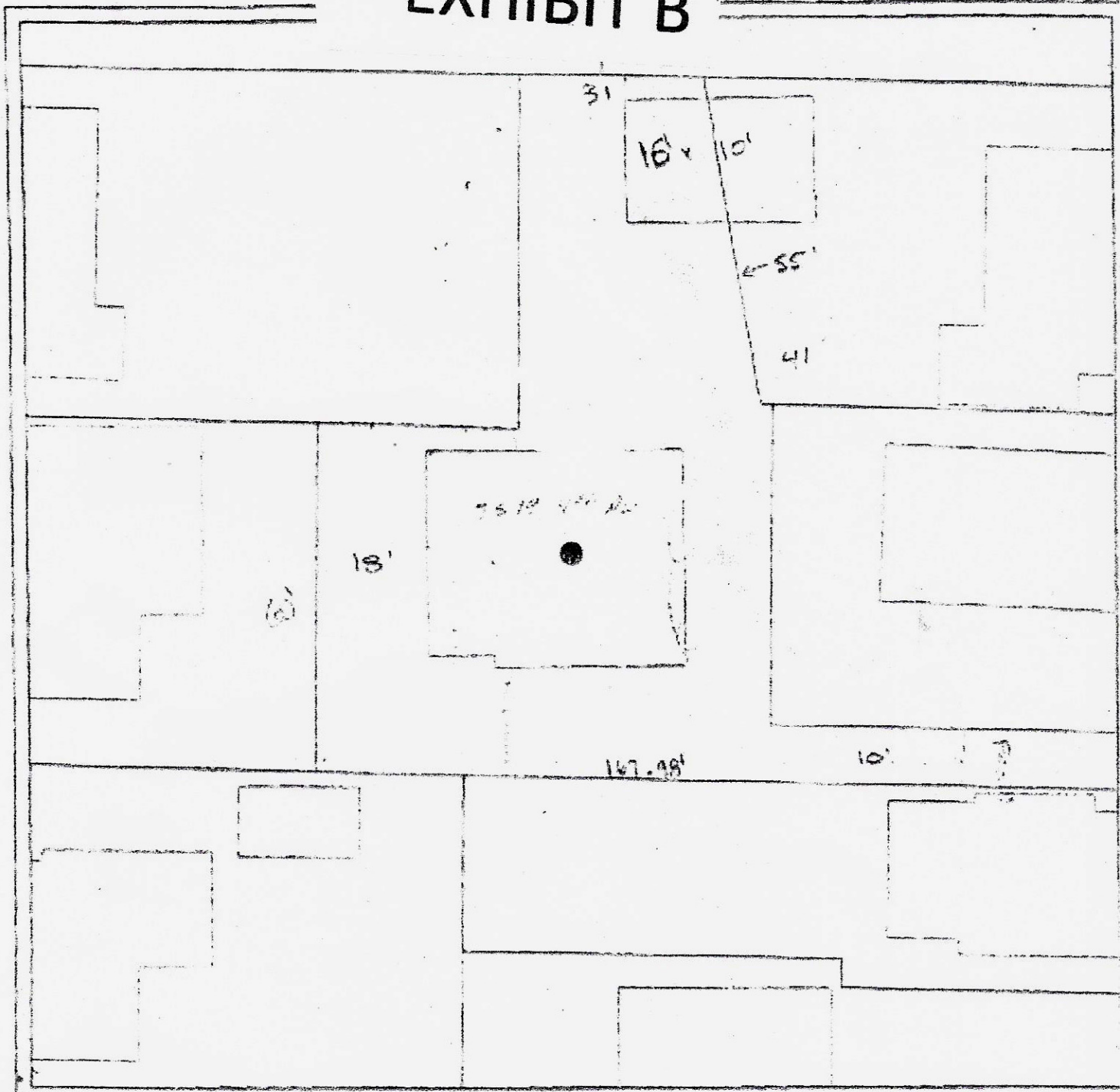
CONCLUSION:

Mr. Borjesson has never previously requested an extension of time for filing a petition with or in this Court. For the Above stated reasons, Mr. Borjesson respectfully requests that this extension of time to prevent a gross miscarriage of justice.

Sincerely /s/Bruce Borjesson/s/\_\_\_\_\_ Sept 7/2021



# EXHIBIT B






9519 4th NW



Prepared by DPD, December 01, 2010

Scale: 1" = 25'

-  Zoning Outlines
-  Building Outlines
-  Parcels



# State of Washington, King County

**SHERIFF'S  
PUBLIC NOTICE  
OF SALE OF  
REAL PROPERTY**

IN THE SUPERIOR COURT of  
Washington for King County.  
**WILMINGTON SAVINGS  
FUND SOCIETY, FSB AS  
TRUSTEE OF STANWICH  
MORTGAGE LOAN TRUST  
A, Plaintiff, v. BRUCE  
BORJESSON; et al.,  
Defendants.** Sheriff's Public  
Notice of Sale of Real Property.  
Cause No. 14-2-26804-1 SEA.  
Judgment Rendered On: 07/14/  
2020. Order of Sale Issued: 10/07/  
2020. Date of Levy: 10/20/2020.  
To: **BRUCE BORJESSON;**  
**JUDGMENT DEBTOR:**

The Superior Court of King  
County has directed the under-  
signed Sheriff of King County  
to sell the right, title, and inter-  
est of the judgment debtors in  
the property described to satisfy  
a judgment in the above entitled  
action. If developed the property  
address is: 9519 4TH AVENUE  
NW, SEATTLE, WA 98117

THE SOUTHERLY 65  
FEET OF THE EAST HALF  
OF TRACT 9 AND THE  
EASTERLY 33.39 FEET OF  
THE SOUTH HALF OF THE  
WEST HALF OF TRACT 9,  
KRIEGEL'S ACRE TRACTS,  
ACCORDING TO THE PLAT  
THEREOF, RECORDED IN  
VOLUME 23 OF PLATS,  
PAGE(S) 7, IN KING  
COUNTY, WASHINGTON;  
EXCEPT THE EAST 91 FEET  
OF THE NORTHERLY 55  
FEET OF THE SOUTHERLY  
65 FEET OF THE EAST HALF  
OF TRACT 9. ASSESSOR'S  
PARCEL NO. 3941900081.

The sale of the above described  
property is to take place:

Time: 10:00 A.M.

Date: DECEMBER 11, 2020

Place: 4th Ave. Entrance,  
King County Administra-  
tion Building, 500 Fourth  
Avenue, Seattle, WA 98104.

The judgment debtors can avoid  
the sale by paying the judgment  
amount of \$891,872.74 togeth-  
er with interest, costs, and fees  
before the sale date. For the exact

amount, contact the Sheriff at the  
address stated below.

**MITZI JOHANKNECHT,**  
SHERIFF,

King County, Washington.

By **HUGO R. ESPARZA,**

Deputy.

King County Courthouse, 516  
3rd Ave., Rm. W150, Seattle, WA  
98104, (206) 263-2600.

Date of first publication:  
October 22, 2020

Attorney: **WRIGHT FINLAY &  
ZAK, LLP** 612 S LUCILE SUITE  
300 SEATTLE, WA 98108 (425)  
296-3116

Date of first publication in  
the Seattle Daily Journal of  
Commerce, October 22, 2020.

11/12(389039)

## EXHIBIT C

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

:

IN THE WASHINGTON STATE  
SUPREME COURT DIVISION I  
re:

No.100114-2

} WILLMINGTON SAVINGS  
AND LOAN FSB ACTING AS  
TRUSTEE FOR SANWICH  
SAVINGS AND LOAN  
SABR MORTGAGE LOAN 2008-1  
REO SUBSIDIARTY-1LLC,  
EQUIFIRST BANK, APPEALANT  
V. BRUCE BORJESSON

AFFEDAVIT OF SERVICE ON  
ENTITLED ACTION MOTION  
FOR EXTENSION OF TIME

I herein certify that on September 8 2021 I delivered by certified  
mail and Email to Wright Finley and Zak, smledwards@wrghlegal.net  
as Well as the Washington State Supreme Court at Olympia Clerks  
Office via email copies and filings of Motion for the Extension of time  
due on 09/08/21

I understand under the penalty by Washington State Law concerning  
Perjury and I herein acknowledge that the above documents were  
Delivered by Email by me to the above address's 612 So Lucille Suite  
300 seattle wa 98108.

/s/Bruce Borjesson /s/Sept 8, 2021 \_\_\_\_\_



**From:** [OFFICE RECEPTIONIST, CLERK](#)  
**To:** ["bruce borjesson"](#)  
**Subject:** RE: Defendants motion for extension of time  
**Date:** Tuesday, September 7, 2021 4:53:56 PM

---

Accepted for filing 9-7-21

---

**From:** bruce borjesson [mailto:pacres13@gmail.com]  
**Sent:** Tuesday, September 7, 2021 4:45 PM  
**To:** OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>  
**Subject:** Defendants motion for extension of time

**External Email Warning!** This email has originated from outside of the Washington State Courts Network. Do not click links or open attachments unless you recognize the sender, are expecting the email, and know the content is safe. If a link sends you to a website where you are asked to validate using your Account and Password, **DO NOT DO SO!** Instead, report the incident.

enclosed is the motion for extension of time as indicated by the email from the Supreme Court. please inform as to its definite arrival your Court. thanks mr b.  
Mr. Borjesson trusts that this petition is acceptable and prays for relief from the Supreme Court on his Petition for Discretionary Review {to be granted}.