

**Case No. 102306-5**

SUPREME COURT  
OF THE STATE OF WASHINGTON

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In re the Marriage/Dissolution/Child Custody of:

Predrag Totic, a man;  
Petitioner/Appellant

and

HEATHER TOMASON (formerly HEATHER TOSIC),  
Respondent.

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**PETITION FOR REVIEW**

OF REVIEW TERMINATION BY Ct. of APPEALS – Div. I  
IN re: APPEAL #83518-1

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Court of Appeals – Div. 1 case # 83518-1 (also related to CoA case # 84655-8)

**Submitted by:** Predrag Totic, a living man / Appellant Sui Juris

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**A) Identity of Petitioner**

Predrag Totic, a living man, Appellant Sui Juris before Ct. of Appeals – Division I (CoA for short) and state Supreme Court (SC); is the Moving Party for this **Petition for Review** before Supreme Court. I am the Respondent in the original dissolution/child

custody matter (at King Co. Superior Ct., KCSC) and Appellant before CoA (cases #830511, #835181 and #846558) and this Supreme Court. This Petition is specifically with regards to CoA case #835181. I'm filing Petition for Review per RAP 13.4(b).

### **B) Court of Appeals Decision and Relief Sought from State Supreme Ct.**

Court of Appeals – Division I case #83518-1 is “the main appeal” by this Petitioner on the rulings by the King Co. Superior Court (KCSC) in re: matter of Totic, specifically with regards to child custody and involving blatant violations of protected rights of a fit, loving parents (myself), concomitant rights of the minor child, denial of due process, long list of violations of statutory and case law, a nearly endless list of violations of the code of judicial conduct, deprivation of protected rights under the color of state law, RICO violations by multiple state & court actors, child trafficking for profits under the color of law, and more. More detailed timeline of case #83518-1 is summarized in the next section. Key CoA rulings for which I am petitioning for review and reversal:

- On June 16, 2023, CoA dismissed my appeal by terminating the review, while ignoring both that I had a history of documented recurring illness in recent months (all timely communicated to CoA), and a pending, but ignored, timely filed ADA request asking for several accommodations per Americans with Disabilities Act statutes and common practices, including but not limited a reasonable amount of time to complete and file the main appellate Brief; under the circumstances of recovering from recent illness and having a partial disability (and being Pro-se, that is, filing all pleadings on my own).
- I filed a timely Motion for Reconsideration with Ct. of Appeals Division I per applicable RAPs (cf. 12.4) around July 5, 2023; by that time, I had completed the Brief and I submitted as ‘Other’, given that the review had already been terminated. I reminded CoA of the ADA filing on June 12, prior to case termination on June 16; and that the Brief was now done. All of this was ignored.

- On July 25, the same CoA judge (L. Feldman) who led the panel of three that terminated the review while ignoring my timely ADA accommodations request (that violating applicable federal statutes with regards to litigants entitled to ADA accommodations and additional protections) several weeks earlier, denied my Motion for Reconsideration and request that the case be re-instated and already submitted/completed Brief draft be considered, and this highly complex case involving many blatant violations of protected rights and due process at the lower court actually be reviewed on its merits.
- I am now seeking Review by the state's highest court, requesting that the appeal #83518-1 be re-instated, my Appellate Brief accepted, and that this case be reviewed on its merits.
- I am also requesting that the state's highest court, rather than exacerbating past and ongoing violations of my protected rights starting with rights to due process before fair & impartial tribunal and the right to be meaningfully heard at state courts, actually protect those rights (as it is obligated to do so by both the state and especially federal Constitutions), reprimand Ct. of Appeals for violations of the due process and of ADA federal statutes, and ensure that I get a proper, fair & impartial, hearing based on case's merits, not procedural glitches, especially given the importance and impact of the case, and the fact that I have been acting as Pro Se/Sui Juris while having major health challenges throughout the spring and early summer of 2023, and have also obtained ADA advocacy in May/June and requested from CoA ADA-related accommodations, with this appellate court simply ignored.
- Other than a major impact on my life and liberty interests as well as concomitant protected rights of my minor daughter, this case has broader ramifications. In particular, blatant denial of substantive due process first at the trial court and then at Ct. of Appeals – Div. I, specifically with regards to CoA terminating the review

in #835181 without letting me be reasonably heard or evaluating my case on its merits (and while violating federal ADA-related statutes in the process), is adversely affecting public perception and trust in this state's judiciary and court system, involves further deprivation of protected rights of an adult who's done nothing wrong other than blundering with his choice of marital partner and daring to speak about "family court" corruption and abuse, as well as of his minor child; and as such is of broader public interest.

The relief I am seeking from Supreme Ct. is to grant review, reverse Ct of Appeals' case #83518-1 termination, re-instate the case, reprimand CoA Division I for denial of due process and ADA-related violations, and instruct CoA, upon reinstating my appeal, to actually impartially and diligently review and adjudicate matters in #83518-1 based on law and case's merits.

### **C) Case Summary and Ct. of Appeals Grounds for Terminating Review**

The appeal before CoA, case #83518-1, is a highly complex case which has several interlocutory motions and faced several prior delays; that said, in June/July of 2023, CoA has denied me the due process and the right to be meaningfully heard, by terminating the case without reviewing its merits. A brief history of this appeal before Division I follows. The perfection letter by CoA – Division I was issued in January 2022 and the Designated Clerk's Papers, as well as the majority of the transcripts, became available in the summer of 2022. Additional transcripts were ordered in early March 2023 and became available to the court and parties in late April 2023, on/around April 21. Prior to the supplemental transcripts being ready, CoA Commissioner Kanazawa issued an unreasonable hard deadline for my main Brief; that deadline was literally 3 days after the supplemental transcripts deadline (April 28 and April 25, respectively; the transcriptionist was done a few days before CoA's transcript deadline). This Appellant challenged this unreasonable order by CoA Commissioner Kanazawa, but was denied by a panel of three CoA judges. Separately from that, I have notified both appellate courts (CoA and SC) about getting

repeatedly ill and on serious treatments (antibiotics, anti-inflammation to prevent pneumonia, etc.) during the period between late February and mid/late June of 2023. While state SC acted reasonably insofar as modest time-extensions to file my pleadings as Pro Se party, CoA Division I simply ignored my documented health issues and kept insisting on manifestly unreasonable deadlines. This forced me to seek federal remedy sooner than planned; alas, my attempt to remove case #83518-1 (and this SC was notified of said removal) to federal district court was denied on technical grounds, and remanded back, around June 13, 2023, back to state Ct. of Appeals.

Around June 12, 2023, after consulting an ADA expert, Ms. Joan Kloth-Zanard, I filed with CoA for ADA accommodations, including specifically reasonable modest time extension for filing pleadings, given that I am on my own, have very limited financial resources, and have documented partial disability. CoA entirely ignored this ADA request and dismissed my main appeal, case #835181, on/around June 16. On June 20, CoA's Commissioner Kanazawa, in yet another intentional violation of my protected rights, violation of ADA-related federal statutes, and denial of due process, issued a public letter referring to my request for ADA accommodations as 'moot', while fully aware of its timeline, including that it was filed **\*prior\*** to the main appeal, #83518-1, being dismissed (review terminated) by her court. After another documented bout of health issues in mid/late June 2023, I filed for Reconsideration with CoA – Div. I around July 5, 2023. That Motion for Reconsideration, accompanied by completed Appellate Brief (which, once I got healthy enough, I completed in the meantime), got denied by the same panel-leading CoA judge, L. Feldman, who together with two other judges dismissed the case on June 16. While Judge Feldman may or may not have been aware of my timely ADA request from June 12 at the time of the original termination of review, he was most certainly aware of it when he denied Reconsideration, on/around July 25; thus joining the ranks of those at CoA – Division I who have repeatedly denied me the due process and equal treatment under

law, and also violated multiple federal statutes in the process, now additionally including federal statutes pertaining to ADA protections.

The grounds on which CoA Division I terminated review, are that the case has been pending for too long, there have been multiple delays with my appellate Brief already, and that I did not meet (completely unreasonable, under the circumstances) “hard deadline” as issued by CoA Commissioner Kanazawa. In doing so, CoA ignored both my documented recurring illness and my ADA accommodations request; that the prior deadline was manifestly unreasonable (given both my April-May documented and reported to the court bouts of illness and that supplemental transcripts only became available literally only a few days before Commissioner Kanazawa’s hard deadline); as well as that, by the time I (timely) filed Motion for Reconsideration of the June 16 termination of review decision, my lengthy Brief was already completed and ready to be reviewed -- yet Judge Feldman et al. at CoA Division I denied Reconsideration and thus rejected the review of my Brief and my overall appeal in #835181 on their merits.

While there were prior delays with appellate Brief (due to various unforeseen at the time circumstances), it is difficult to ‘buy’ CoA’s argument about timeliness, where the same Division I, while denying my late April request for 2-3 additional weeks for a highly complex and challenging Brief on a very complex case with many instances of abuse of discretion, denial of substantive due process and other violations at the trial court, ignoring my illness, delay with transcripts and subsequently even request for ADA accommodations, was literally over 3 months late with respect to their own hearing/adjudication date in related, but separated matter re: Tonic before them, appellate case #846558. Therefore, terminating review in #835181 on lateness with my Brief grounds would be unconvincing even if there weren’t very considerable extenuating circumstances, as well as pre-termination ADA accommodations request; and are nothing short of outrageous given those circumstances, and that they were all documented and timely reported to the court (CoA) from my end. My assertions herein on the relevant

timelines as well as some 13-14 weeks worth of total delay by the court, and not myself or any of the parties, in closely related appellate matter #846558 (while denying my request for 2-3 additional weeks in #835181 due to illness and also, once I secured some ADA advocacy in May and early June, my June 12 ADA accommodations request), are all matters of easily verifiable court/public records.

#### **D) Argument in Support of Re-Instating My Appeal in #83518-1**

Next, I summarize the issues I am raising in this Petition, and elaboration on grounds for the relief I am seeking from state Supreme Ct. Did Appellate Court violate RAP 13.5 and the Due Process Clause of the 14<sup>th</sup> amendment, by ignoring my notifications of repeated illness since late February 2023, timely request for ADA accommodations, and specifically request for reasonable additional time to file main appellate Brief in case #83518-1; and terminating the review in #835181 without reviewing the merits of the case or giving me a meaningful opportunity to be heard?

By the time this Appellant Sui Juris filed his Motion for Reconsideration of the original June 16 termination of review, I notified Ct of Appeals of the following:

- I reminded CoA of my timely request for ADA accommodations, and therefore that ignoring said ADA request and denying me a proper review involved additional violations of my federally protected rights by that court, including this time court's violation of ADA-related federal statutes and my related protected rights;
- The full draft of my main Appellate Brief was completed and ready (and submitted as 'Other' document, since I could not submit it as Brief until the case gets reinstated); yet CoA denied my timely-filed Motion for Reconsideration (while knowingly violating my ADA protected rights in the process), and ignored the completed-by-that-time Brief.

Motion for Reconsideration was filed with CoA on/around July 5, 2023; and denied by Ct. of Appeals Division I (by the same CoA judge L. Feldman) on July 25, 2023.

CoA first abused discretion and acted unreasonably, by imposing (and upholding, via denying my Motion to Modify on that specific matter) an unreasonable under the circumstances hard deadline for my #835181 Appellate Brief, as defined by CoA Comm'er Kanazawa, for around April 28. That deadline was unreasonable on two documented grounds: 1) that I was seriously ill twice during the period March-April (two rounds of antibiotics and pain killers for 10+ days each, affecting my ability to draft and file court pleadings) and hence needed modest additional time for my Brief; and 2) that the remaining supplemental transcripts were made available to the parties literally less than 1 week before Kanazawa's unreasonable hard deadline. The CoA further acted unreasonably and abused discretion by denying my Emergency Motion for additional time, specifically based on my documented illness and treatment during the period April 17–27, 2023; this precipitated my arguably premature attempt at federal removal, given that CoA was making it clear to me that they were not interested in granting me due process or a fair hearing in #835181.

CoA further abused discretion as well as violated federal ADA-related statutes and protections to Americans/litigants with disabilities, by ignoring my ADA-based request for accommodations filed timely on June 12 (four court days before my appeal was originally terminated by judges Feldman et al). Adding insult to injury, CoA issued a public letter on/around June 20, referring to my June 12 ADA accommodations request as 'moot', while conveniently ignoring that the termination of my appeal was ruled only AFTER I had already filed for ADA accommodations, in which I expressly requested a reasonable additional time for written pleadings in general, and for my main Brief in particular. This was a serious violation of protected rights of individuals with disabilities as well as the due process, that I am also concurrently raising with federal Department of Justice (DOJ).

CoA Division I had an opportunity to correct its errors from June by granting my Motion for Reconsideration, reinstating the case, and adjudicating the case based on its merits. Alas, CoA judge Feldman decided to do the opposite, while ignoring above-summarized violations of due process, Americans with Disabilities and other protected rights, as well as that, by the time I sought reconsideration, my appellate Brief has been completed; instead,



he abused discretion and denied my Motion for Reconsideration without any justification. (This, too, will be reported to both Commission on Judicial Conduct and federal DOJ.)

The Due Process Clause of the 14<sup>th</sup> Amendment includes giving litigants an opportunity to be reasonably heard; and this has been upheld by this state's appellate courts, e.g. *Watness v. City of Seattle*, 11 Wn. App.2d 722, 733, 457 P.3d 1177 (2019), review denied, 195 Wn.2d 1019 (2020). June and July 2023 actions by CoA Division I are denying me the right to be reasonable heard, as well as violate existing case law such as *Watness*.

Unreasonable deadlines while ignoring a party's serious and recurring illness, ADA accommodations request and legitimate delays with some of the supplemental transcripts would be an abuse of discretion and violations of the Due Process rights even if the party filing Brief is a professional attorney (who has happened to have documented illness, be eligible and expressly request ADA accommodations, etc.); as such, recent CoA rulings and termination of case #835181 constitute denial of due process and not letting one party in re: matter of Tosic be heard regardless of Pro Se vs. professional attorney status. The same applies to violation of federal ADA-related statutes. I want on the record, that CoA further violated my rights, as well as ample SCOTUS and other federal courts' case law, with regards to procedural protections of Pro Se litigants. Pro Se pleadings are always to be construed generously and expansively, affording them all the opportunity in obtaining substance of justice over technicality of form; e.g. *Maty v. Grasselli Chemical Co*, 303 US 197 (1938); *Picking vs. Pennsylvania Railroad Co.*, 151 F.2d 240 (3rd Circuit court, 1945); *Jenkins v. Mckeithen*, 395 US 41., 421 (1959); *Haines v. Kerner*, 404 US 519, 520-521, 92 S. Ct. 594, 596, 30 L.Ed.2d 652 (1972); *Pucket v. Cox*, 456 F. 2d 233 (6th Circuit ct. 1972). Indeed, the Courts are supposed to go to a great length to protect Pro-Se litigants against consequences of inadvertent technical errors, if injustice would otherwise result; e.g. *US v. Sanchez*, 88 F.3d 1243 (Washington DC Cir. 1996). Further, "the court is under a duty to examine the complaint to determine if the allegations provide for relief on \*any\* possible theory" (emphasis added); *Bonner v. Circuit Ct. of St. Louis*, 526 F.2d 1331, 1334 (8th Cir., 1975), etc. CoA refusing to review my appeal on its merits, I am clearly being denied

“substance of justice” (in addition to the Due Process and ADA-related violations of my rights by CoA Division I as summarized earlier).

The rest of this section replicates abridged, moderately edited arguments submitted to CoA Division I in my Motion for Reconsideration, yet denied by CoA judge L. Feldman.

“My request [to CoA Division I, per Motion for Reconsideration from early July 2023] that appellate review be re-instated is based on the following:

- Substantive due process and substantive justice are being denied with denying review on such an important and highly-contentious matter as child custody, my parental rights as a fit (if with multiple health issues as of late), loving and available parent; and my daughter’s concomitant rights to intimate association with both parents, and in particular not to have her loving, fit father be maliciously pushed to the margins of her young life by the corrupt “family” court and other corrupt state actors.
- Since early March 2023, I have been repeatedly sick, with worsening of a documented chronic condition (severe bronchitis) and recurring bouts of worsening of said condition followed by treatment with antibiotics, anti-inflammation steroids, pain-killers and other medications. This court has ignored my health issues and offers of evidence (antibiotics and other treatments on four documented occasions since March 7; each in the duration of at least one week); and has issued timeline orders for the main appellate Brief that were neither reasonable nor remotely fair/granting me substantive due process under the circumstances.
- Most recently (early and mid-June 2023), I got ill again and provided evidence of said recurring illness. I was on medical treatment on the date this appeal was dismissed with a pending but ignored prior motion requesting ADA arrangements (and in violation of federal ADA statutes). I was still ill and in documented medical treatment for another 4-5 days after that (through June 19-20). I have offered/provided evidence of said health conditions and medical treatments, which were unaddressed, indeed ignored, by this court.

- Worse yet, on June 12, 2023 I have filed for ADA (‘Americans with Disabilities Act’) arrangements moving forward; including necessity of granting me additional time to prepare and file my pleadings, especially very challenging and elaborate ones such as the main Appellate Brief. This filing for ADA Accommodations was full four court dates prior to my appellate case #83518-1 being dismissed; this was unconscionable, wrong and in clear violation of federal ADA-related acts.
- Notably, my timely ADA request was neither reviewed nor denied prior to appellate review being terminated. I won’t speculate whether it was the CoA’s clerk, case manager, and/or the three appellate judges who signed the review termination that are responsible for the ‘dropped ball’, lack of due diligence, and indeed my federally-protected rights with respect to ADA/temporary or permanent disabilities. What matters is that the court erred, and in a major way; and it must correct its own errors. (How and why this appeal took as long as it did, is ultimately irrelevant here: the court had a bona-fide ADA request, including for modest and necessary additional time; given that I’ve been Pro Se and that have been coping with documented trauma/PTSD in addition to dealing with worsened respiratory/chronic bronchitis health problems. The court erred in ignoring that timely ADA request, and terminating review with my motion/request for ADA accommodations still pending).
- This court [CoA Division I] cannot claim in good-faith, that it cannot tolerate further delays; as the same judicial officers (the same two commissioners and whichever ‘department’ of appellate judges is in charge of #85655-8) has been two-and-a-half months late with respect to its own deadline, April 21, for adjudicating in closely related but separate matter, CoA case 846558. If the court is so concerned with delays, why didn’t the court review and adjudicate on this other case, for which neither party made any filings since early April?!?
- The court (CoA Division I) has had everything it needs in #8456558 for full three months, and has not reviewed or adjudicated on the matters in that case – while

imposing unreasonable deadlines on a sick Pro Se litigant who has claimed disability and sought back in late April a very modest additional time for my Brief.

- While it is true that I attempted federal removal of this matter in late April 2023, I want to make it clear: had this court been reasonable with respect to granting me a modest amount of necessary additional time for the appellate Brief back in April, I would have not filed for federal removal as an act of desperation. (What I could not anticipate back then, was that I'd be sick and on medications in early May again, followed by another, longer round of health problems in early June, right after the case was remanded by the federal district court back to state CoA – Division I).
- I started working on Brief for #835181 in late February; and have been working full-time on that Brief since the day after I filed my Amended Response to Motion to Remand in the federal court; that is, since late May. The only exceptions were when I was, yet again, falling ill (most recently, approximately during June 10–20, 2023).
- In particular, speculations by CoA commissioners how I presumably have put higher priorities on other matters than this appellate Brief, and that that's why my Brief hadn't been filed by CoA's (unreasonable under the circumstances) deadlines, are just that: inappropriate, indicative of their bias & prejudice against me speculations with no basis in facts or evidence; certainly not in recent months. With a brief exception and short-term focus on federal removal in late April and early May of this year, my Appellate Brief for CoA (case #83518-1) has been, and still is, my top priority for several months now (since at least late February). Alas, it has been the most challenging piece of legal work that I have encountered so far in my 'Pro Se legal career' (by far!), and my diligent work on the Brief has been repeatedly disrupted and interrupted by recurring, documented health issues and illness.
- This court erred by overseeing or ignoring my request (which should be treated as a motion) for ADA accommodations, which was filed timely, several days before the court terminated the review. The court further erred by referring to my June 12 request for ADA accommodations (including additional time for appellate Brief) as

‘moot’ based on the June 16 appellate revise dismissal; in doing so, Commissioner Kanazawa got both the timeline and the causality of events wrong; my request for ADA was timely, and the court dismissed review while ignoring a pending motion in the same case #83518-1; an important motion/request that was filed timely, four court-days before the court actually dismissed the review. This court ought to own-up, admit and correct its own errors.

- Last but not least, while not perfect (and while not every since error-of-law and abuse of discretion by capricious, lawless, abusive and tyrannical King Co. “family” court’s so-called “judge” O’Donnell has been argued and analyzed – after all, I have identified literally over one-hundred such errors in total!), my ~100-page-long Appellate Brief is now done [as of approximately July 5, 2023]; and has been filed/served to Court of Appeals (as ‘Other’ document)”

#### **E) Due Process, Trust in State Judiciary and Public Interest**

In my prior interlocutory pleadings before two state appellate courts (CoA Div. I and SC) I have repeatedly raised blatant and multi-faceted violations of the Due Process at the trial court, specifically at so-called “family court” in King Co. I was criticized and reprimanded for daring to do so, and my motions were invariably denied, usually without proper, diligent review of their merits. Both at CoA and especially at state SC, a part of the feedback was that certain matters aren’t appropriate for interlocutory motions, but rather should be properly addressed in the main appellate Brief. After repeated health struggles (documented four rounds of severe bronchitis during the period March – June 2019) and while dealing with partial disability and other challenges, I have completed my Brief which took considerably more than the standard 12,000 words to capture all abuses of discretion, errors of law, errors/fabrications in findings-of-fact unsupported by any evidence, and lower court’s decisions exceeding that court’s proper legal authority. In a case of re: matter of Tomic complexity and with this extent of due process, statutory and case law, and code of judicial conduct violations, completing the

Brief would take a considerable time & effort in case of a seasoned appellate attorney, let alone a pro-se litigant with health issues and partial disability. And yet – my case #835181 was terminated and review of my appeal and its merits denied, even though, by the time of my filing of Motion for Reconsideration before CoA, the complete draft of Appellate Brief was done and ready. In spite of extenuating personal health and other circumstances, timely ADA request, and the fact that by early July my Brief was ready, the same CoA judge who previously ignored my timely-filed ADA request (and hence violated federal ADA-related protections), denied my Motion for Reconsideration. That act by CoA Division I constitutes blatant denial of due process and of the right to be meaningfully heard by (state) courts, and as such this Supreme Ct. must reverse it!

Cases, including appeals, should be adjudicated on their merits. All parties, including Pro Se litigants with health/disability issues and limited financial resources, should be treated fairly & impartially, and be allowed to be meaningfully heard by the state courts, including appellate courts; and all parties should be able to seek redress, raise issues of corruption, denial of due process and/or deprivation of their protected rights in state courts, without fears of retaliation by the courts or other state agents. There are reasons behind eroding public trust across much of the US in judiciary in general, and in courts in this state, in particular. Massive and blatant abuses I have endured at the “family” trial court, exacerbated by a mix of apathy, further discrimination and retaliation at this state’s appellate courts, are bound to further erode that trust. (I have spoken and written publicly, and will continue doing so, about my experience with state of Washington’s courts and judicial system; and all lawless abuse, deprivation of protected rights, and emotional duress / trauma that those courts have caused, and are continuing to cause) Repeated violations of a loving parent’s and his minor child’s rights, repeated and increasingly blatant violations of the due process, and violations of ADA-related federal statutes should be of serious concern to the state’s highest court; and are matters of considerable public interest. These are additional grounds, beyond immediate impact on

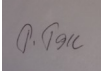
myself (including exacerbated violation of several Constitutionally protected rights, as well as restricting my ability to act as a parent outside the court) and my daughter's right to have her father meaningfully involved in her life, for why CoA's termination of review of appeal in #835181 must be reversed, the case re-instated, and Division I instructed to grant me the due process and substantive justice, and in particular accept my Brief (and other relevant pleadings by both parties), ultimately leading to adjudication of the important matters raised in that appellate case based on their merits.

#### **F) Petition Summary**

By terminating the review of appeal #83518-1 due to lateness of submission of my appellate Brief, while ignoring my timely and repeatedly reported health struggles as well as ignoring entirely my timely filed ADA accommodations request, CoA Division I has violated my 14<sup>th</sup> Amendment and especially the Due Process clause rights, denied me the right to be meaningfully heard, violated ADA-related federal protections and statutes applicable to litigants with disabilities (which would protect a professional attorney who has requested, and was not denied by a court, reasonable ADA accommodations; and hence should certainly protect a Sui Juris/Pro Se litigant seeking same ADA/disability related protections), and further eroded trust in this state's judiciary. CoA's decision should, and must be reversed; my appeal in #83518-1 re-instated, and this Supreme Ct. should instruct lower appellate court to review and adjudicate my case on merits (and to do so fairly and impartially!), rather than procedural glitches which occurred under extenuating, documented by me in considerable detail circumstances. The Brief in #835181 has been ready for review since early July, and I petition this court to instruct Ct. of Appeals – Division I to accept that Brief, grant me the substantive due appellate process, and review and adjudicate my appeal on its merits. Anything less would constitute yet another, most blatant to date, violation of this Appellant's as well as my minor daughter's multiple Constitutionally protected rights.

*I affirm under the penalty of perjury and applicable federal laws, that all factual statements in this Petition are true & accurate to the best of my knowledge, so help me God. (Some cited dates are approximate, in the interest of timely filing.)*

DATED this 31<sup>st</sup> day of August, 2023; in Spokane, Washington.



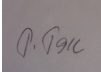
Predrag Tasic, a man; Appellant Sui Juris

*All Rights Reserved, Without Prejudice. No rights waived, express or implied.*

### CERTIFICATE OF COMPLIANCE

Pursuant to RAP 18.17, I certify this document contains 4,914 words (not counting the two notices).

DATED this 31<sup>st</sup> day of August, 2023; in Spokane, Washington.



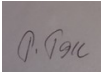
Predrag Tasic, Appellant

2831 W. Olympic Ave, Spokane, WA 99205

Phone: 217-390-6515      Email: [predrag.tasic@ieee.org](mailto:predrag.tasic@ieee.org)

### CERTIFICATE OF SERVICE

I certify that on August 31, 2023, I served a copy of this Petition for Review through the e-Filing portal on Heather Tomason's appellate attorneys.



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*Predrag Tasic, Appellant Pro Se / child's father; a living man*



# PREDRAG TOSIC - FILING PRO SE

August 31, 2023 - 4:41 PM

## Transmittal Information

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 102,306-5  
**Appellate Court Case Title:** Heather Totic v. Predrag Totic

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- predrag.totic@ieee.org
- valerie@washingtonappeals.com

### Comments:

Petition for Review re: terminated review/appeal at Division I, case #83518- 1; filed by SC-approved slightly extended deadline, August 31.

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Sender Name: Predrag Totic - Email: predrag.totic@ieee.org  
Address:  
911 E. Beacon Ave  
Apt. 223  
Spokane, WA, 99208  
Phone: (217) 390-6515

**Note: The Filing Id is 20230831163936SC142971**

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION ONE

HEATHER TOSIC,  
  
Respondent,  
  
v.  
  
PREDRAG TOSIC,  
  
Appellant.

No. 83518-1-I

ORDER DENYING MOTION TO  
MODIFY AND DISMISSING  
APPEAL

Appellant Predrag Tasic moves to modify the commissioner’s April 21, 2023 ruling denying Tasic’s “Emergency Motion for Extra Time for Appellate Brief due to Recent / Ongoing Illness of Appellant Pro Se Re: Necessary Time Extension for the main Brief (Corrected).”<sup>1</sup>

We have considered the motion under RAP 17.7 and have determined that it should be denied. We have also determined that this appeal should be dismissed pursuant to the commissioner’s March 20, 2023 ruling stating that if Tasic did not file an opening brief by April 28, 2023, this appeal would be dismissed without further notice.

Now, therefore, it is hereby

ORDERED that the motion to modify is DENIED; and it is further

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<sup>1</sup> Bold face omitted.

ORDERED that this appeal is DISMISSED.

Brunson, J

Seldman, J.

H. G. A. J.