

FILED
JAN 21 2014
APPELLATE DIVISION
COURT OF APPEALS
STATE OF WASHINGTON
JAN 21 2014

THE SUPREME COURT
DIVISION II
OF THE STATE OF WASHINGTON

EF
CEF

REX LEE POPE,) Case No.89816-2
Plaintiff.) MOTION REQUESTING EXTENSION
) OF TIME TO FILE PLAINTIFF'S
v.) MOTION FOR DISCRETIONARY
) REVIEW PURSUANT TO (RAP
STATE OF WASHINGTON.) 18.8)
<u> Defendant's</u>)

Plaintiff respectfully requests, pursuant to RAP 18.8(b)(c) an order extending the time to file plaintiff's Motion for Discretionary Review, a petition for review of the Court of Appeals decision terminating it's review COA #43172-6-II.

Plaintiff's "Motion for Discretionary Review, RAP 13.1(a)" Supreme Court No.89816-2-State of Washington v. Rex Lee Pope that was due for filing on January 16,2014, but was not recieved until January 21,2014.

This Motion is made on the grounds that:

1. The plaintiff, who is representing himself on a pro se basis and is incarcerated and unfamiliar with the law and procedures, has to be transferred from the minimum

facility to the medium facility just to be able to obtain legal library access.

2. There is no legal library at the minimum facility, and this process takes about one week to set-up and because he suffers from "advanced Parkinson's" disease and cannot write or type as well as having to be afforded ADA assistance which requires more time and scheduling and an assistant to work with him.

3. This only allows plaintiff 4.5 hours per week which prevented him from completing the necessary legal research required to properly respond with plaintiff's Motion for Discretionary review pursuant to RAP 13.4(a).

4. Plaintiff also notes that the typed date on his Motion for Discretionary review was in fact a clerical error and that it was actually signed by him in haste without notice and that the Motion for Review was actually sent out from the prison prior to January 16, 2014.

Petitioner requests an extension of five (5) days so that his Motion for Discretionary Review that was recieved by the court on January 21,2014 will be accepted as filed timely.

Respectfully submitted on this 17 day of February, 2014

Rex Lee Pope

Petitioner



THE SUPREME COURT
STATE OF WASHINGTON
DIVISION II

REX LEE POPE

Petitioner

Case No. 89816-2

v.

STATE OF WASHINGTON

Defendant

DECLARATION OF MAILING

I, Rex Lee Pope [name], declare that, on 17th [date], I deposited the foregoing [list document/s]:

Motion Requesting Extension of time to file

Plaintiff's Discretionary Review and notice of motion

or a copy thereof, in the internal mail system of

Coyote Ridge Correction Center [name of institution]

and made arrangements for postage, addressed to each of the following:

Court of Appeals, Division II 950 Broadway Suite 300

Tacoma, WA 98402-4454

The Supreme Court P.O. Box 40929 Olympia, WA 98504-0929

Kitsap County Prosecutor's Office 614 Division St.

Port Orchard, WA 98366-4614

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED at Connell WA [city, STATE]

on this 17 day of February, 2014.

Rex Pope

[signature]