

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON)
)
Respondent,)
)
vs.)
)
JAMES E. BALLOU, 2nd)
)
Petitioner.)
_____)

No. 89844-8
COA No. 68725-5-1

MOTION TO EXTEND
TIME TO FILE ^{Washington} Petition State Supreme Court
FOR REVIEW

APR - 7 2014

Ronald R. Carpenter
Clerk *h/h*

I. IDENTITY OF MOVING PARTY

I James E. Ballou 2nd, until I can acquire counsel to represent me, do respectfully request the relief stated in part 11.

II. STATEMENT OF RELIEF SOUGHT

Under RAPs 1.2(c) and 18.8(a), Ballou respectfully requests this Court to extend the time for filing the Petition for Review from December 30, 2013, to April 10th, 2014.

III. FACTS RELEVANT TO MOTION AND GROUNDS FOR RELIEF

1. Ballou appeals a Snohomish County Superior Court judgment and sentence for second degree burglary.

2. Counsel filed the Brief of Appellant November 15, 2012. The Court of Appeals issued its opinion December 30, 2013. The Court affirmed Ballou's conviction.

3. Counsel neglected to notify me that he was no longer representing me during this crucial period.

4. Counsel printed a copy of the opinion and cover letter, but neglected to send a copy to Ballou until today. Counsel sent the copy to Ballou at the Monroe Correctional Complex, where Ballou is serving his sentence. In an accompanying letter, counsel explained his failure to timely send a copy of the opinion. Counsel advised Ballou he had a right to file a pro se petition for review, explained the 30-day deadline set forth in RAP 13.4(a), and informed him counsel filed a motion for extension of time to file a petition for review. Counsel also sent a copy of this motion.

5. Counsel's careless oversight necessitates this request for an extension of time. Ballou is without fault in this matter. Counsel apologizes for the error and resulting inconvenience he has caused this Court.

IV. CONCLUSION

For the above reasons, I respectfully request this Court grant the requested extension so I may acquire effective representation.

Dated this 31st day of March, 2014

Respectfully submitted,

Appellant

James E Ballou 2nd # 777637

Monroe Correctional

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* James Ballou II
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