

Received  
Washington State Supreme Court

JUN 02 2014  
F CRF  
Ronald R. Carpenter  
Clerk

THE SUPREME COURT OF THE STATE OF WASHINGTON  
(PO Box 40929, Olympia, WA 98504-09292)

9	The Bank of New York	)	
		(	Case # <u>90285 - 2</u>
10	Plaintiff	)	Court of appeal # <u>70292-1-1</u> & # <u>70111-8-1</u>
		(	
11	Vs. David Muresan	)	
		(	
12	Defendant/ Appellant	)	<u>Motion to Proceed</u>
		(	<u>in the forma pauperis</u>
13	Defendant	)	
		(	

HERE COMES THE Appellant in this case, David Muresan and ask the Supreme Court to proceed with this case in the form pauperis for the following reason:

- 1) The appellant David Muresan income is \$529/month social security and
- 2) David Muresan has approved by the Superior Court an Order of Indigency and a the copy of it is attached here. Court of Appeal has the signed copy.

If the court will deny this motion I ask for an extension of time of 5 months to save the \$200 filing fees. I do not have credit to borrow money due banks foreclosure actions, which forced me in bankruptcy.

Presented today \_\_\_\_\_  
June 2<sup>nd</sup> 2014

FILED AS  
ATTACHMENT TO EMAIL

By David Muresan \_\_\_\_\_  
Signature

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
ISLAND COUNTY, Coupeville.  
(101 NE 6th Street, 1st Floor, Coupeville, WA 98239)  
Mailing address (PO Box 5000, Coupeville, WA 98239)

The Bank of New York )  
 )  
 ) Case # 70292-1-I & # 70111-8-I  
 ) Plaintiff ) Superior court Case. # 12 2 00541 3  
Vs. )  
David Muresan )  
 )  
 ) Defendant ) Order of Indigency  
 )  
\_\_\_\_\_ )

I. Basis

A Motion for Indigency was presented by Defendant **David Muresan** stating that his income is SS \$518 (6216/y) and food stamps \$200 (1200/y) below the poverty limit of 1436.50

II. Findings

The court *finds*:

- 1 Proper Jurisdiction and Venue. The court has proper jurisdiction and venue.
- 2 Service is provided to: Routh Crabtree Olsen P.S. 13555 SE 36<sup>th</sup> St. Suite 300 Bellevue, WA 98006 Tel. 425-586-1991 Fax 425-458-2131.

ORDER.

Based on the Motion for Indigency and **AFFIDAVIT OF INDIGENCY** to WAIVER, SUBSTITUTION OR STATE PAYMENT OF FEES & COSTS **this court order:**

**The Motion for Indigency is granted**

Dated: \_\_\_\_\_  
Judge/Commissioner

Presented by: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Print Name Signature Date

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# AFFIDAVIT OF INDIGENCY

AND REQUEST FOR WAIVER, SUBSTITUTION  
OR STATE PAYMENT OF FEES & COSTS

*(Note: If you are **currently confined in a prison or jail** and are not seeking immediate release under G.L. c. 248 '1, but you are suing correctional staff and wish to request court payment of Anormal @ fees (for initial filing and service), **do not use this form**. Obtain separate forms from the clerk.)*

**Court.**

**SUPERIOR COURT OF THE STATE OF WASHINGTON  
ISLAND COUNTY, Coupeville.  
(101 NE 6th Street, 1st Floor, Coupeville, WA 98239)  
Mailing address (PO Box 5000, Coupeville, WA 98239)**

**Case Name and Number (if known)** Court of Appeal div 1 Case \_\_\_\_\_  
Superior court Case. # **12 2 00541 3**

**Name of applicant.** David Muresan

**Address:** 1496 S. Crestview Dr. Camano Island WA 98282  
(Street and number) (City or town) (State and Zip)

SECTION 1: Under the provisions of General Laws, Chapter 261, Sections 27A-27G, I swear (or affirm) as follows:

**I AM INDIGENT** in that *(check only one)*:

(A) I receive public assistance under Transitional Aid to Families with Dependent Children (TAFDC). Emergency, Aid to Elderly, Disabled or Children (EAEDC), Supplemental **Security Income (SSI) (\$518)**, **Food stamps (\$200)**, **Medicaid** or Veterans Benefits Programs; *(circle/bold form of public assistance received)*; **or**

(B) My income, less taxes deducted from my pay, is \$ \_\_\_\_\_ per week/month/year *(circle period that applies)*, for a household of \_\_\_\_\_ persons, consisting of myself and \_\_\_\_\_ dependents; which income is at or below the court system's poverty level; *(Note: The court system's poverty levels for households of various sizes must be posted in this courthouse. If you cannot find it, ask the clerk. The court system=s poverty level is updated each year.)* [List any other available household income for the circled period on this line: \_\_\_\_\_) **or**

1 [ ] (C) I am unable to pay the fees and costs of this proceeding, or I am unable to do  
2 so without depriving myself IF YOU CHECKED (C), YOU MUST ALSO COMPLETE  
THE SUPPLEMENT TO THE AFFIDAVIT OF INDIGENCY.

3 SECTION 2: (Note: In completing this form, please be as specific as possible as to  
4 fees and costs known at the time of filing this request. A supplementary request may  
be filed at a later time, if necessary.)

5 I request that the following **NORMAL FEES AND COSTS** be waived (not charged) by  
6 the court, or paid by the state, or that the court order that a document, service or  
7 object be substituted at no cost (or a lower cost, paid for by the state): (Check all that  
apply and, in any "\$ \_\_\_\_\_ blank, indicate your best guess as to the cost, **if known.**)

8 [ ] Filing fee and any surcharge. \$ \_\_\_\_\_  
9 Filing fee and any surcharge for appeal. \$ \_\_\_\_\_

10 [ ] Fees or costs for serving court summons, witness subpoenas or other court papers.  
\$ \_\_\_\_\_

11 [ ] Other fees or costs of \$ \_\_\_\_\_ for (specify):

12 [ ] Substitution (specify):

13 SECTION 3: I request that the following **EXTRA FEES AND COSTS** either be waived  
14 (not charged), substituted or paid for by the state:

15 [ ] Cost, \$ \_\_\_\_\_, of expert services for testing, examination, testimony or other  
16 assistance (specify):

17 [ ] Cost, \$ \_\_\_\_\_, of taking and/or transcribing a deposition of (specify name of  
18 person):

19 [ ] Cassette copies of tape recording of trial or other proceeding, needed to prepare  
20 appeal for applicant **not** represented  
by Committee for Public Counsel Services (CPCS-public defender).

21 [ ] Appeal bond

22 [ ] Cost, \$ \_\_\_\_\_, of preparing written transcript of trial or other proceeding

23 [ ] Other fees and costs, \$ \_\_\_\_\_, for (specify)

24 [ ] Substitution (specify)

25 Date signed \_\_\_\_\_

26 Public Notary,

27 Signed before me, under the penalties of perjury \_\_\_\_\_

David Muresan

28 **By order of the Supreme Judicial Court, all information in this affidavit is CONFIDENTIAL. Except  
29 by special order of a court, it shall not be disclosed to anyone other than authorized court  
personnel, the applicant, applicant's counsel or anyone authorized in writing by the applicant.**

This form prescribed by the Chief Justice of the SJC pursuant to G.L. c. 261, ' 27B. Promulgated March  
2003

## OFFICE RECEPTIONIST, CLERK

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**From:** OFFICE RECEPTIONIST, CLERK  
**Sent:** Monday, June 02, 2014 8:07 AM  
**To:** 'dm'; Abraham K. Lorber; David Spellman; jcarter@rcolegal.com; lhumphreys@rcolegal.com; babak.shamsi@gmail.com; jrussell@rcolegal.com; beardr@lanepowell.com; Valerie Holder  
**Subject:** RE: Case # 90285 - 2

Rec'd 6-2-14

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

**From:** dm [mailto:davidmuresan@live.com]  
**Sent:** Sunday, June 01, 2014 8:22 PM  
**To:** OFFICE RECEPTIONIST, CLERK; Abraham K. Lorber; David Spellman; jcarter@rcolegal.com; lhumphreys@rcolegal.com; babak.shamsi@gmail.com; jrussell@rcolegal.com; beardr@lanepowell.com; Valerie Holder  
**Subject:** Case # 90285 - 2

Attached is my  
**Motion to Proceed in the forma pauperis and the Order and Affidavit of Indigency.**  
David Muresan

I emailed to:

1. David Christopher Spellman, email [spellmand@lanepowell.com](mailto:spellmand@lanepowell.com)
2. Janaya L. Carter, email [jcarter@rcolegal.com](mailto:jcarter@rcolegal.com)
3. Lauren Davidson Humphreys, email [lhumphreys@rcolegal.com](mailto:lhumphreys@rcolegal.com)
4. Babak Shamsi, email [babak.shamsi@gmail.com](mailto:babak.shamsi@gmail.com)
5. Jennifer Lynn Russell, email [jrussell@rcolegal.com](mailto:jrussell@rcolegal.com)
6. Ronald Edward Beard, email [beardr@lanepowell.com](mailto:beardr@lanepowell.com)
7. Abraham K. Lorber, email [lorbera@lanepowell.com](mailto:lorbera@lanepowell.com)
8. Valerie In-Hwa Holder, email [vholder@rcolegal.com](mailto:vholder@rcolegal.com)