

No. 90753-6

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WASHINGTON STATE SUPREME COURT

In re the Marriage of:
KARLA MAIA-HANSON,

Petitioner,

vs.

BRADLEY HANSON,
Respondent.

REPLY IN SUPPORT OF
MOTION TO ACCEPT
PETITION FOR REVIEW ON
THE DATE RECEIVED OR
FOR ONE-DAY EXTENSION
DUE TO EXTRAORDINARY
CIRCUMSTANCES

A. Granting The Motion Is Consistent With This Court's Approach To Such Requests.

Respondent argues that the requirements of RAP 18.8(b) are not met. Petitioner respectfully disagrees and re-directs the Court to the materials submitted in the motion.

Petitioner also points the Court to the fact that, between August 5, 2013 and November 4, 2014, the Court granted at least nine requested extensions of time to file a petition for review, including at least one where the petition was filed one day after the default due date, *Iman, et al. v. Town of Springdale*, No. 89927-4.¹ Attached hereto is an appendix with copies of the Court's website postings for those nine cases. Petitioner asks for similar treatment on the motion.

While the petition for review itself also was granted in *Iman*, the

¹ The petition was electronically filed in *Iman* over five hours after the close of the Court and clerk's office. Per GR 30(c)(1), it was received the next working day, as are pleadings placed under the door or in the "after hours" slot of local court clerks' offices after closing. This rule as to electronic filing was pointed out by the responding party in *Iman*, see Respondent Town of Springdale's Answer, pp. 8-9, as well as other authorities regarding RAP 18.8(b), *id.*, at 10-11. The Court characterized the petitioner's motion as an extension request and granted it, then considered and granted the petition.

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petitions for review were denied in the other eight cases where an extension was granted. While having a grant-worthy petition is thus not required to grant the extension motion, such a petition reinforces that a gross miscarriage of justice would arise from denying the motion.


In this case, because the Petition *is* grant-worthy, not considering it on its merits would exacerbate the gross miscarriage of justice arising from denying the motion. For example, despite the panel's (and Respondent's) assertion that the underlying appeal was not brought properly and no relief could be granted, the Petition points out the appeal could not have proceeded until an appealable order was entered in 2013, at which time her notice of appeal *was* filed. *See* Petition at p. 2 & fn. 4. The Petition also points out that this Court can grant meaningful relief by recognizing the underlying contempt orders as void and striking the trial and appellate fee awards because they are based on void orders, all under settled law. *See* Petition pp. 3-4, issues 1 & 3; pp. 5-9. It would be a gross miscarriage of justice not to consider the Petition and such relief.

B. Conclusion.

Petitioner respectfully requests the Court to grant her motion and consider her petition for review.

DATED this 26th day of November, 2014.

CARNEY BADLEY SPELLMAN, P.S.

By 
Gregory M. Miller, WSBA No. 14459
Attorneys for Appellant

APPENDIX

Recent Extensions Granted for Petitions for Review

November 4, 2014 Petitions for Review

8	90483-9	State v. Harrington <i>Grant motion for extension of time to file petition for review; deny petition for review</i>
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June 3, 2014 Petitions for Review

31339-5-III	89927-4	Iman, et al. v. Town of Springdale Bauer <i>Grant Muslim America's motion for extension of time to file petition for review; grant Muslim America's petition for review; deny Iman and Hatem's petition for review; deny Town of Springdale's request for review of the Court of Appeals denial of its request for attorney fees; deny Respondent's request for attorney fees</i>
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89844-8	68725-5-I consol. w/ 68747-6-I	State v. Pegs & Ballou <i>Grant motion for extension of time to file petition for review; deny petition for review</i>
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April 29, 2014 Petitions for Review

43172-6-II	89816-2	State v. Pope (extension; petition for review) <i>Grant motion for extension of time to file petition for review; deny petition for review</i>
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Feb. 4, 2014 Petitions for Review

42130-5-II	89562-7	State v. Knight <i>Grant motion for extension of time to file petition for review; deny the petition for review</i>
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Jan. 7, 2014 Petitions for Review

42319-7-II	89362-4	State v. Williams <i>Grant extension of time to file petition for review; deny petition for review; deny motion to appoint counsel as moot</i>
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Sept. 3, 2013 Petitions for Review

67827-2-I	88892-2	State v. McCrary <i>Grant motion for extension of time to file petition for review; deny petition for review</i>
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August 5, 2013 Petitions for Review

69894-0-I	88898-1	State v. McKnight a/k/a Abdich <i>Grant extension of time to file petition for review; deny motion for appointment of counsel; deny petition for review</i>
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29238-0-III	88939-2	State v. GonzÁlez <i>Grant extension of time to file petition for review; deny petition for review</i>
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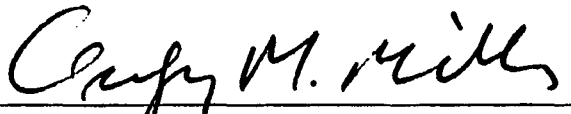
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OFFICE RECEPTIONIST, CLERK

From: OFFICE RECEPTIONIST, CLERK
Sent: Wednesday, November 26, 2014 2:46 PM
To: 'Norgaard, Cathy'
Cc: cate@washingtonappeals.com; valerie@washingtonappeals.com; teresa@mcnallylegal.com; amoore-wulsin@stratalawgroup.com; Miller, Greg
Subject: RE: Filing attachments to email on behalf of Petitioner Karla Maia-Hanson

Received 11-26-2014

Supreme Court Clerk's Office

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: Norgaard, Cathy [mailto:Norgaard@carneylaw.com]
Sent: Wednesday, November 26, 2014 2:34 PM
To: OFFICE RECEPTIONIST, CLERK
Cc: cate@washingtonappeals.com; valerie@washingtonappeals.com; teresa@mcnallylegal.com; amoore-wulsin@stratalawgroup.com; Miller, Greg
Subject: Filing attachments to email on behalf of Petitioner Karla Maia-Hanson

Court Clerk:

Documents to be filed:

1. Petitioner's Reply in Support of Motion to Accept Petition for Review on the Date Received or for One-Day Extension Due to Extraordinary Circumstances
2. Certificate of Service

Case Name: In re Marriage of Hanson

Case No. 90753-6

Filer: Gregory M. Miller, WSBA No. 14459, P: 206-622-8020 ext 176, email: miller@carneylaw.com

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