

Received
Washington State Supreme Court

JUN - 8 2015

E
Ronald R. Carpenter
Clerk

No. 91737-0

SUPREME COURT
OF THE STATE OF WASHINGTON

VIRGINIA E. BURNETT,)	
)	
Plaintiff,)	
and)	DECLARATION OF
)	JOHN C. JULIAN
STATE OF WASHINGTON,)	
DEPARTMENT OF CORRECTIONS, and)	
JOHN DOE GUARD,)	
)	
Defendants.)	
_____)	

I, John C. Julian, hereby declare as follows:

1. I am an attorney, licensed in the State of Washington. My office represents the Petitioner in this matter;
2. The Court of Appeals filed its opinion in this matter on April 16, 2015. After discussing matters with the client, it was determined that this office would file a petition for review in this matter;
3. While I do not wish to blame my personal life for the situation at bar, it is necessary that the court understand that I lost my mother on April 22, 2015. This is relevant, as it explains not only my absence from the office for a period of time during the petition period, but also because, upon my return, I asked Ms. Carman to call the Court of Appeals to double-check to ensure that the

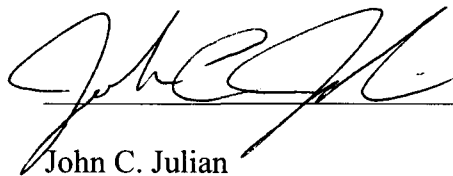
appropriate deadline was in our system for purposes of timely filing the petition. As Ms. Carman declares, it was this call that lead, in part, to the filing of the petition via mail;

4. As a matter of policy, our office prefers file in person through a process server so as to ensure that filing timely occurs rather than utilize electronic means. This we intended to do with this petition should the need arise;
5. As we began preparing the document for filing, our all-in-one machine began having difficulties. I cannot say for certain what difficulties it was experiencing, however I do know that as a result we were unable to timely compile the petition and appendices for purposes of filing through a process server;
6. In order to timely comply with the filing deadline, the decision was made to file by mail, largely in reliance upon the information provided to Ms. Carman by the Court of Appeals clerk;
7. On May 28, 2015, our office received by email notification from this Court that the petition was filed one day later than the appropriate deadline, and that the rules call for receipt by the Court on the date of filing;
8. I can only represent to the Court that our office did our utmost to timely file with this Court, and that we would have done so but for

the technological difficulties encountered. I respectfully request that the Court grant an extension of time for purposes of curing the procedural deficiency of the petition, so as to permit this Court to consider Ms. Burnett's petition on its merits, as I believe the issues presented to be of great public importance to injured workers statewide.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and accurate to the best of my knowledge.

DATED this 3rd day of June, 2015 in Walla Walla County,
Washington by:



John C. Julian