

Received
Washington State Supreme Court

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Ronald R. Carpenter
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IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

JOHN R JOHNSTON and DARCEE L FOX-
JOHNSTON,

Respondents,

vs.

PETER A. TORKILD, JULIA A. TORKILD,
and FIRST CAPITAL, INC.,

Appellants.

Supreme Court No. 91864-3
Court of Appeals No. 70719-1-1

**MOTION AND ARGUMENT
FOR EXTENSION OF TIME**

2015 JUL 30 AM 10:55

COURT OF APPEALS
STATE OF WASHINGTON
J. L. H. S. 101

Appellants Pete Torkild, Julia Torkild, and First Capital, Inc. hereby move the Court to extend time to file their petition for review From June 19, to June 23, 2015.

This motion is based upon the argument contained herein.

Division I of the Court of Appeals generally follows the rule that a brief is considered timely filed if it is put in the mail no later than the filing due date (RAP 18.6(b)). Appellants are *pro se*, based in Eastern Washington, but have been residing mostly in the Viet Nam interior on a humanitarian mission to develop clean water supplies for small villages.

1 For the last year and a half through the appeals process, we have never missed
2 a deadline by mailing our documents to the USA, where a friend of ours has then put
3 them in the mail to the Court of Appeals. For a year and a half, we relied on the general
4 rule that time is enlarged by three days if it is postmarked by the due date.

5 We have no internet where we are and we telephoned the Court of Appeals to
6 ask about the Petition for Review deadline. We spoke to two people on two occasions:
7 Karen, & a lady we believe to be named Maureen, who has a slight New York accent - if
8 our memory serves us correctly. Both informed us that our Petition for Review would be
9 considered timely if postmarked by the due date. Our filing was mailed in the United
10 States from Central Washington on the due date - June 19, 2015.

11 We understand that clerk statements do not bind the Court. However, we ask
12 the Court to consider this in making its decision, because the Court of Appeals allowed
13 our brief and motion filings to be mailed on the due date during the previous year and a
14 half, we had followed this rule for a long time, and our telephone inquiries only
15 confirmed this for the Petition for Review as well.

17 On another note, the argument we present to the Supreme Court is about the
18 Court of Appeals erroneously holding that people in Washington can get around the
19 subdivision process if they first offer to sell their properties by right of first refusal. This
20 unsettles the counties' oversight authority granted by the Land Division Codes in every
21 county of the State of Washington. It would be good for the Supreme Court to have the
22 opportunity to hear this matter if they choose.

23 For these reasons, we ask the Court to grant our motion to extend time from
24 June 19, to June 23, 2015.
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Dated: July 25, 2015



Pete Torkild, pro se
Signed for Julia Torkild and First Capital. Inc.