

FILED
SUPREME COURT
STATE OF WASHINGTON
10/26/2018 3:17 PM
BY SUSAN L. CARLSON
CLERK

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	Supreme Court No. <u>96456-4</u>
)	CoA No. 50234-8-II
Respondent,)	
)	Motion for Extension of
vs.)	Time to file Petition for
)	Review
ERNEST LEE WILLIAMS,)	
)	
Petitioner.)	
)	

I. MOTION

COMES NOW Appellant, ERNEST LEE WILLIAMS, by and through counsel, SEAN M. DOWNS, move this court to extend the time to file the Petition for Review in the above-captioned case.

This motion is based on RAP 10.2, 18.8, and the declaration of counsel for Appellant.

II. DECLARATION OF COUNSEL

I certify under penalty of perjury of the laws of the State of Washington that the following is true and correct.

1. I am appellate counsel for the appellant in this matter, am over the age of 18, and am competent to testify in a court of law.
2. I mailed notice of the Court of Appeals' decision denying Mr. Williams' appeal on or about October 5, 2018 to Mr. Williams at Coyote Ridge Corrections Center. Communication with clients in prison is difficult and is typically done via U.S. Mail.
3. I was out of the country for the next week and did not get back into my office until October 15, 2018. During my absence, Mr. Williams' significant other, Kim Kelly, had left me a voice mail indicating that Mr. Williams would like to proceed with a Petition for Review. This voice mail did not get tracked by my paralegal while I was out of the office and I was unaware of it.
4. While going through my previous voice mails this morning, I discovered Ms. Kelly's message and immediately prepared a Petition for Review and this Extension for Time.
5. I respectfully request an extension of time of one day to October 26, 2018, to submit the Petition for Review.

Dated this 26th day of October, 2017. Signed in Vancouver, WA.



Sean M. Downs

III. CONCLUSION

Given the foregoing, Petitioner's counsel respectfully requests that this court grant the motion for extension of time to complete the Petition for Review.

Dated this October 26, 2018.

Respectfully submitted by:

s/ Sean M. Downs
WSBA #39856
Grecco Downs, PLLC
Attorney for Appellant
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DECLARATION OF SERVICE

I, Sean M. Downs, a person over 18 years of age, declare under penalty of perjury under the laws of the State of Washington that I served the Pierce County Prosecuting Attorney, a true and correct copy of the document to which this certification is affixed, on October 26, 2018 to email address PCpatcecf@co.pierce.wa.us. Service was made by email pursuant to the Respondent's consent.

s/ Sean M. Downs
WSBA #39856
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GRECCO DOWNS, PLLC

October 26, 2018 - 3:17 PM

Filing Petition for Review

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: Case Initiation
Appellate Court Case Title: State of Washington, Respondent v. Earnest L. Williams, Appellant (502348)

The following documents have been uploaded:

- PRV_Motion_20181026151651SC522030_5490.pdf
This File Contains:
Motion 1 - Extend Time to File
The Original File Name was Williams motion for extension of time.pdf
- PRV_Petition_for_Review_20181026151651SC522030_2440.pdf
This File Contains:
Petition for Review
The Original File Name was Williams Petition for Review w attachment.pdf

A copy of the uploaded files will be sent to:

- PCpatcecf@co.pierce.wa.us
- mvonwah@co.pierce.wa.us

Comments:

Sender Name: Sean Downs - Email: sean@greccodowns.com
Address:
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VANCOUVER, WA, 98660-3085
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