

IN THE SUPREME COURT OF THE
STATE OF WASHINGTON

THOMAS ANDERSON,

Petitioner,

v.

JENNIFER JEAN BUKSH, et ano,

Respondents.

No. 96871-3

MOTION FOR LEAVE
TO FILE REPLY BRIEF

Plaintiff-Petitioner Thomas Anderson, pro se, respectfully seeks leave to reply on the following matters raised in the response brief of Respondents Buksh:

A. Respondent's Statement of the Case sets forth objectionable hearsay matters that are not in the record of the case, and not cited to the record.

B. Respondent concedes certain legal matters, then explains that insubstantial procedural error preempts substantive relief and entry of judgment.

C. Respondent misrepresents local rules, which are inapplicable when a judge is assigned to a case, and has the substantive duty to render judgment.

Anderson has separately submitted a proposed reply brief to his petition for review. See, attached court letter.

CERTIFICATION OF SERVICE

I certify that on this date the foregoing papers were served on the following persons via the Washington State appellate courts' secure portal electronic filing system:

- Mark Dynan, mdynan@dynanassociates.com;
- Samuel Behar, sbehar@dynanassociates.com.

Dated: 22May 2019

Harris Co., TX

Signed: ss\\ThomasAnderson\\

Thomas Anderson, pro se,

1024 SW Main St. #340

Portland, OR 97205

505-429-3373

anderson.litigation@gmail.com

SUSAN L. CARLSON
SUPREME COURT CLERK

ERIN L. LENNON
DEPUTY CLERK/
CHIEF STAFF ATTORNEY

THE SUPREME COURT
STATE OF WASHINGTON



TEMPLE OF JUSTICE
P.O. BOX 40929
OLYMPIA, WA 98504-0929

(360) 357-2077
e-mail: supreme@courts.wa.gov
www.courts.wa.gov

April 3, 2019

LETTER SENT BY E-MAIL ONLY

Thomas Anderson
1024 SW Main Street #340
Portland, OR 97205

Samuel Ben Behar
Mark J. Dynan
Dynan and Associates, P.S.
2102 N Pearl Street, Suite 400
Tacoma, WA 98406-2550

Re: Supreme Court No. 96871-3 - Thomas Anderson v. Jennifer Jean Buksh and David Omar Buksh
Court of Appeals No. 77543-0-I

Counsel and Mr. Anderson:

On May 15, 2019, the Court received the "MOTION TO EXTEND TIME TO FILE REPLY BRIEF." The motion seeks an extension of time to file a reply to the answer to the petition for review. The motion also request a "date certain" when the reply brief is due.

With regard to the question of the "date certain" for the due date for the reply: Under Rule of Appellate Procedure (RAP) 13.4(d), a reply to an answer to a petition for review must be filed "within 15 days after the service on the party of the answer." In this case, the answer to the petition for review as served on the Petitioner via email on April 15, 2019. Therefore, any reply was due April 30, 2019. Under RAP 18.6(c), the reply "must be *received* by the appellate court within the time permitted for filing."

As a separate matter, the Petitioner is advised that under the RAP, a reply to an answer to a petition for review may be filed "only if the answering party seeks review of issues not raised in the petition for review." RAP 13.4(d). Further, "a reply to an answer should be limited to addressing only the new issues raised in the answer." RAP 13.4(d). In this case, it does not appear that the answers to the petition for review sought review of any issues. Accordingly, it is unlikely that the Petitioner is entitled to file a reply.

Therefore, the motion for extension of time to file a reply brief will be set for consideration without oral argument at the same time as the Court considers the pending petition



Page 2
No. 96871-3
April 3, 2019

for review. If the Petitioner wishes to submit a proposed reply brief to accompany the motion, it should be served and filed by May 22, 2019. Any answer to the motion for extension of time should be served and filed by May 24, 2019. Any reply to the answer to the motion for extension of time should be served and filed by May 31, 2019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erin L. Lennon', with a stylized flourish at the end.

Erin L. Lennon
Supreme Court Deputy Clerk

ELL:bw

THOMAS ANDERSON - FILING PRO SE

May 22, 2019 - 4:55 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 96871-3
Appellate Court Case Title: Thomas Anderson v. Jennifer Jean Buksh and David Omar Buksh
Superior Court Case Number: 16-2-18992-0

The following documents have been uploaded:

- 968713_Briefs_20190522165323SC172906_3630.pdf
This File Contains:
Briefs - Petitioners Reply
The Original File Name was 968713_Anderson_Reply.pdf

A copy of the uploaded files will be sent to:

- anderson.litigation@gmail.com
- mdynan@dynanassociates.com
- sbehar@dynanassociates.com

Comments:

Sender Name: Thomas Anderson - Email: anderson.litigation@gmail.com
Address:
1024 SW Main St. #340
Portland, OR, 97205
Phone: (505) 492-3373

Note: The Filing Id is 20190522165323SC172906

THOMAS ANDERSON - FILING PRO SE

May 22, 2019 - 5:32 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 96871-3
Appellate Court Case Title: Thomas Anderson v. Jennifer Jean Buksh and David Omar Buksh
Superior Court Case Number: 16-2-18992-0

The following documents have been uploaded:

- 968713_Motion_20190522173104SC110759_0442.pdf
This File Contains:
Motion 1 - Other
The Original File Name was 968713_Anderson_Mot-Leave-Reply.pdf

A copy of the uploaded files will be sent to:

- anderson.litigation@gmail.com
- mdynan@dynanassociates.com
- sbehar@dynanassociates.com

Comments:

Motion for Leave to Reply to Petition

Sender Name: Thomas Anderson - Email: anderson.litigation@gmail.com

Address:

1024 SW Main St. #340

Portland, OR, 97205

Phone: (505) 492-3373

Note: The Filing Id is 20190522173104SC110759