

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
6/3/2025  
BY SARAH R. PENDLETON  
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FILED  
Court of Appeals  
Division I  
State of Washington  
6/2/2025 4:18 PM

COURT OF APPEALS OF THE STATE OF  
WASHINGTON DIVISION ONE

Case #: 1042493

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STATE OF WASHINGTON,	)	
	)	No. 85893-9-I
	)	
Respondent,	)	
v.	)	MOTION
ZACHARY BUTORAC,	)	TO EXTEND TIME
Appellant.	)	FOR FILING
	)	PETITION
	)	FOR REVIEW
	)	

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I. IDENTITY OF MOVING PARTY AND STATEMENT  
OF RELIEF SOUGHT.

Counsel for the appellant asks the court to extend the time for filing the petition for review in this case until June 2, 2025. The completed petition is also filed contemporaneously with this motion.

II. GROUND FOR RELIEF SOUGHT

1. Before working on this case, I was on paternity leave. On returning, I started reviewing a four-credit

Motion for Extension of Time

Washington Appellate Project  
Melbourne Tower  
1511 Third Avenue Suite 610  
Seattle, WA 98101  
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felony murder case *State v. Motley Jr.*, which has over 3,000 pages in transcripts, over 500 pages of clerk papers, and numerous other exhibits.

2. I completed the petition for review well before the deadline for filing. I was able to consult with my colleagues about it. On May 28 late in the morning, my computer experienced a software glitch just as I was completing my final edits. The glitch disabled Thompson Reuters Drafting Assistant. The word processor software lost the functionality to populate the table of authorities. After the issue got resolved in the afternoon. I was able to file a petition for review in *State v. Thompson*, No. 86110-7-I on time, but inadvertently missed the deadline for filing the petition in this case.

3. The additional time request is not for delay or tactical advantage.

### III. ARGUMENT

This Court has the authority to extend the time for filing a brief. RAP 18.8(a). RAP 1.2(a) calls for this Court to liberally interpret its rules in order to promote justice and facilitate the decision of cases on the merits. *See Weeks v. Chief of Washington State Patrol*, 96 Wn.2d 893, 896, 639 P.2d 732 (1982). Mr. Butorac has a right to effective assistance of appellate counsel. *In re Dependency of Grove*, 127 Wn.2d 221, 226, 897 P.2d 1252 (1995). To provide effective representation, counsel requests the Court extend the due date for the petition to review to June 2, 2025. Granting the requested

extension is in the interests of justice and does not disadvantage the State.

#### **IV. CONCLUSION**

Counsel asks this Court to extend the time to file appellant's opening brief to June 2, 2025.

Counsel certifies this brief contains 427 words and complies with RAP 18.17.

DATED this 2<sup>nd</sup> day of June 2025.

Respectfully submitted,



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# WASHINGTON APPELLATE PROJECT

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## Transmittal Information

**Filed with Court:** Court of Appeals Division I  
**Appellate Court Case Number:** 85893-9  
**Appellate Court Case Title:** State of Washington, Respondent v. Zachary Butorac, Appellant  
**Superior Court Case Number:** 19-1-00260-6

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