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Washington State
Supreme Court

SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	
)	
Respondent,)	Supreme Court No. 92449-0
)	
v.)	Supreme Court No. 92157-1
)	
CARLOS BENITEZ, JR.,)	Court of Appeals No. 73626-4-I
)	
Petitioner.)	
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)	MOTION FOR EXTENSIONS OF TIME TO
)	FILE MOTIONS TO MODIFY RULINGS
)	AND PETITION FOR REVIEW
CARLOS BENITEZ, JR.,)	
)	
Petitioner,)	
)	
v.)	
)	
SKAGIT COUNTY,)	
)	
Respondent.)	
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I. IDENTITY AND RELIEF REQUESTED

Petitioner, Carlos Benitez, Jr. (Benitez), requests extensions of time to file a Motion to Modify in Supreme Court cause Nos. 92449-0 and 92157-1, and a Petition for Review in Court of Appeals cause No. 73626-4-I. Benitez requests extensions of time of 30 days for each cause from the current due dates for said motions and petition, and for each extension to run consecutive to each other.

II. FACTS RELEVANT TO MOTION

On April 19, 2016, Benitez received Commissioner Narda Pierce's (Commissioner Pierce) ruling denying review in Supreme Court cause No. 92449-0 filed on April 14, 2016.

On April 21, 2016, Benitez received Commissioner Pierce's ruling denying review in Supreme Court cause No. 92157-1 filed on April 18, 2016. Benitez also received a copy of the opinion filed in Court of Appeals cause No. 73626-4-I, which rendered a decision adverse to Benitez.

Benitez has 30 days to file motions to modify the rulings in Supreme Court cause Nos. 92449-0 and 92157-1, and 30 days to file a petition for review in Court of Appeals cause No. 73626-4-I. These documents are all due right around the same date.

Benitez intends to seek review of the rulings in each of these causes. However, Benitez cannot timely meet the due dates for filing for said review.

III. GROUNDS FOR RELIEF AND ARGUMENT

This motion is brought pursuant to RAP 7.3, 17.3, and 18.8(a). RAP 18.8(a) authorizes the Supreme Court to enlarge the time within which a certain act must be done in a particular case in order to meet the ends of justice.

Benitez is a pro se litigant in these matters. He does not have the skills and knowledge of qualified and competent counsel. Further, Benitez must participate in mandatory programming as part of his incarceration and is allowed access to the prison law library only during non-programming hours which prevents him from preparing and filing his motions and petition on or before the current due dates for filing them.

Furthermore, the extensions Benitez is requesting will not prejudice the Respondent. However, if the extensions are not granted, Benitez will be in a position of selecting and pursuing only one cause, in which case, for the above reasons, he cannot meet any of the current due dates anyway.

Due to the above circumstances, extensions of time are needed so B Benitez will have a fair opportunity to prepare and present his claims for this Court's further review.

IV. CONCLUSION

For the reasons set forth above, Benitez respectfully requests that this Court extend the time for filing his motions to modify and his petition for review for 30 days from the current due dates, and that each extension run consecutive to each other, or as the Court deems that any extensions will meet the ends of justice.

Dated: May 8, 2016.

Respectfully submitted,



Carlos Benitez, Jr.
Petitioner

DECLARATION OF FILING AND SERVICE

I, Carlos Benitez, Jr., declare that, on May 9, 2016, I deposited the foregoing Motion for Extensions of Time to File Motions to Modify Rulings and Petition for Review, or copies thereof, in the internal mail system of Airway Heights Corrections Center and made arrangements for postage addressed to:

Ronald R. Carpenter, Clerk
Washington State Supreme Court
Temple of Justice
PO Box 40929
Olympia, WA 98504-0929

Richard D. Johnson, Clerk
Court of Appeals, Division One
One Union Square
600 University Street
Seattle, WA 98101-4170

A.O. Denny
Skagit County Prosecuting Attorney's Office
605 South Third Street
Mount Vernon, WA 98273

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: May 9, 2016, at Airway Heights, Washington.

Carlos Benitez
Carlos Benitez, Jr.

Carlos Benitez, Jr. #715131
A.H.C.C. L-B-19-L
PO Box 2049
Airway Heights, WA 99001

93120-8

May 9, 2016

Carlos Benitez, Jr. #715131
A.H.C.C. L-B-19-L
PO Box 2049
Airway Heights, WA 99001

Ronald R. Carpenter, Clerk
Washington State Supreme Court
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PO Box 40929
Olympia, WA 98504-0929

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MAY 12 2016
WASHINGTON STATE
SUPREME COURT

RE: Supreme Court Cause No. 92449-0
Supreme Court Cause No. 92157-1
Court of Appeals Cause No. 73626-4-I

Dear Mr. Carpenter:

Enclosed are originals of a Motion for Extensions of Time to File Motions to Modify rulings and Petition for Review, for filing and consideration in the above-referenced causes, and a Declaration of Filing and Service.

Please ensure that any ruling on the motion is provided to me as soon as possible because I need proof of a deadline to obtain emergency access to the prison law library.

Thank you for your time and assistance in these matters.

Sincerely,

Carlos Benitez
Carlos Benitez, Jr.

cc: Richard D. Johnson
A.O. Denny