

No. _____

FILED
DEC 02 2019

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**In The
Supreme Court of the United States**

Khashon Haselrig,

Applicants,

v.

Stephanie Inslee,

Respondents.

**APPLICATION FOR EXTENSION OF TIME TO
FILE PETITION FOR WRIT OF CERTIORARI**

To the Honorable Elena Kagan
Associate Justice of the United States Supreme Court
and Circuit Justice for the Ninth Circuit

Khashon Haselrig, pro se

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To the Honorable Elena Kagan, Associate Justice of the United States Supreme Court and Circuit Justice for the Ninth Circuit:

Applicant-Petitioner, Khashon Haselrig ("Applicant") respectfully requests an extension of time to file a petition for writ of certiorari. Sup. Ct. R. 13.5. The earliest deadline for Applicant to file his petition is Monday, Dec 3, 2019, which is ninety days from September 4, 2019, the date when the Washington State Supreme Court issued an order denying review of a Division I decision affirming disinheritance of Khashon Haselrig by application of an in terrorem clause for his complaint of executor misconduct. For good cause set forth herein, Applicants ask that this deadline be extended by sixty days so that the new deadline would be Friday, January 31, 2020.

BACKGROUND

This case arises from a copy of a missing will being admitted to probate ex parte, without evidence it was lost or destroyed without intent to revoke, and without notice on Dec 19, 2016. Haselrig was the moving party in a motion heard on Feb 10, 2017 stating that admitting a copy of the missing will without notice to interested parties or a hearing as required by RCW 11.20.070 and RCW 11.96A.110 was a due process error. He motioned the Trial Court recognize this was misfeasance of the personal representative and executor Stephanie Inslee. He asked the Court remove the personal representative for failure to give notice to known interested parties, having his grandmother (Margaret Raichoudhury) cremated without consulting himself or his family, hold a funeral, or alert any family members she had died. Haselrig asked that the estate be reset to the default intestate status as occurs when a person dies without an original will as a matter of law (as was the case), and to be named executor. The decedent's daughter Indira

Raichoudhury joined Haselrig's motion via her attorney. Indira Raichoudhury was not named as an interested party in the petition to admit the missing will to probate Dec 19, 2016 and no parties were notified. The motion to correct the due process error on Dec 19, 2016 was denied on Feb 10, 2017.

On Aug 25, 2017 with the probate still ongoing, Haselrig brought a second motion based solely on defective notice with the addition that arguments made on Feb 10, 2017 indicated notice was willfully defective and that the admission of the missing will without hearing on Dec 19, 2016 was an act of fraud upon the Court. Haselrig noted that according to *Hesthagen v. Harby*, 78 Wn. 2d 934 (Wash. 1971), probates that do not adhere to statutory notice requirements produce void judgements, and as such a due process error can and is required to be corrected under the 14th Amendment without specific time constraints. This motion was also denied and the Court determined Haselrig triggered the in terrorem clause of the will and would be disinherited. The Court did not state notice was given according to due process and struck that section from its order given at APP B, rather it determined it was not authorized to correct any error due to time limits imposed by rules. Haselrig appealed.

On appeal to Division I Haselrig argued he had probable cause, acted in good faith, and did not directly attack the missing will, but only the illegal actions taken by those proffering it. He also referenced *Armstrong v. Manzo*, 380 U.S. 545, 551 (1965) and the fact that in that case the petitioner also failed to appeal when their motion to correct defective notice was originally denied, but ultimately had their original motion granted and essentially restarted their trial. The Appellate Court affirmed the decision APP A, but did not address how, when, or if notice was given in accordance with due process. The Supreme Court of Washington denied review

and denied request for attorneys' fees of respondent APP C.

OPINIONS BELOW

The February 25, 2019 Order of the Division I Appellate Court for the State of Washington affirming the Probate Court appears at Appendix A. The August 25, 2017 and Feb 10, 2017 Order of the Bellingham Washington Probate Court denying Haselrig's corrective motions is reproduced at Appendix B. The September 4, 2019 Order of the Washington State Supreme Court denying review is reproduced at Appendix C. The Order and Petition for Order granting admission of the copy of the missing will is reproduced at Appendix D.

JURISDICTION

This Court has jurisdiction under 28 U.S.C. § 1257.

REASONS EXTENSION IS JUSTIFIED

Supreme Court Rule 13.5 provides that "An application to extend the time to file shall set out the basis for jurisdiction in this Court, identify the judgment sought to be reviewed, include a copy of the opinion and any order respecting rehearing, and set out specific reasons why an extension of time is justified." Sup. Ct. R. 13.5. The specific reason why an extension of time is justified is as follows:


Khashon Haselrig's work obligations left him with only enough time to research and prepare the writ of certiorari with the help of an online guide for pro se litigants, however the guide did not mention and the rules did not so clearly indicate that filing on standard 8 ½ x 11" paper was only permissible for in forma pauperis eligible applicants, as opposed to pro se applicants generally. Due to this the petition is prepared but the intricate formatting necessary to present argument is not

complete. The delay would only be the time needed for the petition to be placed into the specified booklet format. Haselrig became aware of the problem only after calling to verify the address and method to mail documents and payment to the U.S. Supreme Court.

CONCLUSION

For the foregoing reasons and good cause shown, Applicants respectfully request that this Court grant this application for an extension of time to file a petition for writ of certiorari.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Khashon Haselrig", is written over a horizontal line.

Khashon Haselrig, pro se

Date 12/02/2019