

BEFORE THE UNITED STATES SUPREME COURT

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JOHN EARL ERICKSON AND  
SHELLEY ANN ERICKSON,  
Applicants-Prospective Petitioners,

v.

DEUTSCHE BANK NATIONAL TRUST COMPANY  
AS TRUSTEE FOR LONG BEACH MORTGAGE LOAN  
TRUST 2004-6,  
Respondent.

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DECLARATION OF SHELLEY ANN ERICKSON IN SUPPORT OF  
EMERGENCY  
APPLICATION FOR EXTENSION OF TIME TO FILE  
PETITION FOR WRIT OF CERTIORARI UNDER  
28 U.S.C. SEC. 1257(a) AND SUPREME COURT RULES 13.3  
FROM AUGUST 2, 2022 TO OCTOBER 1, 2022  
DUE TO EXTRAORDINARY CIRCUMSTANCES PURSUANT TO  
SUPREME COURT RULE 13.5

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Shelley Ann Erickson declares, under penalty of perjury of the laws  
of the United States of America, pursuant to 28 U.S.C. sec. 1746:

1. The facts set forth herein are true of her own personal  
knowledge, except where stated upon information or belief and where  
stated upon information or belief, she believes those statements to be true.
2. Exhibits A and B attached to the Application are true and  
correct copies of what they purport to be.
3. Exhibits 1, 2, 3, 4, 5, and 6 attached hereto are true and correct  
copies of what they purport to be.

4. I am one of the Applicants for an extension of time to file my Petition for Writ of Certiorari from August 2, 2022 to no later than October 1, 2022.

5. My spouse, John Earl Erickson (John), co-owner of our homestead of over 40 years located in King County, Washington at the address which appears below, intends to join in the Petition.

6. John and I filed our Petition for Review by the Supreme Court of the State of Washington of the November 29, 2021 UNPUBLISHED Opinion of the Washington Court of Appeals, a true and correct copy of which is attached to the Application as Exhibit A on December 28, 2021. Applicants sought discretionary review by Petition for Review to the Washington Supreme Court on December 28, 2021.

7. The cover page of our December 28, 2021 Petition for Review to the Washington Supreme Court listed two email address for communications from the Court. The first listed email address on our Petition for Review is Shelleystotalbodyworks@comcast.net and an alternative email address of shelley206erickson@icloud.com was also provided to the Court. See Exhibit 1 attached hereto.

8. The email address of shelley206erickson@outlook.com was not listed as an email address provided to the Washington Supreme Court on the cover page of the Petition for Review.

9. On January 4, 2021, a letter was signed by Sarah Pendleton,

Clerk of Washington and transmitted by email to

shelley206erickson@outlook.com. See attached Exhibit 2.

10. The January 4, 2022 letter from the Deputy Clerk of the Washington Supreme Court reads, in the last paragraph thereof:

The parties are advised that future correspondence from this Court regarding this matter will most likely only be sent by an e-mail attachment, not by regular mail. For attorneys, this office uses the e-mail address that appears on the Washington State Bar Association lawyer directory. Counsel are responsible for maintaining a current business-related e-mail address in that directory. **For the Petitioners, this Court has an e-mail address of shelley206erickson@outlook.com. If this e-mail address is incorrect or changed, the Petitioner should immediately advise this Court in writing.** (Emphasis added.)

See Exhibit 3 attached hereto.

11. The January 4, 2022 letter from the Deputy Clerk of the Washington Supreme Court plainly states on the first page, just below the date of the letter, that it was **sent by email only**.

12. The January 4, 2022 letter from the Deputy Clerk of the Washington Supreme Court was not received by your Applicant, who did not expect to receive email correspondence at an email address that she did not provide to the Washington Supreme Court and at which she had not received email since the account was hacked on July 10, 2021.

13. It is impossible to respond to an email sent to an email address which was not being used and had not been provided to the Court.

14. On May 4, 2022, the Washington Supreme Court entered the

Order denying the Petition for Review (Exhibit B attached to the Application).

15. Applicants, who were self-represented in the Washington Supreme Court discretionary review proceedings, did not receive the May 4, 2022 Order by mail.

16. An electronic copy of the May 4, 2022 Order was sent to Applicant Shelley Ann Erickson from the Supreme Court of Washington by email to [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com) but that email was not listed on as an email address on Applicants' Petition for Review. Applicant's primary email address was provided to the Court on the Petition cover sheet is [Shelleystotalbodyworks@comcast.net](mailto:Shelleystotalbodyworks@comcast.net). See Declaration of Shelley Ann Erickson, Exhibit 1: cover page for the Petition for Review.

17. An alternative email at [shelley206erickson@icloud.com](mailto:shelley206erickson@icloud.com) was also listed on the cover page for the Petition for Review.

18. The previous email address: [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com) was not provided to the Court because that email had been hacked and had not been accessed by Ms. Erickson for after it was hacked. The last email to [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com) was received on July 8, 2021. The last activity on to [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com) was an attempted password change on July 10, 2021, after the hacking activity was discovered.

19. As of July 24, 2022, Ms. Erickson had become concerned that

Applicants had not received a decision from the Washington Supreme Court in over six (6) months since the Response to the Petition for Review was filed on January 28, 2022.

20. Applicant was planning to contact the Clerk of the Washington Supreme Court on Monday, July 25, 2022 to inquire regarding the status of Applicants' Petition for Review, she searched the hacked email account: [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com) and, to her surprise, she found the May 4, 2022 email from the Washington Supreme Court in the junk folder. She never received an email from the Washington Supreme Court to her primary email account or the alternative email account listed on the cover page of the Petition for Review.

21. Ms. Erickson immediately forwarded the email she retrieved from the junk mail folder in the hacked email account to her primary email to preserve it because she recalled that junk mail files in outlook.com are ordinarily deleted after 30 days. She then forwarded the May 4, 2022 Order of the Washington Supreme Court to counsel Applicants intended to retain, if necessary, to file the Petition for Writ of Certiorari to the United States Supreme Court (Exhibit 4 attached hereto).

22. Counsel replied to Ms. Erickson's email that same day to state that she had not previously received a copy of the May 4, 2022 email and that the Petition for Writ of Certiorari was due on August 2, 2022 (Exhibit 5 attached hereto).

23. Thereafter, at the direction of counsel, Applicant searched her junk mail folder on the hacked email account specifically for the January 4, 2022 email because counsel had retrieved a list of documents filed in the Petition for Review proceedings on July 27, 2022 (Exhibit 6 attached hereto).

24. The January 4, 2022 email with the letter of the Deputy Clerk of the Washington Supreme Court attached was located in the junk mail folder of the hacked email account at [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com). Exhibit 2 and Exhibit 3 attached hereto.

25. If your Applicant had not been specifically directed to the Court's January 4, 2022 email in the junk mail folder by her counsel, she would never have known that it had been sent.

26. Furthermore, it is surprising that the email correspondence from the Supreme Court of Washington could be located in the junk mail folder of the hacked email account because junk mail was usually automatically deleted after 30 days.

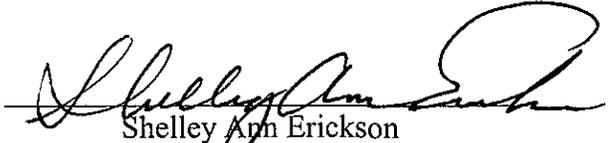
27. Applicant makes this Declaration in support of the Prospective Petitioners' Application for Extension of Time to File Petition for Writ of Certiorari in order to demonstrate extraordinary circumstances which led to the need for the requested extension of time.

28. The Prospective Petitioners are informed and believe that they have important issues of violations of their Due Process Rights in the

summary judgment proceedings before the King County Superior Court  
and in the appellate proceedings which affect more than the Prospective  
Petitioners alone.

FURTHER, YOUR APPLICANT SAYETH NAUGHT.

Dated at Auburn, Washington this 28<sup>th</sup> day of July, 2022.

A handwritten signature in black ink, appearing to read "Shelley Ann Erickson". The signature is written in a cursive style with a large, looping initial "S".

Shelley Ann Erickson  
5421 Pearl Ave. S.E.  
Auburn, Washington 98092

BEFORE THE UNITED STATES SUPREME COURT

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JOHN EARL ERICKSON AND  
SHELLEY ANN ERICKSON,  
Applicants-Prospective Petitioners,

v.

DEUTSCHE BANK NATIONAL TRUST COMPANY  
AS TRUSTEE FOR LONG BEACH MORTGAGE LOAN  
TRUST 2004-6,  
Respondent.

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EXHIBIT LIST TO  
DECLARATION OF SHELLEY ANN ERICKSON IN SUPPORT OF  
EMERGENCY APPLICATION FOR EXTENSION OF TIME TO FILE  
PETITION FOR WRIT OF CERTIORARI UNDER  
28 U.S.C. SEC. 1257(a) AND SUPREME COURT RULES 13.3  
FROM AUGUST 2, 2022 TO OCTOBER 1, 2022  
DUE TO EXTRAORDINARY CIRCUMSTANCES PURSUANT TO  
SUPREME COURT RULE 13.5

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EXHIBIT 1: Cover page to Applicants' December 28, 2021 Petition for Review to the Washington Supreme Court

EXHIBIT 2: January 4, 2022 email from the Washington Supreme Court transmitted to [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com)

EXHIBIT 3: January 4, 2022 letter from the Deputy Clerk of the Washington Supreme Court attached to the email transmitted to [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com)

EXHIBIT 4: July 24, 2022 email to counsel forwarding May 4, 2022 Order of the Washington Supreme Court retrieved from the junk mail folder of [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com) on July 24, 2022

EXHIBIT 5: July 24, 2022 email reply from counsel stating due date for Petitioner for Writ of Certiorari

EXHIBIT 6: List of documents filed in the Petition for Review proceedings retrieved on July 27, 2022

# EXHIBIT 1

NO. 81648-9-1  
IN THE SUPREME COURT FOR THE STATE OF  
WASHINGTON

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John Earl Erickson and  
Shelley Ann Erickson, *in propria persona*,  
Plaintiffs/Appellants

v.

Deutsche Bank National Trust Company as Trustee for  
Long Beach Mortgage Loan Trust 2006-4,<sup>1</sup>  
Defendant/Appellee

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PETITION FOR REVIEW OF NOVEMBER 29, 2021  
DECISION OF THE COURT OF APPEALS FOR THE  
STATE OF WASHINGTON DIVISION I

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On Appeal from King County Superior Court  
No. 19-2-12664-7 KNT  
Judge Joanna Bender presiding

---

John Earl Erickson & Shelley Ann Erickson,  
*in propria persona*  
5421 Pearl Ave S.E.  
Auburn, Washington 98092  
(206) 255-6324  
Email: [Shelleystotalbodyworks@comcast.net](mailto:Shelleystotalbodyworks@comcast.net)  
Alternative Email: [shelley206erickson@icloud.com](mailto:shelley206erickson@icloud.com)

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<sup>1</sup> See identification of parties, *infra*

# EXHIBIT 2



Wendy Alison Nora <accesslegalservices@gmail.com>

**Fwd: Fw: Case #100511-3 – John Erickson and Shelley Erickson v. Deutsche Bank National Trust Company**

1 message

**BODY WORKS,SHELLY'S TOTAL BODY WORKS** <shelleystotalbodyworks@comcast.net>

Wed, Jul 27, 2022 at 7:45 PM

To: Wendy Nora <accesslegalservices@gmail.com>

----- Original Message -----

From: Shelley Erickson <shelley206erickson@outlook.com>

To: SHELLEY'S TOTAL <Shelleystotalbodyworks@comcast.net>

Date: 07/27/2022 5:44 PM

Subject: Fw: Case #100511-3 – John Erickson and Shelley Erickson v. Deutsche Bank National Trust Company

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**From:** Martinez, Jacquelynn <Jacquelynn.Martinez@courts.wa.gov>

**Sent:** Tuesday, January 4, 2022 2:00 PM

**To:** 'shelley206erickson@outlook.com' <shelley206erickson@outlook.com>;

'vanessa.power@stoel.com' <vanessa.power@stoel.com>

**Subject:** Case #100511-3 – John Erickson and Shelley Erickson v. Deutsche Bank National Trust Company

Attached is a copy of a document in the above referenced case. Please consider this as the original for your files, a copy will not be sent by regular mail. Any documents filed with this Court should be submitted via our web portal: <https://ac.courts.wa.gov/>

Thank you,

**Jacquelynn Martinez**

Administrative Office Assistant

Washington State Supreme Court

[jacquelynn.martinez@courts.wa.gov](mailto:jacquelynn.martinez@courts.wa.gov)

**Please do not respond to this e-mail. Any questions or responses should be directed to [Supreme@Courts.wa.gov](mailto:Supreme@Courts.wa.gov).**

**ATTENTION:** Beginning September 1, 2021, per new RAP 18.17, the Washington State Supreme Court will

be shifting from page count limits to word count limits. For more information see [www.courts.wa.gov/wordcounts](http://www.courts.wa.gov/wordcounts)



- 1005113 - Public - Letter Sent - Initiating Case - 1-4-2022.pdf  
270K

# EXHIBIT 3

# THE SUPREME COURT

STATE OF WASHINGTON

ERIN L. LENNON  
SUPREME COURT CLERK

SARAH R. PENDLETON  
DEPUTY CLERK/  
CHIEF STAFF ATTORNEY



TEMPLE OF JUSTICE

P.O. BOX 40929  
OLYMPIA, WA 98504-0929

(360) 357-2077  
e-mail: [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov)  
[www.courts.wa.gov](http://www.courts.wa.gov)

January 4, 2022

## LETTER SENT BY E-MAIL ONLY

John Earl Erickson  
Shelley Ann Erickson  
5421 Pearl Avenue Southeast  
Auburn, WA 98092

Hon. Lea Ennis, Clerk  
Division I, Court of Appeals  
One Union Square  
600 University Street  
Seattle, WA 98101

Vanessa Soriano Power  
Stoel Rives LLP  
600 University Street, Suite 3600  
Seattle, WA 98101-3197

Re: Supreme Court No. 100511-3 – John Erickson and Shelley Erickson v. Deutsche Bank  
National Trust Company  
Court of Appeals No. 81648-9-I

Clerk, Counsel, Mr. and Ms. Erickson:

The Court of Appeals forwarded to this Court the “PETITION FOR REVIEW OF NOVEMBER 29, 2021 DECISION OF THE COURT OF APPEALS FOR THE STATE OF WASHINGTON DIVISION I” in the referenced matter. The \$200 filing fee (check #9683) has also been received. The matter has been assigned the Supreme Court case number indicated above.

The parties are directed to review the provisions set forth in RAP 13.4(d) regarding the filing of any answer to a petition for review and any reply to an answer.

The petition for review will be set for consideration without oral argument by a Department of the Court; see RAP 13.4(i). If the members of the Department do not unanimously agree on the manner of the disposition, consideration of the petition will be continued for determination by the En Banc Court.

Usually there is approximately three to four months between receipt of the petition for review in this Court and consideration of the petition. This amount of time is built into the process to allow an answer to the petition and for the Court’s normal screening process. At this time it is not known on what date the matter will be determined by the Court. The parties will be advised when the Court makes a decision on the petition.

Any amicus curiae memorandum in support of or in opposition to a pending petition for review should be served and received by this Court and counsel of record for the parties and other amicus curiae by 60 days from the date the petition for review was filed; see RAP 13.4(h).

The parties are referred to the provisions of General Rule 31(e) regarding the requirement to omit certain personal identifiers from all documents filed in this court. This rule provides that parties “shall not include, and if present shall redact” social security numbers, financial account numbers and driver’s license numbers. As indicated in the rule, the responsibility for redacting the personal identifiers rests solely with counsel and the parties. The Clerk’s Office does not review documents for compliance with the rule. Because briefs and other documents in cases that are not sealed may be made available to the public on the court’s internet website, or viewed in our office, it is imperative that such personal identifiers not be included in filed documents.

**The parties are advised that future correspondence from this Court regarding this matter will most likely only be sent by an e-mail attachment, not by regular mail. For attorneys, this office uses the e-mail address that appears on the Washington State Bar Association lawyer directory. Counsel are responsible for maintaining a current business-related e-mail address in that directory. For the Petitioners, this Court has an e-mail address of [shelley206erickson@outlook.com](mailto:shelley206erickson@outlook.com). If this e-mail address is incorrect or changed, the Petitioner should immediately advise this Court in writing.**

Sincerely,



Sarah R. Pendleton  
Supreme Court Deputy Clerk

SRP:jm

# EXHIBIT 4



Wendy Alison Nora <accesslegalservices@gmail.com>

**Fwd: Fw: Supreme Court No. 1005113 John Erickson and Shelley Erickson v. Deutsche Bank National Trust Company**

1 message

**BODY WORKS,SHELLY'S TOTAL BODY WORKS** <shelleystotalbodyworks@comcast.net>

Sun, Jul 24, 2022 at 12:43 PM

To: "Nora, Wendy" <accesslegalservices@gmail.com>

Somehow the hacked email is getting emails but most are only in the junk emails. Found this and not sure I was able to send to you but it got to my email so you must have received it also. The courts are not suppose to be sending to the hacked email.

----- Original Message -----

From: Shelley Erickson <shelley206erickson@outlook.com>

To: SHELLEY'S TOTAL <Shelleystotalbodyworks@comcast.net>

Date: 07/24/2022 10:40 AM

Subject: Fw: Supreme Court No. 1005113 John Erickson and Shelley Erickson v. Deutsche Bank National Trust Company

---

**From:** Martinez, Jacquelynn <Jacquelynn.Martinez@courts.wa.gov>

**Sent:** Wednesday, May 4, 2022 9:56 AM

**To:** 'shelley206erickson@outlook.com' <shelley206erickson@outlook.com>;

'vanessa.power@stoel.com' <vanessa.power@stoel.com>

**Subject:** Supreme Court No. 1005113 John Erickson and Shelley Erickson v. Deutsche Bank National Trust Company

Attached is a copy of a document in the above referenced case. Please consider this as the original for your files, a copy will not be sent by regular mail.

**ATTENTION:** Beginning September 1, 2021, per new RAP 18.17, the Washington State Supreme Court will be shifting from page count limits to word count limits. For more information see [www.courts.wa.gov/wordcounts](http://www.courts.wa.gov/wordcounts)

Any documents filed with this Court should be submitted via our web Portal: <https://ac.courts.wa.gov/>

Please do not respond to this email. Any questions or response should be directed to our main email address, which is: [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov).

**Jacquelynn Martinez (she/her)**

Administrative Office Assistant

Washington State Supreme Court

[jacquelynn.martinez@courts.wa.gov](mailto:jacquelynn.martinez@courts.wa.gov)



**- 1005113 - Public - Order - Terminating Review - - 5 4 2022.pdf**

98K

# EXHIBIT 5



Wendy Alison Nora <accesslegalservices@gmail.com>

**Re: Fw: Supreme Court No. 1005113 John Erickson and Shelley Erickson v. Deutsche Bank National Trust Company**

1 message

Wendy Alison Nora <accesslegalservices@gmail.com> Sun, Jul 24, 2022 at 12:49 PM  
To: "BODY WORKS,SHELLY'S TOTAL BODY WORKS" <shelleystotalbodyworks@comcast.net>

I did not receive this in May, 2022. **The Petition for Certiorari to the US Supreme Court is due on August 2, 2022!!!**

On Sun, Jul 24, 2022 at 12:43 PM BODY WORKS,SHELLY'S TOTAL BODY WORKS <shelleystotalbodyworks@comcast.net> wrote:

Somehow the hacked email is getting emails but most are only in the junk emails. Found this and not sure I was able to send to you but it got to my email so you must have received it also. The courts are not suppose to be sending to the hacked email.

----- Original Message -----

From: Shelley Erickson <shelley206erickson@outlook.com>  
To: SHELLEY'S TOTAL <Shelleystotalbodyworks@comcast.net>  
Date: 07/24/2022 10:40 AM  
Subject: Fw: Supreme Court No. 1005113 John Erickson and Shelley Erickson v. Deutsche Bank National Trust Company

---

**From:** Martinez, Jacquelynn <Jacquelynn.Martinez@courts.wa.gov>  
**Sent:** Wednesday, May 4, 2022 9:56 AM  
**To:** 'shelley206erickson@outlook.com' <shelley206erickson@outlook.com>; 'vanessa.power@stoel.com' <vanessa.power@stoel.com>  
**Subject:** Supreme Court No. 1005113 John Erickson and Shelley Erickson v. Deutsche Bank National Trust Company

Attached is a copy of a document in the above referenced case. Please consider this as the original for your files, a copy will not be sent by regular mail.

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Any documents filed with this Court should be submitted via our web Portal: <https://ac.courts.wa.gov/>

Please do not respond to this email. Any questions or response should be directed to our main email address, which is: [supreme@courts.wa.gov](mailto:supreme@courts.wa.gov).

**Jacquelynn Martinez (she/her)**  
Administrative Office Assistant  
Washington State Supreme Court  
[jacquelynn.martinez@courts.wa.gov](mailto:jacquelynn.martinez@courts.wa.gov)



--

Wendy Alison Nora\*  
ACCESS LEGAL SERVICES, LLC\*\*  
200 East Verona Ave., #13  
Verona, Wisconsin 53593  
VOICE: (612) 333-4144  
[accesslegalservices@gmail.com](mailto:accesslegalservices@gmail.com)

\*Admitted to practice before the United States Supreme Court only  
and not admitted to practice in any other jurisdiction

\*\*Providing research, investigative, technical, filing and  
process services at the direction of qualified attorneys  
in all U.S. states exclusive of the State of Wisconsin

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# EXHIBIT 6

## 🔍 Case Search

Here you can search for cases by Court Level.

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Appellate Courts ▼ ⓘ

Select Search Type  
Search by case number ▼

Court Name  
SUPREME COURT ▼

Case Number\*  
100511-3 ✕

🔍 Search

### 🏛️ Supreme Court

Case Number: 1005113

Event Date ▲	Event Description	Action ▲
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12-29-21	Petition for Review	Filed
12-29-21	Case Received and Pending	Status Changed
12-29-21	Consideration on Petition for Review	Filed
01-04-22	Filing fee	Received by Court
01-04-22	Letter	Sent by Court
01-28-22	Answer to Petition for Review	Filed
01-28-22	Letter	Sent by Court
05-03-22	Set for Motion Calendar	Status Changed
05-04-22	Order terminating Review	Filed
05-04-22	Decision Filed	Status Changed

Page Size  First Prev **1** 2 Next Last

Olympia, WA 98501-2314

FILING DATE: 12-29-2021  
 [Map & Directions](#)

 [Visit Website](#)

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