

NO. _____

IN THE SUPREME COURT OR THE UNITED STATES

HENRY EUGENE GOSSAGE, an individual,

Appellant

v.

REALITY HOMES, INC., a Washington Corporation;

SAVINGS ACCOUNT NUMBER 70003287315; THOMAS FANCHER and "JANE
DOE" FANCHER, married adults, including any marital estate; JAMIE HANKEL
and "JANE DOE" HANKEL, married adults, including any marital estate;
LOWELL HANKEL, JR. and "JANE DOE" HANKEL, JR., married adults,
including any marital estate,

Respondents.

PETITIONER'S MOTION FOR EXTENSION OF TIME AND
LEAVE TO FILE PETITION FOR WRIT OF CERTORARI AS TIMELY
PURSUANT SUPREME COURT RULE 30.4

Henry Eugene Gossage

Pro se Veteran

Appellant

P.O. Box 1102

Ocean Shores, WA 98569

appears Henry Gossage's August 28, 2023, corrected application for extension of time was misplaced or lost by the Court. This misplaced or lost corrected application may present a legal argument in support for this motion extension of time.

ON August 14, 2023, pursuant to Supreme Court Rule 13.5, proceeding without Court representation in this Petition for Writ of Certiorari, Petitioner Henry Gossage respectfully requested a 60-day extension of time, to and including Monday, November 26, 2023, within which to file a petition for a writ of certiorari. Motion for Extension of Time was timely sent USPS (*see* 9505515817213227614484) Priority mail and received by the Court on August 17, 2023. The extension of time was timely filed within 10 days, Rule 30.

On August 18, 2023, the letter from the Supreme Court Clerk (Clayton Higgens) returned Henry Gossage's Motion for Extension of Time by regular mail and was received 7-9 days after mailing by the Court. The Court stated a deficiency and correction for the motion and resubmission.

Henry Gossage made the corrections and resubmitted the corrected application for extension of time on August 28, 2023, (USPS Tracking 9505515817213240621735) and was received by the Court on August 30, 2023.

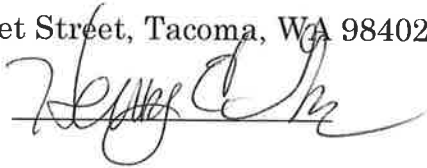
Henry Gossage submitted Petition for Writ of Certiorari on October 7, 2023 (USPS Tracking 9505516293280156309) and received by the Court on October 10, 2023.

The remaining facts are in Henry Gossage attached affidavit in support of this motion.

CERTIFICATE OF SERVICE

I, Henry Gossage certify that on January 2, 2024, I placed a copy of the
MOTION FOR LEAVE TO FILE PETITION FOR WRIT OF CERTORARI.

by USPS to: Grady Heins, Leland Selby, Ledger Square Law, located at 710
Market Street, Tacoma, WA 98402.

A handwritten signature in black ink, appearing to read "Henry Gossage", written over a horizontal line.

Henry Gossage

Pro se

Tracking Number:

9505515817213227614484

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WASHINGTON, DC 20543
August 17, 2023, 11:02 am

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GOVERNMENT MAILS ANNEX
3300 V ST
WASHINGTON DC 20018-1528
August 17, 2023, 10:03 am

Arrived at Post Office

WASHINGTON, DC 20018
August 17, 2023, 9:27 am

Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER
August 17, 2023, 6:53 am

Departed USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER
August 17, 2023, 2:57 am

Feedback

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

August 18, 2023

Henry Eugene Gossage
PO Box 1102
Ocean Shores, WA 98569

RE: Gossage v. Reality Homes, Inc.

Dear Mr. Gossage:

The application for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case was postmarked August 15, 2023 and received August 18, 2023. The application is returned for the following reason(s):

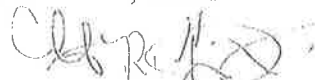
The lower court opinion must be appended . Rule 13.5.

The application does not set forth with specificity the reasons why the granting of an extension of time is thought justified. Rule 13.5.

It is impossible to determine the timeliness of your application for an extension of time without the lower court opinions.

A copy of the corrected application must be served on opposing counsel.

Sincerely,
Scott S. Harris, Clerk

By: 

Clayton R. Higgins, Jr.
(202) 479-3019

Enclosures

Tracking Number:

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9505515817213240621735

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WASHINGTON, DC 20543

August 30, 2023, 7:54 am

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GOVERNMENT MAILS ANNEX

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WASHINGTON DC 20018-1528

August 30, 2023, 6:59 am

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WASHINGTON, DC 20018

August 30, 2023, 6:47 am

Departed USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

August 30, 2023, 4:51 am

Arrived at USPS Regional Destination Facility

WASHINGTON DC DISTRIBUTION CENTER

August 30, 2023, 1:19 am

Feedback

Tracking Number:

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9505516216293280156309

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Delivered, Individual Picked Up at Postal Facility

WASHINGTON, DC 20543

October 10, 2023, 7:20 am

Available for Pickup

GOVERNMENT MAILS ANNEX

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October 10, 2023, 6:04 am

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Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

October 9, 2023, 6:45 am

Departed USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

October 9, 2023, 5:52 am

Feedback

NO. _____

IN THE SUPREME COURT OR THE UNITED STATES

HENRY EUGENE GOSSAGE, an individual,

Appellant

v.

REALITY HOMES, INC., a Washington Corporation;

SAVINGS ACCOUNT NUMBER 70003287315; THOMAS FANCHER and "JANE
DOE" FANCHER, married adults, including any marital estate; JAMIE HANKEL
and "JANE DOE" HANKEL, married adults, including any marital estate;
LOWELL HANKEL, JR. and "JANE DOE" HANKEL, JR., married adults,
including any marital estate,

Respondents.

AFFADITIT STATUTORY DECLARATION FROM HENRY E. GOSSAGE FOR

Application for a Motion for Extension of Time to

File a Petition for a Writ of Certiorari

Henry Eugene Gossage

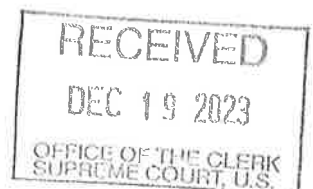
Pro se Veteran

Appellant

P.O. Box 1102

Ocean Shores, WA 98569

December 12, 2023



The corrected motion was mailed on August 28, 2023, USPS Priority Mail (a-11), USPS Tracking 9505515817213240621735 and was picked up and received by the Court at 7:54am on August 30, 2023.

Henry Gossage's Motion for Extension of Time is timely.

Henry Gossage's August 28, 2023 (a-8, a-11), extension of time motion has disappeared from the records from the Court. It appears there is no chain of custody of court documents, as no one from the clerk's office can account for the **missing/lost/misplaced August 28, 2023**, corrected Motion for Extension of Time documents.

6. October 7, 2023 (a-14), Petitioner Henry Gossage placed in USPS Priority Mail, Petition for Certiorari from the Washington State Supreme Court in *Gossage v. Reality Homes*, with supporting extension of time documentation. USPS Tracking (a-15) 9505516216293280156309 and was picked up and received by the Court at 7:20am on October 10, 2023.
7. October 18, 2023 (a-13), the Court returned the Petition for Certiorari as out-of-time and were received on November 4, 2023, USPS Tracking 9205590245038800000289434 (a-17).
8. November 6, 2023 (a-19), Petitioner Henry Gossage placed in USPS Priority Mail, Petition for Certiorari from the Washington State Supreme Court in *Gossage v. Reality Homes*, with supporting documentation for an extension of time. USPS Priority Mail Tracking (a-23) 9505515817233310505321 and was picked up and received by the Court at 10:59am on November 8, 2023.
9. November 21, 2023, Petitioner Henry Gossage resubmitted the request for a 60-day extension of time, based on the August 14 (a-3) and August 28, 2023 (a-8), extension request to and including Monday, November 26, 2023, which to file a petition for a writ of certiorari. This Motion was sent USPS Priority mail to the Court. USPS Priority USPS Tracking (a-29) 9505515817233326510906 and this motion was received by the Court on November 27, 2023, at 7:01am.
10. December 5, 2023, Petitioner reached out to the Office of the Clerk, after several attempts to contact the clerk. The Office of the Clerk returned my call and I questioned the about two separate misplaced filings.

proceed before the Washington State Courts "Trial de Nova" appeal decisions conflict with each other. *See Optimer Int'l., Inc. v. RP Bellevue, LLC.*, 170 Wash.2d 768 (2011); *Williams v. Tilaye*, 174 Wn. 2d 57 (2012); *Nelson v. Erickson*, 186 Wn. 2d 385 (2016); *Optimer Intern, Inc. v. Rp Bellevue, LLC*, 214 P.3d 954 (Wash. Ct. App. 2009).

- C. *Haines v. Kerner*, 404 U.S. 519 (1972), a *pro se* complaint, "however inartfully pleaded," must be held to "less stringent standards than formal pleadings drafted by lawyers". In addition, my ongoing medical care at the VA medical center, Olympia Orthopedic Spine Clinic, Physical Therapy, and longstanding commitment as a certified Disabled American Veterans Service Officer assisting veterans with their service claims with the Veterans Administration. *see Eldridge v. Block*, 832 F.2d 1132 (CA9 1987).
- D. The corrected motion for extension of time was delivered to the Court and inadvertently misplaced and was made for good cause and not for purposes of delay.

The Washington State Supreme Court denied Discretionary Review on June 7, 2023, and reconsideration of June 26, 2023. The Washington State Court of Appeals Division II unpublished January 10, 2023, decision affirming Respondent's February 18, 2022, Pierce County Superior Court ORDER striking Petitioner's Request for "Trial de Nova" appeal from the arbitrator December 8, 2021, decision.

Henry Gossage respectfully requested for an extension of time from September 26, 2023, to November 26, 2023, if not sooner to file this petition.

For all of the above reasons, Petitioner respectfully request the Court GRANT *Gossage v. Reality Homes* writ of certiorari petition as timely filed.

DATED: December 12, 2023

Respectfully submitted,



Henry E. Gossage

THE SUPREME COURT STATE OF WASHINGTON

| | | |
|---------------------------------------|---|---------------------------------|
| Henry Gossage, an adult individual, |) | |
| Appellant, |) | No. 101780-4 |
| v. |) | |
| Reality Homes, Inc., a Washington |) | ORDER |
| corporation; Savings Account Number |) | |
| 7000328315; Thomas Fancher and |) | |
| Jane Doe Fancher, married adults, |) | |
| including any marital estate; Jamie |) | Court of Appeals No. 57120-0-II |
| Hankel and Jane Doe Hankel, |) | |
| married adults, including any marital |) | |
| estate; Lowel Hankel, Jr. and Jane |) | |
| Doe hankel, married adults, |) | |
| including any marital estate, |) | |
| Respondent. |) | |
| _____ |) | |

Department I of the Court, composed of Chief Justice González and Justices Johnson, Owens, Gordon McCloud, and Montoya-Lewis, considered at its June 6, 2023, Motion Calendar whether review should be granted pursuant to RAP 13.4(b) and unanimously agreed that the following order be entered.

IT IS ORDERED:

That the Clerk’s motion to strike the Petitioner’s reply to the answer to the petition for review is granted. The petition for review and the Petitioner’s request for CR 11 sanctions are denied.

DATED at Olympia, Washington, this 7th day of June, 2023.

For the Court
Chief Justice González

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
www.courts.wa.gov

June 26, 2023

LETTER SENT BY E-MAIL ONLY

Henry Gossage
P.O. Box 1102
Ocean Shores, WA 98569

Grady Heins
Leland Clay Selby, Jr.
Ledger Square Law PS
710 Market St.
Tacoma, WA 98402-3712

Re: Supreme Court No. 101780-4 - Henry Gossage v. Reality Homes Inc., et al.
Court of Appeals No. 57120-0-II

Counsel and Henry Gossage:

The Petitioner's "MOTION FOR RECONSIDERATION" was received on June 23, 2023. The motion seeks reconsideration of this Court's order denying the petition for review.

RAP 12.4(a) provides that a party may not file a motion for reconsideration of a Supreme Court order denying a petition for review. Therefore, no action can be taken on the motion for reconsideration.

Accordingly, although the motion has been placed in the closed file, this Court can take no action on it.

Sincerely,

Erin L. Lennon
Supreme Court Clerk

ELL:jm

Appendix 002

Q-2

NO. _____

IN THE SUPREME COURT OR THE UNITED STATES

HENRY EUGENE GOSSAGE, an individual,

Appellant

v.

REALITY HOMES, INC., a Washington Corporation;

SAVINGS ACCOUNT NUMBER 70003287315; THOMAS FANCHER and "JANE
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including any marital estate,

Respondents.

Application for a Motion for Extension of Time to
File a Petition for a Writ of Certiorari

Henry Eugene Gossage

Pro se Veteran

Appellant

P.O. Box 1102

Ocean Shores, WA 98569

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

1. Pursuant to Supreme Court Rule 13.5, Petitioner Henry Gossage respectfully requests a 60-day extension of time, to and including Monday, November 26, 2023, within which to file a petition for a writ of certiorari.
2. Absent an extension, a petition for a writ of certiorari would be due on September 26, 2022. This application is being filed more than 10 days in advance of that date, and no prior application has been made in this case.
3. This case concerns “Abrogation of the Law by Contract”, timeliness, attorney fees and costs, and the denial from a Constitutional “Trial de Nova” appeal right from an arbitration decision.
4. This case raises important Constitution and Washington State Law questions, particularly when the unrepresented proceed before the Washington State Courts “Trial de Nova” appeal decisions conflict with each other. *See Optimer Int’l., Inc. v. RP Bellevue, LLC.*, 170 Wash.2d 768 (2011); *Williams v. Tilaye*, 174 Wn. 2d 57 (2012); *Nelson v. Erickson*, 186 Wn. 2d 385 (2016); *Optimer Intern, Inc. v. Rp Bellevue, LLC*, 214 P.3d 954 (Wash. Ct. App. 2009).
5. This motion for extension is made for good cause and not for purposes of delay.

The Washington State Supreme Court denied Discretionary Review on June 7, 2023, and reconsideration of June 26, 2023. The Washington State Court of Appeals Division II unpublished January 10, 2023, decision granted Respondent’s February 18, 2022, Pierce County Superior Court ORDER striking Petitioner’s Request for “Trial de Nova” appeal from the arbitrator decision.

Henry Gossage respectfully ask for an extension of time from September 26, 2023, to November 26, 2023, if not sooner to file this petition.

DATED: August 14, 2023

Respectfully submitted,

Henry E. Gossage

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August 17, 2023, 10:03 am

Arrived at Post Office

WASHINGTON, DC 20018
August 17, 2023, 9:27 am

Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER
August 17, 2023, 6:53 am

Departed USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER
August 17, 2023, 2:57 am

Feedback

9-5

- **Arrived at USPS Regional Destination Facility**
WASHINGTON DC DISTRIBUTION CENTER
August 17, 2023, 1:23 am
- **In Transit to Next Facility**
August 16, 2023
- **Arrived at USPS Origin Facility**
KENT, WA 98035
August 15, 2023, 10:48 pm
- **USPS in possession of item**
OCEAN SHORES, WA 98569
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FAQs

a-6

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

August 18, 2023

Henry Eugene Gossage
PO Box 1102
Ocean Shores, WA 98569

RE: Gossage v. Reality Homes, Inc.

Dear Mr. Gossage:

The application for an extension of time within which to file a petition for a writ of certiorari in the above-entitled case was postmarked August 15, 2023 and received August 18, 2023. The application is returned for the following reason(s):

The lower court opinion must be appended . Rule 13.5.

The application does not set forth with specificity the reasons why the granting of an extension of time is thought justified. Rule 13.5.

It is impossible to determine the timeliness of your application for an extension of time without the lower court opinions.

A copy of the corrected application must be served on opposing counsel.

Sincerely,

Scott S. Harris, Clerk

By:



Clayton R. Higgins, Jr.

(202) 479-3019

Enclosures

NO. _____

IN THE SUPREME COURT OR THE UNITED STATES

HENRY EUGENE GOSSAGE, an individual,

Appellant

v.

REALITY HOMES, INC., a Washington Corporation;

SAVINGS ACCOUNT NUMBER 70003287315; THOMAS FANCHER and "JANE
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and "JANE DOE" HANKEL, married adults, including any marital estate;
LOWELL HANKEL, JR. and "JANE DOE" HANKEL, JR., married adults,
including any marital estate,

Respondents.

Application for a Motion for Extension of Time to

File a Petition for a Writ of Certiorari

Henry Eugene Gossage

Pro se Veteran

Appellant

P.O. Box 1102

Ocean Shores, WA 98569

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

1. Attached is this Courts August 18, 2023, letter addressing Petitioner's returned application for an extension of time is attached.
2. Pursuant to Supreme Court Rule 13.5, proceeding without Court representation throughout this appeal, Petitioner Henry Gossage respectfully requests a 60-day extension of time, to and including Monday, November 26, 2023, within which to file a petition for a writ of certiorari.
3. The pertinent dates are: a.) June 7, 2023, Washington State Supreme Court Order denying petition for review; b.) June 26, 2023, Washington State Supreme Court Reconsideration letter; c.) January 10, 2023, Washington State Division II Court of Appeals unpublished opinion; d.) February 8, 2022, Order Striking Plaintiff's Request for Trial de Nova and; e.) December 6, 2021, Pierce County Superior Court arbitration award. A copy of the of the above documents is attached.
4. Absent an extension, a petition for a writ of certiorari would be due on September 26, 2022. This application is being filed more than 10 days in advance of that date, and no prior application has been made in this case.
5. This case concerns "Abrogation of the Law by Contract" and Pierce County Superior Court Order "Striking Plaintiff's Request for Trial de Nova", Reality Homes timeliness, attorney fees and costs, and the denial from a Constitutional "Trial de Nova" appeal right from the December 6, 2021, Pierce County Superior Court arbitration decision.
6. This case raises important U.S. and Washington State Constitution and Washington State Law questions, particularly when the unrepresented proceed before the Washington State Courts "Trial de Nova" appeal decisions conflict with each other. *See Optimer Int'l., Inc. v. RP Bellevue, LLC.*, 170 Wash.2d 768 (2011); *Williams v. Tilaye*, 174 Wn. 2d 57 (2012); *Nelson v. Erickson*, 186 Wn. 2d 385 (2016); *Optimer Intern, Inc. v. Rp Bellevue, LLC*, 214 P.3d 954 (Wash. Ct. App. 2009).
7. *Haines v. Kerner*, 404 U.S. 519 (1972), a *pro se* complaint, "however inartfully pleaded," must be held to "less stringent standards than formal pleadings drafted by lawyers". In addition, my ongoing medical care at the VA medical center, Olympia Orthopeadic Spine Clinic, Physical Therapy, and longstanding commitment as a certified Disabled American Veterans Service Officer assisting veterans with their service claims with the Veterans Administration. *see Eldridge v. Block*, 832 F.2d 1132 (CA9 1987).
8. This motion for extension is made for good cause and not for purposes of delay.

The Washington State Supreme Court denied Discretionary Review on June 7, 2023, and reconsideration of June 26, 2023. The Washington State Court of Appeals Division II unpublished January 10, 2023, decision affirming Respondent's

February 18, 2022, Pierce County Superior Court ORDER striking Petitioner's Request for "Trial de Nova" appeal from the arbitrator December 8, 2031, decision.

Henry Gossage respectfully requests for an extension of time from September 26, 2023, to November 26, 2023, if not sooner to file this petition.

DATED: August 28, 2023

Respectfully submitted,

Henry E. Gossage

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Feedback

Q-11

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a-12

FAQs

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

October 18, 2023

Henry Eugene Gossage
PO Box 1102
Ocean Shores, WA 98569

RE: Gossage v. Reality Homes, Inc.
WASC No. 101780-4

Dear Mr. Gossage:

The above-entitled petition for a writ of certiorari was postmarked October 7, 2023 and received October 11, 2023. The papers are returned for the following reason(s):

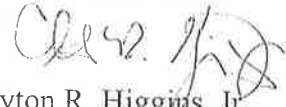
The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was June 7, 2023. Therefore, the petition was due on or before September 5, 2023. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

The June 26, 2023 letter from the Supreme Court of Washington is not an order denying a timely petition for reconsideration.

Also enclosed is your check in the amount of \$300.

Sincerely,
Scott S. Harris, Clerk

By:


Clayton R. Higgins, Jr.
(202) 479-3019

Enclosures

a-13

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October 9, 2023, 5:52 am

Feedback

Q-15

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October 9, 2023, 1:40 am
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SEATTLE WA DISTRIBUTION CENTER
October 8, 2023, 1:02 am
- Arrived at USPS Origin Facility**
KENT, WA 98035
October 7, 2023, 9:54 pm
- Departed Post Office**
OLYMPIA, WA 98501
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0-16

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OCEAN SHORES, WA 98569
November 1, 2023, 3:16 pm

Reminder to pick up your item before November 4, 2023

OCEAN SHORES, WA 98569
October 26, 2023

Available for Pickup

OCEAN SHORES
689 DOLPHIN AVE NE
OCEAN SHORES WA 98569-9901
M-F 0700-1630; SAT 0800-1330
October 21, 2023, 6:45 am

Arrived at Post Office

OCEAN SHORES, WA 98569
October 21, 2023, 6:10 am

Arrived at USPS Regional Facility

SEATTLE WA NETWORK DISTRIBUTION CENTER

Feedback

Q-17

October 20, 2023, 12:44 pm

Departed USPS Regional Facility

TACOMA WA DISTRIBUTION CENTER

October 20, 2023, 6:58 am

Arrived at USPS Regional Destination Facility

SEATTLE WA DISTRIBUTION CENTER

October 20, 2023, 12:03 am

Departed USPS Regional Facility

WASHINGTON DC NETWORK DISTRIBUTION CENTER

October 19, 2023, 8:31 pm

Arrived at USPS Regional Origin Facility

WASHINGTON DC NETWORK DISTRIBUTION CENTER

October 19, 2023, 1:29 am

Accepted at USPS Regional Facility

WASHINGTON DC NETWORK DISTRIBUTION CENTER

October 19, 2023, 12:29 am

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Product Information



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Q-18

NO. _____

IN THE SUPREME COURT OR THE UNITED STATES

HENRY EUGENE GOSSAGE, an individual,

Appellant

v.

REALITY HOMES, INC., a Washington Corporation;

SAVINGS ACCOUNT NUMBER 70003287315; THOMAS FANCHER and "JANE
DOE" FANCHER, married adults, including any marital estate; JAMIE HANKEL
and "JANE DOE" HANKEL, married adults, including any marital estate;
LOWELL HANKEL, JR. and "JANE DOE" HANKEL, JR., married adults,
including any marital estate,

Respondents.

USSct Rule 30 Motion for Extension of Time to
File a Petition for a Writ of Certiorari

Henry Eugene Gossage

Pro se Veteran

Appellant

P.O. Box 1102

Ocean Shores, WA 98569

a-19

Henry Gossage, pro se, respectfully request the Court GRANT the extension requested to file Petition for Certiorari (Received October 11, 2023) from the June 7/26 Washington State Supreme Court postmarked on August 15, 2023, and returned on August 18, 2023 (see attached August 18, 2023, USSct Letter).

Henry Gossage timely responded and complied to the Courts August 18, 2023 (attached letter), sent the amended Motion for Extension of Time postmarked August 28, 2023, by USPS priority mail

Henry Gossage submitted Petition for Certiorari by USPS priority mail postmarked October 7 and received by the Court on October 11, 2023, is within the 60-day extension for time requested from the Washington State Supreme Court's June 7 (Decision) or June 27 (Rehearing Request).

The Court returned the petition, with attached October 18, 2023, and untimely out of time letter. The Court's returned package and October 18, 2023, Court letter was delivered on November 1, 2023, and received on November 4, 2023.

This Court did not deny the pro se litigant the 60-day Motion for Extension of Time file to file this Petition Certiorari.

For the above-mentioned reasons, Henry Gossage respectfully GRANT the Original Motion for Extension of Time (August 15, 2023) or the Amended Motion for Extension of Time (August 28, 2023) to file and accept this Henry Gossage's Petition for Certiorari as timely.

DATED: November 6, 2023

Respectfully submitted,



Henry E. Gossage
P.O. Box 1102
Ocean Shores, WA 98569
hegossage@gmail.com
(360) 951-7826

01-20

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

October 18, 2023

Henry Eugene Gossage
PO Box 1102
Ocean Shores, WA 98569

RE: Gossage v. Reality Homes, Inc.
WASC No. 101780-4

*Please Review, Thanks
WJG 11/6/23*

Dear Mr. Gossage:

The above-entitled petition for a writ of certiorari was postmarked October 7, 2023 and received October 11, 2023. The papers are returned for the following reason(s):

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was June 7, 2023. Therefore, the petition was due on or before September 5, 2023. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

The June 26, 2023 letter from the Supreme Court of Washington is not an order denying a timely petition for reconsideration.

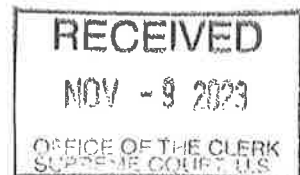
Also enclosed is your check in the amount of \$300.

Sincerely,
Scott S. Harris, Clerk

By: *Clayton R. Higgins, Jr.*

Clayton R. Higgins, Jr.
(202) 479-3019

Enclosures



A-21

8/2/2021
LJK

NO. _____

IN THE SUPREME COURT OF THE UNITED
STATES

HENRY EUGENE GOSSAGE, an individual,
Appellant

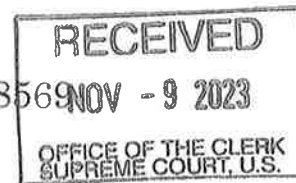
v.

REALITY HOMES, INC., a Washington Corporation;
SAVINGS ACCOUNT NUMBER 70003287315;
THOMAS FANCHER and "JANE DOE" FANCHER,
married adults, including any marital estate; JAMIE
HANKEL and "JANE DOE" HANKEL, married adults,
including any marital estate; LOWELL HANKEL, JR.
and "JANE DOE" HANKEL, JR., married adults,
including any marital estate,
Respondents.

Petition for a Writ of Certiorari
to the Supreme Court for the State of Washington

PETITION FOR WRIT OF CERTIORARI

Henry Eugene Gossage
Pro se Veteran
Appellant
P.O. Box 1102
Ocean Shores, WA 98569



9-109-22

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Remove X

9505515817233310505321

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Delivered, Individual Picked Up at Postal Facility

WASHINGTON, DC 20543
November 8, 2023, 10:59 am

Available for Pickup

GOVERNMENT MAILS ANNEX
3300 V ST
WASHINGTON DC 20018-1528
November 8, 2023, 10:31 am

Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER
November 8, 2023, 8:33 am

Arrived at Post Office

WASHINGTON, DC 20018
November 8, 2023, 7:33 am

Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

Feedback

9-23

November 8, 2023, 6:50 am

Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

November 8, 2023, 6:46 am

Departed USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER

November 8, 2023, 6:30 am

Arrived at USPS Regional Destination Facility

WASHINGTON DC DISTRIBUTION CENTER

November 8, 2023, 3:20 am

Arrived at USPS Facility

KENT, WA 98035

November 7, 2023, 1:20 am

Departed USPS Regional Facility

SEATTLE WA NETWORK DISTRIBUTION CENTER

November 7, 2023, 12:51 am

Arrived at USPS Regional Origin Facility

SEATTLE WA NETWORK DISTRIBUTION CENTER

November 6, 2023, 8:24 pm

USPS in possession of item

OCEAN SHORES, WA 98569

November 6, 2023, 1:17 pm

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9-24

Supreme Court of the United States
Scott S. Harris
Office of the Clerk
1 First Street, NE
Washington, D.C. 20543

Henry E. Gossage
P.O. Box 1102
Ocean Shores, WA 98569
November 21, 2023

RE: Request for Extension of Time Rule 30.4 to accept Petition for Certiorari.

Dear Mr. Harris,

Please forward the extension of time request, pursuant to Rule 30.4,

The motion may be acted on by the Clerk in the first instance, and any party aggrieved by the Clerk's action may request that the motion be submitted to a Justice or to the Court.

to Justice Kagen and the Court for consideration Pro se litigant, Henry Gossage's timely petition for certiorari. Good cause exists for extending the time in which Henry Gossage can file this petition for a writ of certiorari. "For good cause, a Justice may extend the time to file a petition for a writ of certiorari for a period not exceeding 60 days." Sup. Ct. R. 13.5.

Henry Gossage's 60-day extension of time request was timely filed (USPS Priority Mailed on August 15 and corrected on August 28) for the petition of certiorari from the Washington State Supreme Court June 7, 2023 (due September 5, 2023), ORDER and June 26, 2023 (due September 24, 2023), Reconsideration Letter.

1. Henry Gossage timely mailed USPS Priority Mail and filed with this Court **on August 15, 2023**, a 60-day extension of time. The clerk returned this motion for correction on August 18, 2023. This application was filed more than ten days before the due date.

A-25

2. **On August 28, 2023**, Henry Gossage mailed USPS Priority Mail and complied with the Courts August 18, 2023, letter and refiled the August 15, 2023, request for a 60-day extension of time to submit this petition for writ of certiorari. This amended motion/application was filed more than ten days before the due date.
3. The August 15 and August 28 requests for extension of time were timely filed and in compliance with the Court.
4. Henry Gossage contacted and left many messages to the Court. These messages went unresponsive should be available to the Court.
5. **On October 7, 2023**, Henry Gossage's mailed USPS Priority Mail and filed Petition for Certiorari from the Washington State Supreme Courts June 5th (petition due date September 5, 2023) or June 26, 2023 (petition due date September 24, 2023) decisions.
6. The Court neither granted or denied Henry Gossage's timely request for a 60-day extension of time.
7. With Henry Gossage's timely filed 60-day extension of time, would extend the petition for certiorari filing date from November 5th or November 24, 2023.
8. Henry Gossage's petition for certiorari, with the extension of time is timely filed, regardless which date is used (June 7 or June 26).
9. On October 18, 2023, returned the documents as "out of time". However, Henry Gossage's extension of time request to file this petition is timely.

The Courts granting the original extension of time for pro se litigant should not be held to a higher standard for an "extension of time" than the attorney's practicing before the Court. *Haines v. Kerner*, 404 U.S. 519 (1972); *Estelle v. Gamble*, 429 U.S. 97, 106 (1976). This is clearly an important question for the court in reference to criteria standards for the pro se litigant requesting an extension of time to file a petition for certiorari

- A. Pro se litigant had to research and prepare the petition to the Courts standards.
- B. Petitioner requested Reconsideration of the State Supreme Court Order. Even this Court permits reconsideration of its own decisions from the aggrieved party. The Washington State Supreme Court reconsideration rules conflict with this Court.
- C. Division II Washington Court of Appeals decision in this case is in direct conflict with the Washington State Supreme Court in *Optimer International v. Rp. Bellevue*, 170 Wn 2d.768 (2011) and Division I Washington Court of Appeals in *Optimer International v. Rp. Bellevue*, 151 Wash. App. 954 (2009).

D. This case brings to the forefront a pro se litigant fundamental Constitutional due process and equal protection of the law questions appearing in the Washington State Court.

Petitioner presents Medical and as DAV Chapter #41 Service Officer and Sr. Vice Commander obligations. On request, ongoing medical treatment 2-3 days per week, VA PSHCS medical and community care appointments.

DAV Chapter 41 Commander and myself reopened the Veterans Service Office 7-days week, providing free assistance to all Veterans past and present to submit the Veteran claim to the Veterans Administration, outreach to the Veteran population that extends over 100 miles from the Olympia Chapter location. I'm active in the Veterans Office at a minimum, 3-days per week or as needed.

Petitioner does not have the luxury to pay someone to research, litigate, and present this case to this Court. How in artfully pleaded and argued, Petitioner researched and presented why this Court should accept this case for review.

Without question, this Court has granted extension of time to paid attorneys who practice in this Court for a host of reasons (busy, complicated case, preparing other briefs, paternity leave, heavy case load, other deadlines,

Reality Homes will not suffer any prejudice from the requested extension.

Further, in the interest of justice and for good cause shown above and attached documents, the requested extension is made in good faith and not for the purposes of delay.

Respectfully Submitted,

Henry E. Gossage

Attachments: Appendix

01-27

APPENDIX

| | | |
|----------|---|------|
| 06/07/23 | ORDER – Washington State Supreme Court | a-1 |
| 06/26/23 | LETTER – Motion for Reconsideration | a-2 |
| 11/09/23 | Court Letter – DATED 10/18/23 Submission | a-3 |
| 10/18/23 | Court Letter – Post Mark 11/09/23 | a-4 |
| 10/18/23 | Court Letter – Petition Out of Time | a-5 |
| 08/18/23 | Court Letter-Extension of Time Post Marked 08/15/23 | a-6 |
| 11/06/23 | 3 RD Motion for Extension of Time | a-7 |
| 08/28/23 | Application/Amended (2nd) Extension of Time | a-10 |
| 08/14/23 | Original Motion for Extension of Time | a-14 |
| 10/11/23 | Petition for Writ of Certiorari submitted | a-17 |
| 11/09/23 | Petition for Writ of Certiorari resubmitted | a-18 |
| 06/20/23 | DAV Annual Service Officer Certification | a-19 |
| ----- | DAV Tumwater Chapter 41 Service Office | a-20 |

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WASHINGTON, DC 20543
November 27, 2023, 7:01 am

Available for Pickup

GOVERNMENT MAILS ANNEX
3300 V ST
WASHINGTON DC 20018-1528
November 27, 2023, 6:55 am

Arrived at Post Office

WASHINGTON, DC 20018
November 27, 2023, 4:58 am

Departed USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER
November 27, 2023, 2:48 am

Arrived at USPS Regional Destination Facility

WASHINGTON DC DISTRIBUTION CENTER

Feedback

0-29

November 26, 2023, 4:24 pm

In Transit to Next Facility

November 25, 2023

Arrived at USPS Origin Facility

KENT, WA 98035

November 24, 2023, 6:55 pm

Arrived at USPS Regional Origin Facility

SEATTLE WA NETWORK DISTRIBUTION CENTER

November 23, 2023, 3:02 pm

USPS in possession of item

OCEAN SHORES, WA 98569

November 22, 2023, 12:30 pm

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FAQs

Q-30