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8-30-2017

# Motion to Accept Overlength Brief for Filing This Date

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FILED
SUPREME COURT
STATE OF WASHINGTON
8/30/2017 4:47 PM
BY SUSAN L. CARLSON
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#### IN THE SUPREME COURT OF THE STATE OF WASHINGTON

MATTHEW & STEPHANIE	)	No. 84362-7
McCLEARY, et al.,	)	
Respondents	)	
-	)	MOTION TO ACCEPT OVERLENGTH
v.	)	BRIEF FOR FILING THIS DATE
	)	
STATE OF WASHINGTON,	)	
Appellant.	)	

# A. <u>IDENTITY OF MOVING PARTY</u>

Amicus curiae Washington's Paramount Duty (WPD) is a grassroots, non-profit advocacy organization with a single mission: to compel Washington to amply fund basic education. This Court has granted WPD's motion to file an amicus. Amicus curiae WPD, by and through undersigned counsel, respectfully asks this Court to grant the relief requested in section B.

# B. STATEMENT OF RELIEF SOUGHT

Pursuant to RAP 10.6(a) and (b), RAP 1.2(a), and RAP 18.8, Washington's Paramount Duty respectfully asks permission to file a 22-page amicus brief, which is 2 pages over the 20-page brief allowed by RAP 10.6.

# C. FACTS RELEVANT TO MOTION

The subject of this case and the complexity of the issues have been briefed by the parties and other *amicus*. The issues involve the State's contempt of Court, separation of powers, and the interpretation of our state's constitution.

# D. GROUNDS FOR RELIEF AND ARGUMENT

THE COURT SHOULD ALLOW THE FILING OF THE OVERLENGTH PLEADING AS OF THIS DATE

RAP 10.4(b) provides that "[f]or compelling reasons the court may grant a motion to file an over-length brief." The additional pages of briefing are necessary to assist the Court with the significant issues raised by this case.

# E. <u>CONCLUSION</u>

This Court should grant the motion to allow WPD to file an overlength amicus brief in this case. That brief is filed herewith.

DATED this 30<sup>th</sup> day of August, 2017.

Respectfully submitted,

s/Summer Stinson SUMMER STINSON, WSBA No. 40059 Board Member and Counsel pro bono for Amicus Washington's Paramount Duty 311 NW 74<sup>th</sup> Street Seattle, WA. 98117 (206) 239-8504

/s/Kathryn A. Russell Selk KATHRYN RUSSELL SELK, No. 23879 Appointed counsel for Appellant RUSSELL SELK LAW OFFICE 1037 Northeast 65<sup>th</sup> Street, Box 176 Seattle, Washington 98115 (206) 782-3353

#### CERTIFICATE OF SERVICE BY EFILING/ELECTRONIC MAIL

Under penalty of perjury under the laws of the State of Washington, I hereby declare that I sent a true and correct copy of the attached Amicus Brief via electronic mail (per agreement by the below) upon the following:

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DATED this 30th day of August, 2017.

/s/ Kathryn A. Russell Selk KATHRYN RUSSELL SELK, WSBA No. 23879 Counsel pro bono for Amicus Washington's Paramount Duty RUSSELL SELK LAW OFFICE 1037 Northeast 65<sup>th</sup> St. #176 Seattle, Washington 98115 (206) 782-3353

# RUSSELL SELK LAW OFFICE

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# **Transmittal Information**

Filed with Court: Supreme Court

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**Appellate Court Case Title:** MATHEW & STEPHANIE MCCLEARY ET AL VS STATE OF

WASHINGTON

**Superior Court Case Number:** 07-2-02323-2

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