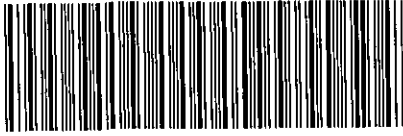


Washington State Court of Appeals
Division Two



99-2-13911-4 18557829 PNCA 03-08-03

Way, Suite 300, Tacoma, Washington 98402-4454
Clerk/Administrator (253) 593-2970 (253) 593-2806 (Fax)

General Orders, Calendar Dates, Issue Summaries, and General Information at <http://www.courts.wa.gov/courts>

March 4, 2003

John Louis Messina
Messina/Bulzomi
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Tacoma, WA, 98467-3633

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Tacoma Cty Atty
747 Market St Ste 1120
Tacoma, WA, 98402-3700

FILED
IN COUNTY CLERK'S OFFICE

A.M. MAR - 5 2003 P.M.

PIERCE COUNTY, WASHINGTON
KEVIN STOCK, County Clerk
BY _____ DEPUTY

Re: **Court of Appeals No. 29963-1-II.**
(USE THIS NUMBER ON ALL FILINGS)
Case Title: Kirby v City of Tacoma, et al
Pierce County No. 99-2-13911-4

Case Manager: Syl

THIS WILL BE THE ONLY NOTICE THAT YOU WILL RECEIVE CONCERNING DUE DATES. A DOCUMENT FILED PRIOR TO OR AFTER ITS DUE DATE MAY AFFECT ALL SUBSEQUENT DUE DATES. THE PARTIES ARE RESPONSIBLE FOR DETERMINING ADJUSTED DUE DATES BY REVIEWING THE APPROPRIATE RULES OF APPELLATE PROCEDURE.

Counsel:

We have received a Notice of Appeal filed **February 4, 2003**. The time periods for compliance with the Rules of Appellate Procedure are as follows:

1. The designation of clerks papers should be filed with the trial court by **March 6, 2003**. A **copy** of the designation should be served and **must be filed with the appellate court**. RAP 9.6(a).
2. The statement of arrangements should be filed in this court by **March 6, 2003** and a copy served on all parties and all named court reporters. **The statement should include the name of each court reporter, the hearing dates, and the trial court judge. Revised RAP 9.2(a)**. If counsel does not intend to file a verbatim report of proceedings, counsel should so notify this court, in writing, by that date. RAP 9.2(a).

Kirby

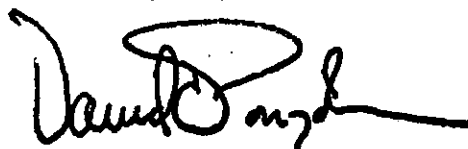
3. The verbatim report of proceedings must be filed with the trial court clerk within 60 days after the statement of arrangements is filed. Revised RAP 9.5(a).
4. Appellant's opening brief, accompanied by proof of service, should be filed in this court 45 days after the filing of the report of proceedings with the trial court clerk. RAP 10.2(a) & (h). Pursuant to RAP 10.2(a), if the record on review does not include a report of proceedings, the brief of appellant should be filed within 45 days after the party seeking review has filed the designation of clerks papers and exhibits at the trial court.
5. Respondent's opening brief, accompanied by proof of service, should be filed in this court 30 days after service of the appellant's brief to all parties. RAP 10.2(b) or (c).

In the Court of Appeals, Division Two, a party may file a Motion on the Merits in lieu of the respondent's brief. The motion is due, however, the same date as the respondent's brief. If the motion is denied, respondent's brief is due 30 days after the date of the order. See RAP 18.14 for motion procedure.

6. A reply brief, if any, is due 30 days after service of respondent's brief. RAP 10.2(d). Failure to timely file the brief will result in the brief being placed in the case file without action. The court will give it whatever consideration it wishes.

Counsel's failure to timely comply with the rules of Appellate Procedure may result in the imposition of sanctions pursuant to RAP 18.9. any request for an extension of time must be made by way of written motion and affidavit showing good cause accompanied by proof of service. The request for additional time should specify a definite date. The granting of an extension request will change all subsequent due dates.

Very truly yours,



David C. Ponzoha,
Court Clerk

DCP:saf

cc: Pierce County Clerk