

FILED

10/24/2022

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 22-0284

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FILED

OCT 24 2022

Bowen Greenwood
Clerk of Supreme Court
State of Montana

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Case No. DA 22-0284

IN RE THE ESTATE OF ELDA MARBLE,

JERRY MARBLE, Personal Representative
for the Estate of Elda Marble,

Plaintiff/Appellee,

v.

DOREEN KING and JAMES D. KING,
a/k/a JIM KING,

Defendants/Appellants.

**APPELLANTS' MOTION FOR EXTENSION OF TIME TO FILE
OPENING BRIEF – FIRST REQUEST AS PRO SE**

COMES NOW, Doreen L. King and James D. King, Pro Se, and Appellants,
respectfully requests a sixty-day extension of time to have the opportunity to
thoroughly review and research the Opening Brief, drafted by Michael L. Rausch
and Brian P. Thompson, of Browning, Kaleczyc, Berry & Hoven, P.C. for

completeness and accuracy of facts, along with time necessary for possible new representation. This Court provided us with a thirty-day extension, which is October 27, 2022, after the withdrawal of Michael L. Rausch and Brian P. Thompson.

Our last several months and dealings with Jerry Marble, Appellee, has caused Doreen severe health issues, requiring medical care, and both of us time away from our employment. Jerry Marble cannot control and keep his anger in check. He has stalked and harassed (with documented restraining orders, stalking citation and police reports) in anticipation of completing his long-term plan. Most recent, is a Temporary Restraining Order issued last Friday, October 21, 2022, however, the instances resulting in such is spread out over several weeks, and actually over ten years. Dealing with Jerry Marble's obsessive and aggressive behaviors have taken a toll and making it difficult to fully attend to this initial brief.

Samuel Harris, of the Law Office of Sam Harris, showed such great misconduct and negligence in handling our case, that Michael L. Rausch filed a complaint with the Montana Office of Disciplinary Counsel. We are still trying to recover from the actions of Mr. Harris.

Regarding the Withdrawal of Counsel for Michael L. Rausch and Brian P. Thompson, it was in the best interest of them, and us. The relationship had broken

down to a point that even a suggestion or question was met with a sharp tongue and demeaning response, even after being advised we were the clients and had a say in the case. The reference to their firm suffering irreparable harm financially is a fallacy. We were always paid ahead, with the exception of one time, had a minimal balance owing prior to the withdrawal. We were good clients, and they are good attorneys. We just could not agree on many issues.

A major setback was the advice given to us by Mr. Rausch after mediation, wherein he mistakenly stated that filing for bankruptcy would keep the appeal moving forward. After doing so, we found that not to be the case.

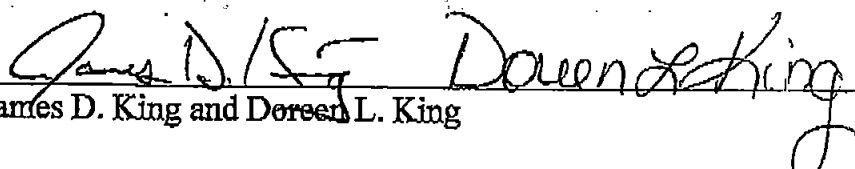
Due to Jerry Marble's violent tendencies and behaviors which resulted in health issues that developed with Doreen L. King; Mr. Harris' neglect and misconduct of our case which also caused an enormous amount of time, stress and worry; along with the relationship breakdown of ourselves and Mr. Rausch and Mr. Thompson; we respectfully request this Court to provide us the opportunity to have the time necessary to ensure the accuracy of the brief, hopefully now worry-free from harassment by Jerry Marble, to review and meet with possible future representation.

Due to the above-mentioned circumstances regarding Mr. Harris, and the continuing suffering from his actions, or lack thereof, this case has not had a single hearing, or seen the inside of a courtroom. It is a tragedy and injustice that it

reached this level, and not anything due to our negligence, lack of response or unavailability. We will endure financial devastation, with Jerry Marble enjoying a very much undeserved financial windfall due to his untruths, misrepresentations, and harassment.

Opposing counsel has been contacted regarding this Motion, and does object.


Dated this 24th day of October, 2022.


James D. King and Doreen L. King

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of October, 2022, I mailed a true and correct copy of the above and foregoing ***APPELLANTS' MOTION FOR EXTENSION OF TIME TO FILE OPENING BRIEF – FIRST REQUEST AS PRO SE*** by email, addressed to the following counsel of record:

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James D. King and Doreen L. King