

1 **I. RELEVANT FACTS**

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3 This is the first case Janice has filed in Federal Court. She is making a sincere effort
4 to comply with the requirements set by the Court. However, important personal matters have
5 intervened that have prevented her from giving the matter all the attention required
6 (*Affidavit of Janice Park*).

7 Janice was involved in an Alaska divorce case number 3AN-07-9516CI Hussein v.
8 Hussein (*see also Hussein v. Hussein* 230 P.3d 682 (Alaska 2010)), in which she lost much
9 of her marital estate. Janice has never been paid her judgment from the divorce, and time
10 had run. During January and February Janice made several necessary filings in Alaska
11 Superior Court for amendments to and extension of the property division order.

12 In the years since this divorce, Janice, who is a legally disabled senior, depends upon
13 her Social Security and the rental of rooms in her home to pay her bills. Since the hearing of
14 December 16, 2016 she has had roommates move out, leaving her unable to meet her bills.
15 This has caused the necessity that she attend to practical matters involving keeping her bills
16 paid (*Affidavit, supra*). 2

17 As if that were not enough, Janice is also involved in two cases involving her elderly
18 and infirm mother which have required multiple filings and court appearances out of state.
19 This situation is detailed in her Affidavit.

20 These combined elements have prevented Janice from timely complying with the
21 courts orders; were absolutely unavoidable; and should not be interpreted as a lack of
22 diligence in the case at bar.

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24 **II. LEGAL STANDARD**

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26 Federal Civil Rule 6(b) (1) (B), is a rule of general application giving wide discretion
27 to the court to enlarge time limits or revive them after they have expired,
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1 Federal Civil Rule 54 (b) allows revisiting any decision before “*entry of judgment*
2 *adjudicating all the claims and all the rights and liabilities of all the parties*”. It is
3 appropriate where there is “an intervening change of controlling law, the availability of new
4 evidence, or the need to correct a clear error or prevent a manifest injustice (*Official Comm.*
5 *Of Unsecured Creditors v. Coopers and Lybrand, LLP* 322 F.3d 147, 167 [2nd Circuit,
6 2003]).

7 Federal Civil Rule 60 (b) permits reconsideration and relief of a judgment or order
8 where “*there is mistake... or excusable neglect.*”

9
10 **CONCLUSION**

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12 Janice does not take the gravamen of the underlying case lightly or frivolously. She
13 has completed the paperwork required by the Court and submits the F4-IFP form and
14 affidavit herewith. Her failure to timely file was unintentional and she respectfully requests
15 the Court take into account those matters which have prevented her timely compliance.

16 It is essential that Janice be granted her Motion for *in forma pauperis* status to further
17 pursue this very important matter. Given recent developments in the political and
18 governmental climate of which the Court may have taken judicial notice, cases such as this
19 which stand for the citizens rights for redress under the First Amendment take on even
20 greater importance.

21 Janice’s Motion should be granted in the interests of Justice.

22 Respectfully submitted this 24th Day of February 2017,

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26 Janice L. Park
27 *In pro per*, Plaintiff/Appellant
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