1	MARY CUMMINS	
2	Appellant In Pro Per	
	645 W. 9th St. #110-140	
3	Los Angeles, CA 90015	
4	Direct: (310) 877-4770 Fax: (310) 494-9395	
5	Email: mmmaryinla@aol.com	
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7	COURT OF APPEALS	
8	SECOND APPELLATE DISTRICT	
9		
10	MARY CUMMINS) Case No. B258027
11	Appellant) MOTION TO VACATE DISMISSAL,
12	v.	REINSTATE APPEAL, REQUEST FOR EXTENSION OF TIME TO FILE
13) REPLY TO RENEWED MOTION TO) QUASH
14	AMANDA LOLLAR, BAT WORLD SANCTUARY) QUASII
15)
16	Appellees	
17		
18	Appellant Mary Cummins ("Cummins") moves this Court to vacate the dismissal,	
19	reinstate the appeal, requests for extension of time to file Appellant's Reply to	
20	Appellees' Motion to Quash, Dismiss, and will show the court the following:	
21	I. INTRODUCTION	
22	Cummins severely injured her back. An MRI report showed Cummins ruptured disc	
23	L5/S1 which has caused limited mobility, pain and sciatica (Declaration Cummins).	
24	Cummins has been bed ridden off and on for the last 24 months and has been unable to	
25	retrieve her mail at her mail box. Cummins also does not own a car making travel even	
26	more difficult. For this reason Cummins was not able to get to her mail box and has	
27	only been receiving emailed notices. Cummins did not see the Renewed Motion to	
28	Quash, Dismiss. Cummins replied to the first almost identical motion and would have	
	MOTION TO VACATE DISMISSAL, REINSTATE APPEAL, REQUEST FOR EXTENSION OF TIME TO FILE CASE DOCUMENTS 1	

1	replied to this one. Cummins called the court and was instructed to file a motion to
2	vacate dismissal which she has done. Cummins requests 14 days extension to file
3	Appellant's Reply to Appellees' Motion to Quash, Dismiss.
4	II. PRAYER
5	For the foregoing reasons Appellant Cummins requests that the dismissal be
6	vacated, the appeal be reinstated and requests an extension to file the needed Reply.
7	
8	Respectfully submitted, Mary Cummins
9	Mary Cummens
10	Mary Cummins
11	Appellant Dated: September 10, 2015
12	645 W. 9th St. #110-140
13	Los Angeles, CA 90015 In Pro Per
14	Telephone: (310) 877-4770
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DECLARATION OF PLAINTIFF MARY CUMMINS

- I, MARY CUMMINS, declare as follows:
- 1. I am Mary Cummins Appellant in pro per. I make this declaration on my personal knowledge of the facts set forth herein.
- 2. I injured my back herniating disc L5/S1. This has caused sciatica, pain and difficult walking.
- 3. For the past 24 months off and on I have been bed ridden and had great difficulty walking sometimes being in bed for two days straight.
- 4. I was not able to get to my mailbox to receive mailed documents and did not know a Reply needed to be filed.
- 5. I instantly phoned the Court who told me to file a motion which I have done.

I, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 10, 2015 at Los Angeles, California.

MARY CUMMINS

1 2 PROOF OF SERVICE BY MAIL 3 (FRCivP 5 (b)) or (CCP 1013a, 2015.5) or 4 (FRAP 25 (d)) 5 6 I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles, California 90015-1640. I am over the age of eighteen years. 7 8 I further declare that on the date hereof I served a copy of: 9 MOTION TO VACATE DISMISSAL, REINSTATE APPEAL, REQUEST FOR 10 EXTENSION OF TIME TO FILE REPLY 11 by fax and email to 12 David C. Watts 13 1260 Lake Blvd #218 Davis, CA 95616 14 15 I declare under penalty of perjury, under the laws of the State of California, that the 16 foregoing is true and correct. 17 Executed this day, September 10, 2015, at Los Angeles, California 18 19 Respectfully submitted, 20 21 Mary Cummins 22 Appellant In Pro Per 23 Dated: September 10, 2015 645 W. 9th St. #110-140 24 Los Angeles, CA 90015 25 Direct: (310) 877-4770 26 Fax: (310) 494-9395

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