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4 949-232-6629

5 Frances K. Opelle Pro Se

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7 **IN THE HIGH COURT OF AMERICAN SAMOA**  
8 **LAND AND TITLES DIVISION**

9 ROBIN KNEUBUHL ROUSH, FRANCES K.  
10 OPELLE, AND BENJAMIN ("BEN")  
11 KNEUBUHL, JR.

12 PLAINTIFFS

13 v.

14 DOUGLAS CRANE "MIKE" KNEUBUHL,  
15 DOUGLAS KNEUBUHL, JR., CARRIE SUE  
16 KNEUBUHL LAVIGNE ECKERT AND  
17 KELLY KNEUBUHL NADINE FULTS,

18 DEFENDANTS

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19 FRANCES OPELLE

20 PLAINTIFF

21 v.

22 DOUGLAS CRANE "MIKE" KNEUBUHL,  
23 DOUGLAS KNEUBUHL, JR., CARRIE SUE  
24 KNEUBUHL LAVIGNE ECKERT AND  
25 KELLY KNEUBUHL NADINE FULTS, and  
26 MARK KNEUBUHL,

27 DEFENDANTS

CA No. 28-2013

**MOTION FOR CONTINUANCE  
TO FILE MEMORANDUM OF  
POINTS AND MOTION TO FILE  
CROSS COMPLAINT ON THE ISSUE  
OF THE INTERESTS NOT BEING  
LIFE ESTATES AND TO REMOVE  
PLAINTIFF'S NAME FROM  
SUPPORTING LIFE ESTATES**

1 Comes now, Frances Opelle, in Pro Per status, makes the following statements  
2 to the High Court of American Samoa in her Motion for a Continuance and to extend the  
3 schedule for summary judgment filing for CA. NO. 28-13.  
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5 **Statements of Fact**

6 Plaintiff did not receive the April 12, 2018 order of the Court until May 1,  
7 2018, USPS tracking code 7016207000034214681. This would give the Plaintiff less than nine  
8 or less than eight days to submit memorandum of points and authorities on three issues,  
9 forfeiture, the nature of the estate of Plaintiff mother, Lena Kneubuhl, and if Defendant Mike  
10 Kneubuhl is a remaining beneficiary of the Olo land trust. Plaintiff would need to send by next  
11 day air service as being situated off island, estimated to be cutoff by May 8 or May 9, 2018 for  
12 the Plaintiff to make the deadline of being filed by May 11, 2018 with the Court.  
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14 Plaintiff is elderly, 84 years of age with significant arthritis and relies on  
15 assistance from her family. Plaintiff does not drive and does not type. Plaintiff is pro se and does  
16 not have funds to pay for Counsel. Plaintiff's family has not been available until recently due to  
17 surgery in her immediate family and her daughter being on vacation not being able to assist  
18 Plaintiff. Plaintiff also recently received her legal file March 7, 2018 and is still sorting through  
19 the file. It takes time, particularly at Plaintiff's age and with health issues, to sort through  
20 thousands of pages to prepare a thorough response reflective of the files in these recently  
21 obtained documents. Plaintiff intends on flying to California to have her family in California sort  
22 through the documents with her. A drafting of memorandum of points and authorities on three  
23 issues to be drafted in less than nine days or eight days for an elderly lady relying on assistance  
24 is not possible. Plaintiff respectfully request the Court to extend the filing deadlines to June 20,  
25 2018 for CA 28-2013.  
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2 Plaintiff is also not in agreement that the intent of her mother, - the Settlor, the  
3 Trust documents of 1960 and 1969, and decisions to date were intended to establish the nature of  
4 the interests as being life estates. This has been communicated to Plaintiff Robin Kneubuhl many  
5 times Plaintiff does not support life estates. Plaintiff communicated to her counsel at the time she  
6 was not in support of life estates. Although summary judgment for life estates by outside counsel  
7 Porter Devries was prepared at the request of Plaintiff Robin Kneubuhl, Plaintiff Frances Opelle  
8 objected and counsel at the time representing both Plaintiff's would not submit the summary  
9 judgment for life estates as drafted by Porter Devries. Plaintiff requests a continuance so she may  
10 file to remove herself from the claim the nature of the interest as being life estates and file an  
11 appropriate cross-claim that the nature of the interest is not a life estate.  
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14 Plaintiff filed a motion mailed April 13, 2018 to remove, strike, or delete  
15 documents filed with the Court and not served on the Plaintiff to be stricken from the record  
16 which may have been a partial result of the April 12, 2018 order. The Court order dated April 12,  
17 2018 noted careful consideration of written filings and oral submissions of the parties, and  
18 ordered deconsolidation for the two actions based off oral and written submissions the Court had  
19 received as of March 28, 2018. On page 2 of the April 12, 2018 order, it was acknowledged  
20 three filings of Plaintiff Robin Kneubuhl filed March 27, 2018 with the Court were relied on but  
21 were not served on Plaintiff were considered and one filing by Defendants filed March 28, 2018  
22 with the Court filed but not served on within a reasonable time to Plaintiff until mailed  
23 approximately April 12, 2018, well after the February 15, 2018 hearing requesting written filings  
24 within thirty days of the February 15, 2015 hearing. Defendants filing of the March 28, 2018  
25 filing with the Court document was received by Plaintiff on April 18, 2018 and contained an  
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1 affidavit of proof of service for April 9, 2018, however the USPS label shows as being received  
2 for mailing on April 12, 2018 and the USPS tracking number verifies an April 12, 2018 mailing  
3 date, USPS tracking number 9405511899560960642111.  
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### 5 CONCLUSION

6 Plaintiff has in good faith attempted to meet deadlines of the Court. Due to the  
7 geographical distance, mailings can take significant time to be received by Plaintiff. The April  
8 12, 2018 order was not received by Plaintiff until April 30, 2018. Some filings made with the  
9 Court, particularly late March of 2018, were not sent to Plaintiff's service of process or was sent  
10 to Plaintiff after the Court had already received and issued an order. The motion mailed by  
11 Plaintiff April 13, 2018 has not been reviewed or heard and is pending. It would be just and fair  
12 to allow additional time for Plaintiff, elderly with physical limitations and relying on assistance  
13 from her family to have more time than nine days or eight days to have her memorandum of  
14 points drafted on three issues and one that considers the physical limitations of Plaintiff and the  
15 unique circumstance Plaintiff only recently received her legal file and needs time, with  
16 assistance of her family, to sort through the thousands of pages received to adequately prepare a  
17 memorandum of points and authorities and to remove herself from the life estate claim.  
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1                    **PRAYER FOR RELIEF**


2                    Wherefore Plaintiff prays the High Court of American Samoa will grant the  
3                    following:

4                                    1.        Permit Plaintiff to be removed as a Plaintiff supporting life  
5                    estates and allow Plaintiff to file a cross-claim by June 20, 2018

6                                    2.        Allow a continuance extending the deadlines for filing of  
7                    memorandum of points and authorities for summary judgment on CA 28-2013 to June 20,  
8                    2018

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13                    Respectfully,

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16                    **Dated: May 8, 2018**

17                                      
18                                    **Frances K. Opelle – Pro Per Status**