

WASHINGTON STATE COURT OF APPEALS DIVISION THREE

CASE SUMMARIES FOR ORAL ARGUMENT

The following summaries are drawn from briefs and lower court judgments. The summaries have not been reviewed for accuracy by the judges and are intended to provide a general idea of facts and issues presented in the cases. The summaries should not be considered official court documents. Facts and issues presented in these summaries should be checked for accuracy against records and briefs, available from the Court, which provide more specific information.

Date of Hearing: Thursday, January 28, 2021

Location: Spokane, 500 North Cedar

Video Oral Argument

9:00 a.m.

- 1) **No.: 36432-1-III, cons'd with No. 37546-3-III**
Case Name: State of Washington v. Sloan P. Stanley
County: Walla Walla

Case Summary: A jury convicted Sloan Stanley of multiple counts of felony harassment and intimidating a judge. In this consolidated direct appeal and personal restraint petition, Mr. Stanley raises several evidentiary errors, claims of prosecutorial misconduct, challenges to the constitutionality of his sentence, and other matters.

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9:30 a.m.

2) **No.: 373797-III**

Case Name: Brashear Electric, Inc. v. Norcal Properties, LLC, et al.

County: Benton

Case Summary: Brashear Electric filed liens against respondents under the mechanics' lien statute, chapter 60.04, RCW. The superior court rejected the liens on the grounds that the liens were not timely filed and because the statute did not protect the type of work at issue. Brashear Electric appeals.

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10:00 a.m.

3) **No.: 37471-8-III**

Case Name: Paul Lewis v. Vernice Zanco, et al.

County: Spokane

Case Summary: Paul Lewis's residential landlord fined him \$200 under RCW 43.44.110(4) for leaving a nonfunctioning smoke detector upon moving out. Believing the fine to be illegal, Mr. Lewis sued his former landlord under the Consumer Protection Act, chapter 19.86 RCW. The superior court dismissed the case, relying on *State v. Schwab*, 103 Wn.2d 542, 693 P.2d 108 (1985). Mr. Lewis appeals.

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10:30 a.m.

- 4) **No.: 36805-0-III, cons'd with No. 35806-8-III**
Case Name: Doris Green and Meredith Town v. State of Washington
County: Chelan

Case Summary: Doris Green and Meredith Town were both wrongfully convicted during the Wenatchee Sex Ring Scandal. In 2013, they filed suit against the State under the Wrongfully Convicted Persons Act, chapter 4.100 RCW. The superior court dismissed their complaint for failure to comply with RCW 4.100.040(1) and refused to grant leave to amend the complaint. Green and Town appeal.

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11:00 a.m.

- 5) **No.: 37019-4-III**
Case Name: State of Washington v. Joseph M. Zamora
County: Grant

Case Summary: A jury convicted Joseph Zamora of assault in the third degree against a law enforcement officer. Mr. Zamora appeals, claiming he received ineffective assistance of counsel, the trial court erred by excluding evidence of a use of force review, the State failed to disprove his claim of self-defense, the State committed prosecutorial misconduct, and the court incorrectly calculated his offender score.

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11:30 a.m.

6) **No.: 37297-9-III**

Case Name: Gamble Land & Timber, Ltd., et al. v. Okanogan County

County: Okanogan

Case Summary: Gamble Land & Timber sought vacation of a road located in Okanogan County. The County took the position that it did not have an ownership interest in the road and therefore could not vacate it. A citizens group, Okanogan Open Roads Coalition sought to prevent vacation. Gamble filed a quiet title action. The superior court quieted title in favor of the public. Gamble appeals. The Coalition cross-appeals, arguing the superior court lacked subject matter jurisdiction.

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