

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
1/30/2023 8:00 AM  
BY ERIN L. LENNON  
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NO. 101392-2

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

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JOHN THOMAS ENTLER,

Petitioner

vs.

ERIC JACKSON ET. AL.

Respondents

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PETITIONER'S REPLY TO ANSWER & REPLY TO LIMIT THE  
SCOPE OF ARGUMENT AND SUBJOINED PROOF OF SERVICE

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Gallen melchizedek, #964471

(aka John T. Entler) Pro se

Monroe Correctional Complex

P.O. Box 888

Monroe, WA 98272

TABLE OF CONTENTS.

I. Introduction ..... p.1

II. Statement of The Issue ..... p.1

1. MR. MELCHIZEDEK DID NOT FAIL TO FOLLOW THE CORRECT  
PROCEDURES TO REQUEST ACCOMMODATIONS. .... pp.2-4

III. Reply Statement of Facts ..... pp.1-2

IV. Reasons Why Review Should Be Granted ..... pp.2-4

V. motion To Limit Scope of Argument ..... pp.4-5

VI. Conclusion ..... p.5

[NOTE TO COURT]

There are no authorities cited in this Reply.

## I. INTRODUCTION.

1.1 The Court of Appeals found that DOC Policy 560.200 governs religious programming in the Washington State Department of Corrections (W-DOC). Petition, at Appx. A, at 2; CP-6199915-6 (Declaration of Taylor). Pursuant to that policy, when a prisoner requests a "religious exercise" not currently recognized by W-DOC the prisoner is required to submit a Religious Requirement Information Sheet (RRIS), to the Chaplain. Id at 2; CP-6199915-6.

## II. STATEMENT OF THE ISSUE.

2.1 The Following New issue is raised by Respondents

1. WHETHER MR. MELCHIZEDEK FAILED TO FOLLOW THE CORRECT PROCEDURES TO REQUEST ACCOMMODATIONS.

## III. REPLY STATEMENT OF FACTS.

3.1 MR. Melchizedek Followed the correct procedures for requesting religious accommodations that "[were not being provided by W-DOC]". See Amended Appellant's Opening Brief, at pp. 71-73 §§ 4.102-4.106. Respondents are thus misleading the Court about the

Facts to get the Court to deny Review of the Court of Appeals decision. Mr. Melchizedek also followed the correct procedure for requesting access to the Conference Room. See Amended Appellant's Opening Brief, at 69-70 §§ 4.98-4.100. ("hereafter "Opening Brief").

#### IV. REASONS WHY REVIEW SHOULD BE GRANTED.

##### A. Conference Room.

4.1 The trial court ruled that Mr. Melchizedek refused to use the designated forms to request access to the Conference Room. CP- Respondents raise this issue in the Appellate Court. Mr. Melchizedek responded in his opening brief in the Appellate Court that nowhere in the record did Respondent provide a "form" that Mr. Melchizedek was required to fill-out to gain access to the Conference room. Opening Brief, at 69 §4.99. However, a request to use the conference room (verbal) was in existence "[for small groups]" only."

4.2 Because there was "no accommodation" for "[larger groups]," Mr. Melchizedek followed the BRIS procedure to request access to the Conference room that Taylor concedes is the proper method to request accommodations for when those accommodations are

not being provided. Thus, it is understandable why Mr. Melchizedek "[did not]" use the Verbel method for signing up for "[small groups]". So when Respondent says that that Mr. Melchizedek failed to use a procedure, their referring to the procedure for "[smaller groups]", and omitting that the proper procedure for gaining the accommodation would have been the RRIS process, not the Verbel request for small groups.

#### B. Single man cell.

4.3 The [sole] reason the trial court granted summary judgment to Respondent Kantak was because Mr. Melchizedek did not use the appropriate procedure for requesting a single cell. CP-6-7. Mr. Melchizedek pointed out in his Opening Brief at 71 § 4.102 that Mr. Kantak did not cite to records that shows what the proper procedure would be to request a single man cell. *Id.* at 6-7 (citing CP 495-497). However, Kantak conceded that Mr. Melchizedek submitted a "Cell/Bed Change Request" that is a Kite Form for requesting a single cell. See CP 572 917; CP 577 (Kite Request). Also, Mr. Kantak conceded that Mr. Melchizedek made Verbel requests for a single man cell. See CP-580 (kiosk messages); Opening Brief, at 71 § 4.102-4.103. What more must Mr. Melchizedek do to request a single man cell?

4.4 In this case Mr. Kantak admits that W-DOC does not provide accommodations for single cells for "religious purposes." See Opening Brief, at 71-72 § 4.103 (citing CP 572 (lines 23-24)). Again, Respondent Taylor testifies that the appropriate procedure for requesting accommodations W-DOC "is not providing" is the BRIS procedure. Mr. Melchizedek most certainly used that procedure in this case. Opening Brief, at 72 § 4.104.

#### C. Other Issues.

4.5 Respondent relies on the Conference room and Single Cell procedure only to argue that Mr. Melchizedek failed to follow the court procedure, to support their claim that the court should deny review of all of the rest of Mr. Melchizedek's accommodations. However, Mr. Melchizedek followed the BRIS procedure for those other requests for accommodations also. These "misleading, baseless, and frivolous arguments by Respondent's Counsel should be rejected.

#### V. MOTION TO LIMIT SCOPE OF ARGUMENT.

5.1 The issues addressed above in § IV. are a prime example as to why this court should limit the scope of Respondent's Counsel's

arguments. Every argument out of Respondent's Counsel is either misleading, baseless, or totally frivolous. This court should grant Mr. Melchizedek's motion to limit the scope of Respondent's arguments and also warn Respondent's Counsel that further misleading, baseless, or frivolous arguments will not be tolerated by the court.

## VI. CONCLUSION.

6.1 Based upon the Petition for Review this court should grant Review.

I declare under the penalty of perjury under the laws of the State of Washington that the above is true and correct.

Signed this 25<sup>th</sup> day of January, 2023

Signed: Galen Melchizedek

Galen Melchizedek, #964471

(aka John T. Entler), Pro Se

Monroe Correctional Complex - TRU

P.O. Box 888

Monroe, WA 98272

VII. SUBJOINED PROOF OF SERVICE.

7.1 I declare under the penalty of perjury under the laws of the State of Washington that I sent a copy of this Petitioner's Reply to Answer & Reply to Limit The Scope of Argument And Subjoined Proof of Service to:

Katherine Joy Faber

Vanessa James

Office of the Attorney General

P.O. Box 40116

Olympia, WA 98504

by electronic filing at the Monroe Correctional Complex through the Prisoner Electronic Filing System on the 28th day of January, 2023.

Signed this 28th day of January, 2023

Signed: Galhen Melchizedek

Galhen melchizedek #964471

(aka John T. Entler) Pro se

Monroe Correctional Complex

P.O. Box 888

Monroe, WA. 98272



# INMATE

January 28, 2023 - 1:15 PM

## Transmittal Information

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**Appellate Court Case Number:** 101,392-2  
**Appellate Court Case Title:** John Thomas Entler v. Eric Jackson, et al.  
**Superior Court Case Number:** 20-2-02541-9

DOC filing of MELCHIZEDEK Inmate DOC Number 964471

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