

P1 of 09564-9

09564-9

CLERK OF COURT
STATE OF WASHINGTON
AUG 12 11:05

31
REC'D

COURT OF APPEALS, DIVISION I
KING COUNTY, STATE OF WASHINGTON

AUG 12 2013

King County Prosecutor
Appellate Unit

State of Washington
Respondent

APPEAL No.: 69564-9-1

v.

AMENDED STATEMENT
OF ADDITIONAL GROUNDS
FOR REVIEW

SUDESHKUMAR S. KOTHARI
PRO-SE, Petitioner

[CLERK'S ACTION REQUIRED]

I, Sudeshkumar S. Kothari, hereby submit the 'Amended Statement of Additional Grounds for Review,' because the "Supreme Court holding have long established that a conviction obtained through use of false evidence known to be such by representatives of the State, must fall under the 14th Amendment, as referenced in *Sheh Wei Su v. Filon*, 335 F.3d 119, 126 (2d Cir. 2003).

Also, "the same result obtains when the State, although not soliciting false evidence, allows it to go uncorrected when it appears, in *Napue v. Illinois*, 360 U.S. 264, 269, 79 S. Ct. 1173, 3 L. Ed. 2d 1217 (1959).

Prima Facie of sufficient material evidence supports criminal negligence, fraud, conspiracy, perjury and deliberate reckless malice by the prosecutors, my own lawyers, and no-doubt Ms. Kunjlata Kothari, whereby basic forensic analysis of the injuries versus said device, the fact new injuries appear after July 14th 2011 (date of incident), the fact Ms. Kunjlata Kothari changed her clothes prior to exiting the home, inter alia, and their knowledge Ms. Kunjlata Kothari had a history of committing perjury, and that her own testimony in this case was perjured.

The Questions before this Court of Appeals are therefore :

AMENDED ADDITIONAL GROUND 20

Why the Prosecutors committed acts of inter alia, fraud, knowing Kunjlata Kothari's testimony was perjured and manipulating the probative value of various pieces of substantive evidence just to obtain a conviction of Burglary 1st degree and Assault 2nd degree, amounting to TWO STRIKES?

A violation of constitutional magnitude, as per "the established Law of the United States that a conviction obtained through testimony the Prosecutor knows to be false is REPUGNANT to the Constitution;" see *Mooney v. Holohan*, 294 U.S. 103, 112, 55 S. Ct. 340, 79 L.Ed 791 (1935).

AMENDED ADDITIONAL GROUND 21

Why the Prosecutors and my own

lawyers, the Mercer Island detectives/police failed to synthesize the substantive evidence "in a manner that accounts for conflicting [material] evidence or the gaps in party's evidentiary presentation, knowing the Charges surmounted to maximum of two STRIKES? - see Doe v. Menefee, 391 F.3d 147, 164 (2nd Cir. 2004), and Anderson, 470 U.S. at 573, 105 S. Ct. 1504.

AMENDED ADDITIONAL GROUND 22

Why the Prosecutors knowingly use perjured testimony of Kunjlata Kothari? and why my own lawyers allowed it use without objection? when "the Supreme Court has consistently held that a conviction obtained by the knowing use of perjured testimony is FUNDAMENTALLY UNFAIR, and must be set aside if there is any likelihood that the

false testimony could have affected the judgement of the jury." See Agurs, 427 U.S. at 103, 96 S. Ct. 2392.

The fact that Kujlata Kothari added further self-inflicted injuries after July 14th 2011, knowing the police did not charge me with Attempted Murder, and then lied under oath, about her number one goal for going to the Mercer Island Police station on July 18th 2011; and her subsequent follow up letter to the court. A VERY, VERY SERIOUS Criminal Negligence on part of the Prosecutors and my own lawyers.

AMENDED ADDITIONAL GROUND 23

Why the court allowed violations of the "STRICT STANDARD OF MATERIALITY" by the Prosecutors and my own lawyers, knowing there was gross intentional misconduct, inter

.. alia, use of coercion and blackmail [see
 .. my letters to Chief Judge from November
 .. 1st 2011 to November 2012.], leading
 .. "more importantly to corruption of truth-
 .. seeking function of the trial process"?
 .. see Agurs, 427 U.S. at 104, 96 S.Ct.
 .. 2392.

AMENDED ADDITIONAL GROUND 24

.. Why the Prosecutors and my own lawyers
 .. wait until 2nd day of trial (March 6th
 .. 2012) to spring an ALFORD'S PLEA?
 .. Circumstantial evidence of Prosecutor's and
 .. my own lawyers complicity in Kunjlata's false
 .. declarations, versus proof of digital photos
 .. and the highly improbable of said device
 .. causing 'puncture' type injuries.

.. On 3rd day of trial (March 7th, 2012), the
 .. Prosecutor knowingly elicited Kunjlata Kothari's
 .. false statements - Further inferential

support of perpetuating fraud, in a conspiracy to corrupt the truth-seeking function of the trial process. Note, I refused to sign Alford's Plea.

AMENDED ADDITIONAL GROUND 25

Was the Prosecution's theory of intent with sensationalistic and pseud-scientific explanation of motive [and without any objection from my own defense counsel], a strict violation of the "Principle that State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction, implicit in any concept of ordered liberty"? - see *Napue*, 360 U.S. at 269, 79 S.Ct. 1173; and *Mesarosh v. U.S.*, 352 U.S. 1, 9, 77 S.Ct. 1, 1 L.Ed 2d 1 (1956).

28 U.S.C.,

Under Section 2254 (d)(2), relief is available if the State court made an "unreasonable determination of the facts in light of the

evidence of fraud, inter alia, vindictive malice. Because the government should have known that its witness was committing perjury, pursuant to the Real Facts Doctrine (see RCW 9.94(A), 370(2)) which states "where the defendant disputes material facts [as I did in my letters to the Chief Judge, and my own lawyers, and to the trial judge] the court must either not consider the fact, or grant an evidentiary hearing on the point." See United States v. Wallach, 935 F.2d.445, 457 (2nd Cir. 1991).

These above statements "Sharpen the Prejudice" of the prosecutors, my own lawyers, and the court. See Jenkins, 294 F.3d at 294; and State v. McKenzie, 157 Wash.2d 44, 52, 134 P.3d 221 (2006).

AMENDED ADDITIONAL GROUND 26

These "mistatements about the law and the

presumption of innocence due a defendant, are 'the bedrock upon which [our] criminal justice system stands', constitutes great prejudice because it reduces the State's burden and undermines a defendant's due process rights." See Johnson, 158 Wash. App. at 685-86, 243 P.3d 936.

This is plainly evident in my case. Why the Prosecutor provided no validation, no supporting case citations to the Court, to the jury, to the public (a fact my own lawyers failed to raise any objections, further supporting a logical and reasonable inference of conspiracy to practice fraud upon the court) that violation of a "temporary restraining order", which had nothing to do with Domestic Violence nor violation of "NO CONTACT ORDER", is same as Burglary in 1st degree? - A fact, the jury had no choice but to accept the Prosecutor's mistatements as gospel truth, without any credible defense to oppose a blunt lie. Further example of Criminal Negligence.

SUDESHKUMAR S. KOTHARI
APPEAL No.: 69564-9-1

AMENDED ADDITIONAL GROUNDS AT

Why the Prosecutor NEVER provided any legal validation, nor any case citations, nor controlling evidence to prove that a Dissolution Decree is final, even after both parties filed an appeal, the only means to "STAY" / and make the rulings NOT final, under current law, to specifically challenge the Dissolution Court's ruling on division of all assets in light of act of perjury and fraud committed by Mr. Kunglata Kothari?

Prosecutor's willful misstatements, were deliberate act of manifest corruption of constitutional magnitude, because he knew the jury, consisting of non-lawyers, would not make a distinction in the intent of the legislature, and thus the law, that each Temporary Restraining Order is specifically worded, and that each Temporary Restraining Order stands on its own merits, which in our case very specifically restrained temporarily, both parties

from entry into community property, temporarily assigned each party UNTIL FINAL resolution of division of property. Any and every reasonable person understands that in every divorce, ownership is NOT final until ruled upon by the court and accepted by both parties.

The fact that the Prosecutor disingeniously turned ^{it} into a Burglary 1st degree is implicit proof of fraud practiced on the jury (A fact the Judges knew and my own lawyer knew, is also implicit proof of conspiracy practiced upon the jury), and the public.

The above, inter alia, represents deliberate indifference to the "MANIFEST NECESSITY" standard, which provides "sufficient protection to the defendant's interests . . . , while at the same time maintaining Public's interest in fair trials designed to end in JUST judgements. See *Wade v. Hunter*, 336 U.S. 684, 689, (1949). Note, our dissolution case was pending appeal on the day of incident, July 14th

.. 2011; just 3 months after both parties filed
.. Appeals.

.. AMENDED ADDITIONAL GROUND 28

.. Pursuant to Amended Additional Grounds 26
.. and 27 above, Why the Prosecutor NEVER
.. provided any legal validation, nor any case
.. citations, nor controlling evidence to prove
.. that a deterrent used in Self-defense, as
.. in my case [and the fact there were never
.. any history of my hurting nor desire to hurt
.. her physically, despite her treacherous acts
.. of lying, stealing, cheating], is a violent
.. act rising to Assault 2nd degree, especially
.. when the digital photographs in our case
.. show "Puncture type" injuries and the
.. Prosecutor, my own lawyers, the detective/
.. police all knew that deterrent device
.. found could NOT have caused such type
.. of injuries on July 14th, 2011 and after July

P.13
of

SUDESH KUMAR S. KOTHARI

APPEAL NO.: 69564-9-1

July 14th 2011. Because the Prosecutor, my own lawyers knew (including the detective/police) that such deterrant device are mostly used by women to deter their assailants, in self-defense, and are thus never charged with Assault, of any kind, nor considered violent acts. Implicit proof of Actual Prejudice, with malice: including conspiracy since my own lawyers did NOTHING in form of defense.

AMENDED ADDITIONAL GROUND 29

Pursuant to Amended Additional Grounds 26, 27, and 28 above, "Where an information fails to include an essential element of the alleged crime, it fails to charge a crime. Further, an information must also allege facts supporting each element of the crime charged per *Coumeya*, 132 Wash. App. at 350 131, P.3d 343.

The prosecutors and my lawyers had a

fiduciary duty to avoid corruption of the truth-seeking function of the trial process [Agurs, 427 U.S. at 104, 96 S. Ct. 2392.], by providing to the Court the following proofs:

- A. Case citations to prove divorce decree is or is not Final, upon appeal; and
- B. Case citations to prove that "Temporary Restraining Order," as specified in our divorce process (which had NOTHING TO DO with "NO-CONTACT ORDER," nor Domestic Violence) is the SAME AS Burglary 1st degree and Assault 2nd degree; OR it is the SAME AS violation of a "NO-CONTACT ORDER"; and
- C. Forensic analysis of device versus injuries to prove DIRECT relationship, if any; and
- D. Forensic analysis of items collected and why the detectives/police failed

to collect Kunjlata Kothari's clothes or blood samples from around her finger nails, etc.

E. Forensic analysis of the digital color photographs to prove presence or absence of any marks on Kunjlata Kothari's clothes; or, why there are more 'Puncture-type injuries' after July 14th 2011 and before July 18th 2011; or, why the 'Puncture-type' injuries do NOT match the said device; etc.

F. Case citations to prove that use of said 'deterrent device' is an assault with 'DANGEROUS WEAPON', or that it causes 'GRAVE Bodily Harm', or that it causes 'Permanent Scars', or that its use is automatic Assault 2nd degree, just based on HEARSAY, without any of the above validations, or that its use is an automatic "STRIKE" - equivalent to the MAXIMUM CHARGE!

6
of
31

SUDESHKUMAR S. KOTHARI

APPEAL No.: 69564-9-1

These, inter alia, were fundamental, and substantial errors of constitutional magnitude, because the answers to these questions would have proved, I did NOT commit Burglary of any kind, nor assault, and that I did act in self-defense [a fact my lawyers wilfully neglected/ignored, despite all my pleas to investigate] with Kunjlata Kothari self-inflicting to set-me up / Frame me with assault / attempted murder. I had NO intentions to harm Kunjlata.

How can any Court, any officer of the Court be deliberately indifferent or recklessly neglect such treacherous act as to frame an innocent man, to rob the father of his children, family and friends.

This is further example of 'ACTUAL PREJUDICE', with malice in perpetuating fraud and conspiracy, knowing I had NO intentions of being there, if I knew our children or Kunjlata would be home.

AMENDED ADDITIONAL GROUND 30

Why the Prosecutors, my lawyers and the judges NEVER made fully aware of all my rights, including my right to 'remain silent' and its relevance, nor my right to hear and question witnesses who testify against me [a fact Mr. Gene Picullet purposely insured and denied my rights, including insuring we had NO witnesses on the defense side]?

It was impossible for me to make an "Intelligent Waiver," because I do NOT know the full implication of the laws applied to self-incrimination versus right to remain silent, even now. Nor do I understand the law in relation to the "Presumed" fact versus "Absolute" fact. See *Boykin v. Alabama*, 395 U.S. 238, 23 L.Ed.2d 274, 89 S. Ct. 1109 (1969); and *McCarthy v. United States*, 394 U.S. 459, 466, 22 L.Ed.2d 418, 89 S. Ct. 1166 (1969).

Implicit proof of ACTUAL PREJUDICE with malice and manifestly unconstitutional.

AMENDED ADDITIONAL GROUND 31

Pursuant to amended additional grounds 26 to 30, the Prosecutors and my lawyers implicitly conspired by insuring NO tests, NO Forensics, NO experts, inter alia, NO impeachment of Kunjlata Kothari, knowing that ANY reasonable hypothesis of innocence would reveal the repugnant FRAUD.

Because if the forensic analysis confirmed Kunjlata Kothari had self-inflicted injuries, including causing permanent scars, then the evidence reasonably and logically supports an inference of Corruption practiced upon the Court to merely convict me, at all costs.

It would have been cheaper / cost-effective

SUDESHKUMAR S. KOTHARI

APPEAL No.: 69564-9-1

for the State to have conducted the investigation, as noted under Amend Additional Ground 29, then to pay over \$50,000 per year incarceration costs. More Importantly to save faith in the judicial system designed to end in 'Just' and fair judgements. See Wade v. Hunter, 336 U.S. 684, 689 (1949).

The Court must note, to date the damages are so excessive that no adequate remedy can cure the pain and loss endured by my children, my family and I + my friends. Save to do the right thing, and order full forensic investigation of all material evidence including witnesses testimonies and past histories; inter alia, testimonies of the prosecutors and my lawyers. The doctrine of jurisprudence is unequivocal that the government must not knowingly permit introduction of false testimony, converted evidence nor plead ignorance, because the jury have only to rely on words spoken or not by the prosecutor

.. with or without competent defense lawyer.
.. See *Shih Wei Su v. Filon*, 335 F.3d 119, 127
.. (2d Cir. 2003); and *Johnson*, 158 Wash. App.
.. at 685-86, 243 P.3d 936.; and *Peterson*,
.. 145 Wash.2d at 800, 42 P.3d 952; and
.. *Smith v. Phillips*, 455 U.S. 209, 71 L.Ed.2d
.. 78, 102 S. Ct. 940 (1982).

.. Amended Additional Ground 32

.. The Court, the prosecutors, and my lawyers
.. knew that if "evidence" simply fails to rule out
.. criminality or innocence does not reasonably
.. or logically support an inference of either.
.. See *State v. Aten*, 130 Wash.2d 640, 927 P.2d
.. 210 (1996); and *Aten*, 79 Wash. App. at 91, 900
.. P.2d 579.

.. Is this why the Court, the Prosecutor and
.. my lawyers failed to obtain independent
.. evidence because it would lead to 'Absolute

Fact', as opposed to 'Perceived Fact or Presumed Fact' based on substantive material (for example the digital photographs, type of injuries, date of injuries, type of said deterrant, etc., as pertain to my case). Whereby the ~~Abosate~~ 'Absolute Facts' found and the reasonable inferences from them prove the existence of my innocence, and logical inference of criminal agency practiced on the courts by the Prosecutors, my lawyers and Kunjlata Kothari. See State v. Lung, 70 Wash.2d 365, 423 P.2d 72 (1967).

Implicit proof of 'Actual Prejudice', with malice rising to gross intentional misconduct by the Prosecutor and my lawyers, for over-reaching and direct personal attack on my general character, inter alia. See State v. Rathburn, 37 Or. App. 259, 586 P.2d 1136 (1978); and State v. Nettleton, 65 Wn.2d 878, 400 P.2d 301 (1965); and Jenkins v. Artuz, 294 F.3d 284, 296 2 (2nd Cir. 2002).

Amended Additional Ground 33

Pursuant to above grounds, Why my attorney, Mr. Gene Piculles^{was} criminally negligent (as defered under RCW. 9A.32.070 (1)), by wilfully and calculated intent made sure I was NOT present for the Omnibus hearing and couple of other hearings? - A fact I challenged because he kept me standing for over 4 hours in the King County 'holding tank' (where every surface is covered in such filth) without being called to court. Mr. Piculles's responses were "he did NOT know I was being held in the 'holding tank' adjacent to the court room." Implicit proof of Fantastic LIE, A violation of constitutional magnitude, denying my right to be present at all stages of the proceedings. See State v. Rice, 110 Wash.2d 577, 613, 757 P.2d 889 (1988); and In. re Personal Restraint of Lord, 123 Wash.2d 296, 306, 868 P.2d 385. Mr. Piculles's actions/in-actions go beyond

Ineffective Assistance of Counsel, including Blackmail and coercion. For these reasons, among others, I requested to go Pro-Se on the 1st day of trial (March 5th, 2012) as declared in court recordings. See McFarland, 127 Wash.2d at 334-35, 899 P.2d 1251. A Fact the Jury NEVER found out, and therefore had no way of knowing why Mr. Picullel's performance was so deficient nor the deep prejudice he held toward me. A fact the trial judge denied my right to go Pro-Se, which the jury Never knew.

Amended Additional Ground 34

Pursuant to above additional grounds, and to attached EXHIBIT 1; letter from Ms. Dana M. Nelson (% Law offices of Nielsen, Broman and Koch PLLC), I Sudeshkumar S. Kothari hereby request the help of Court of Appeals to appoint a paralegal assistant who can help me to file an Extension of time to furnish this court

24
of
31

SUDESHKUMAR S. KOTHARI

APPEAL No.: 69564-9-1

With the following information to support my Statement of Additional Grounds and Sought Relief:

A. To serve subpoenas on my lawyers, namely Ms. Leona Thomas (% Defenders' Association); Mr. Gene Piculiel (Private); Mr. Dillion Johnson (% Northwest Defenders Association), and Ms. Pat. J. Valerio, to obtain any and all discovery in King County Cause no. 11-1-07116-9 SEA, letters, interrogatories, deposition recordings of Ms. Kunjlata Kothari and Ms. Sumedhaa Priya Kothari (dated February 29th, 2012), and all digital photographs;

B. To serve subpoena on the manufacturer of said deterrent device to obtain any and all research, inter alia, tests and results;

- C. To obtain any and all case citations, or relevant information to prove charge of Burglary is NOT compatible with a 'Temporary Restraining Order' issued in a divorce proceedings, specifically unrelated to Domestic Violence or No-CONTACT ORDER, where final decision on division of property is pending;
- D. To obtaining any and all case citations, or relevant information to prove charge of Assault in 2nd degree is NOT compatible with Self-defense nor with Kunjlata, setting-me up to frame me with assault / attempted murder. A fact why the Prosecutor and my lawyers gain by hiding the truth?
- E. To get a copy of Alford's Plea, since one was never provided to me. It is material evidence of act of conspiracy.

'26'
of

31

SUDESHKUMAR S. KOTHARI

APPEAL NO.: 69564-9-1

.. In my case, the corruption extends to my own
.. lawyers, who failed to perform the basic
.. cause of actions, inter alia, points (A) to (E)
.. listed above.

.. It is a duty governed by the doctrine of
.. jurisprudence in a law action to make findings
.. of ~~Abosot~~ 'Absolute Fact' over 'Presumed Fact'.
.. It is well documented in my case [see
.. all letters to the Chief Judge at King County
.. Superior Court from November 2011 to November
.. 2012, including motions filed on my behalf
.. for a New Trial] that the Court, and officers
.. of Court failed, deliberately, to make findings
.. of facts on all available material evidence,
.. and on conflicting and impeachable testimonies,
.. arising to manifest malice of constitutional
.. magnitude, Especially when the charges of
.. Burglary and Assault carried two mandatory
.. 'STRIKE' action; knowing a 3rd STRIKE is
.. mandatory LIFE sentence without parole.
.. I strongly believe any member of the court
.. or any reasonable person would feel, as I

SUDESHKUMAR S. KOTHARI

APPEAL NO.: 69564-9-1

feel - 'THIS MAKES NO SENSE.'

AMENDED ADDITIONAL GROUND 35

Pursuant to above Amended Additional grounds, I don't understand how the Appellant's Brief does any form of justice.

AMENDED ADDITIONAL GROUND 36

Pursuant to all Statement of Additional Grounds, I don't understand how the Prosecutor's Response Brief to the Appellant's Brief does any form of justice, when a constellation of criminal procedures issues, inter alia, Fraud and Conspiracy corrupted the entire process.

SUDESHKUMAR S. KOTHARI

APPEAL No.: 69564-9-1

AMENDED ADDITIONAL GROUND 37

Pursuant to All Statement of Additional grounds, I don't understand how the Appellant's Response to the Prosecutor's Response Brief cures the damages so excessive that corrupts fundamental justice, where ordered liberty of every citizen's rights are violated.

RELIEF SOUGHT

I, Sudeshkumar S. Kothari, can only request that this Court of Appeals grant and / or order the following, including without limitation:

1. Order full investigation, including elements under Amended Additional

SUDESHKUMAR S. KOTHARI

APPEAL NO.: 69564-9-1

Grounds 29, 31, and 34; and

2. Full investigation of why the Prosecutors committed Fraud / Conspiracy; and
3. Full investigation of why my own lawyers perpetrated the fraud / Conspiracy, etc.; and
4. Full investigation to impeach Mrs. Kunjlata Kothari for Framing me; and
5. Full investigation of why the Court failed to respond after I blew the Whistle on the Corruption, as early as October 2011.

6. To establish a 'GOOD JURISPRUDENCE PRACTICE' (GJP); a set of rules and regulations similar or analogous to 'GOOD CORPORATE GOVERNANCE' and GOOD MANUFACTURING PRACTICE (GMP).

the Gold
The latter is standard regulated by the FDA (Food and Drug Administration), which I am most familiar with. Because it requires every Pharmaceutical and Biotech industries to comply with GMP to insure each and every lot of manufactured drug, used for human consumption meets minimum quality and safety parameters to ~~the~~ assure the FDA and the public of high probability that each tablet meets the safety and efficacy assigned to it.

This Court can no longer neglect the

SUDESHKUMAR S. KOTHARI

APPEAL NO.: 69564-9-1

the corruption that contaminates our justice system, because there are human lives that are devastated each time an innocent person falls prey to deliberate indifference and repugnant acts of gross judicial misconduct.

Every citizen deserves and has a right to utmost care and diligence, as required in the manufacture of each tablet. Manifest injustice is a cancer no civilized society can afford.

7. To order a New Trial, after all the above investigations are complete.

RESPECTFULLY SUBMITTED:

Date: AUGUST 6th, 2013

Sign: 

SUDESHKUMAR S. KOTHARI
362420 / CG-10
Coyote Ridge Correction Center
P. O. Box 769
Connell, WA 99326

LAW OFFICES OF
NIELSEN, BROMAN & KOCH P.L.L.C.

ERIC J. NIELSEN
ERIC BROMAN
DAVID B. KOCH
CHRISTOPHER H. GIBSON
DANA M. NELSON

1908 E. MADISON STREET
SEATTLE, WASHINGTON 98122
Voice (206) 623-2373 Fax (206) 623-2488
WWW.NWATTORNEY.NET

JENNIFER M. WINKLER
ANDREW P. ZINNER
CASEY GRANNIS
JENNIFER J. SWEIGERT
JARED B. STEED

OFFICE MANAGER
JOHN SLOANE

LEGAL ASSISTANT
JAMILAH BAKER

OF COUNSEL
K. CAROLYN RAMAMURTI
REBECCA WOLD BOUCHEY

Rec'd Aug. 5th 2013

August 1, 2013

Sudesh S. Kothari. 362420
Coyote Ridge Corr. Center
P.O. Box 769
Connell, WA 99326

COA No. 69564-9-I

Dear Mr. Kothari,

Ms. Sweigert is out of the office until mid-August, but I am watching her mail. I see that the briefing is now complete in your case. Accordingly, I do not know whether you can get an extension for your SAG. Regardless, I wanted to let you know that you would need to make the request on your own, as Ms. Sweigert is unavailable, and attorneys are not supposed to help with the SAG, regardless. For similar reasons, she will not be filing subpoenas or doing other investigative work on your behalf. That is outside the scope of the appeal.

Ms. Sweigert will respond to your letter when she returns.

Sincerely,



Dana M. Nelson
Attorney at Law

2013 AUG 12 PM 4:05
CLERK OF SUPERIOR COURT
STATE OF WASHINGTON

EXHIBIT 1.