

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

In re the Parentage of S.J.A

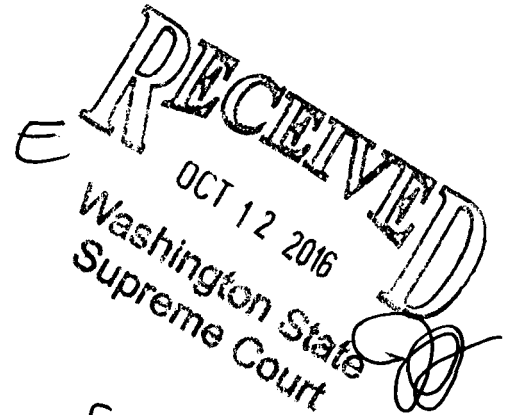
ALEMAYEHU A. JIMMA

Petitioner,

v.

THE STATE OF WASHINGTON

Respondent



Reply to Answer to Petition for Review

*****Throughout this 15 year process I have been held at an elite standard although I have lacked proper counsel, and English is my second language. The State in this matter, has missed the due date pertaining to a response to my Discretionary Hearing. The response was to be served no later than September 26th, 2016. UNDER THE PENALTY OF PERJURY the State stated they had deposit in the mail a properly stamped and addressed copy of their "Answer to Petition for Review" on September 26th, 2016, however, the State's response was mailed and served a day after the due date on September 27th, 2016 in accordance with the postmarked date, to which I didn't receive the documents until September 30th,2016. I have attach a copy of the postmark date to this document. I ask the court to reject the response, as I have been rejected in the past.**

1. **DNA Testing-** I have the right to genetic testing to determine the true parentage of the child, to ensure birthright in accordance to what the constitution demands. I set out to comply with certainty, however, I should not be held accountable for what may be deemed as happenstance. My request for DNA Testing was never met, and further evaluation was never achieved, due to the fact the location of the child was never presented to the court, as he, seemingly, was not in the custody of the mother. Dated **01/27/2001** I was introduced to documentation under the assumption I was signing paperwork in accordance with court procedure. Fifteen years ago I was still very unfamiliar with the English language, and was in need of an interpreter, but upon being presented these documents by the Prosecutor's Office, whom I thought at the time was a trusted government party working in my interest, I was tricked into signing my name on paperwork without any valid explanation, interpreter service, or counsel. I believe this was an injustice and crime to use my utter lack of English comprehension as a weapon to get me to sign my rights away. I believe this is a form of sabotage and it is the responsibility of the court to dismiss this document. There are sure ways of determining a paternity to which the State has not afforded the child to KNOW who he is a descendant of, or whom his father is, to which is a matter of the law. Any position that denies the child this right is an unconstitutional one, and can not be supported at law or by the courts of Washington State. **I believe Meseret keeps the child away from the Country and DNA testing because the truth is that I am not the biological parent of the child.**

2. **Unwarranted relocation of the child-** Shortly after birth (and currently under unknown whereabouts), the child was relocated to our home country of Ethiopia to where the laws of the land within Washington State can not extend to the jurisdiction of another country. Or can the State properly represent a party on the preface that jurisdiction be optional in any sense. Therefore, the State can not proceed in maintaining a petition for a child

solely because they were born in the State of Washington. Unfortunately, the State seems as if it has fulfilled an obligation to the child by deeming me responsible for action, child support, and back child support, although it has been factually proven that the child was not in the country during the proceedings. Those conditions alone would make it a requirement of the court to look further into the whereabouts of the child, as well as question the motives behind such a relocation. Under the **Uniform Parentage Act RCW 26.26**, the mother has full obligation to prove the child was here within the State of Washington, though she failed to do so and has admitted that the child was, and has not been in the USA since birth. It is against the law to move the child out of the State or country. **Under the UPA, the child, natural mother, each presumptive father, and “a man or men alleged to be the natural father shall be made parties”** to the paternity proceedings- RCW 26.26.090(1). The fact that all possible fathers have not been joined does not deprive the court of jurisdiction to determine paternity. Without an experts opinion concerning the impossibility or statistical probability of the alleged father's paternity based upon blood test results, the implementation of the law, especially after such testing has been sought, is faulted by a lack of evidence thereof. Apart from the statutory requirements of the UPA, constitutional principles are involved in the determination of paternity. The overarching principle in paternity actions is the child's constitutional right to due process associated with the determination of paternity. The State, in this instant matter, has not satisfied the most serious of requirements, and the duty owed to the child is still left undone. The mother does not have ample right to relocate the child without a judge order or agreement between both parents. This court, if it ever had jurisdiction, lost such jurisdiction after the child was removed from the courts jurisdiction by the respondent mother. Also, the State of Washington had no standing in the absence of the child is unarguable, in addition to the mother being in and out of the country without giving notice as required by law.

3. Child Support- This is more offensive because the laws of the land and the State of Washington do not have the ability to extend the jurisdiction of the laws of this state to another country. Nor can the state properly represent a party that is not within the jurisdiction of the State of Washington nor has received any benefits under any of the dependent laws of the State of Washington. Jurisdiction is not optional. It is the main basis for "establishing" justice under our constitutional form of government and must be adhered to or there is anarchy. The rules provide that under the circumstances of this instant matter the the State of Washington lacked standing to petition or maintain a petition on behalf of a child merely because the child was born in the State of Washington. The burden is not lifted for the State in paternity and child support matter, indeed it is heightened as the state clearly is attempting to take control over a citizen's property, which is constitutionally protected from any system that government can think of, and must be rooted in the clear and sound principles of the "due process" of law standards set by our great constitution, and the ruling that have supported that constitutional operation in favor of the law itself and not popular opinion. The child has factually not been in the US since the age of 4 months and is now at the age of 16. However, the mandate in this type of case is both statutory and constitutional and as such are not subjects or issues which the court would summarily deny because the issue of paternity is always before the Court and until the child reaches the age of majority the court maintains jurisdiction. To do as the state believes is to allow a potential wrong to continue and cause greater harm as there are sure ways of determining a paternity and the state has not afforded the child his right to know who he is descended from and who is actual parents are as a matter of law. Thus, any position that denies the child this right is an unconstitutional one and cannot be supported at law or by the courts of Washington State. Furthermore, appellant, respondent Alemayehu Jimma offers that as a practical matter and if the court is to conduct itself within the meaning of our

constitution it also requires that government be fair to the parties before it and not to have consideration for the parties' designation of state or private citizen. Where a court fails to be fair to any party the its ruling, no matter how well intended, just cannot be supported by the law, as in this instant matter, and must be reversed and the correction to the court records an State Child Registry corrected or the party suffers wrongfully and without the due process of law. Appellant merely argued that there must be a DNA testing ordered in order to assure that a miscarriage of justice does not continue as is the claim by this respondent. Moreover, the court cannot be mindful that for the last 15 years I have paid into the child support system as any type of evidence that would assure that the child's constitutional rights to know with certainty, to the highest probability of certainty, that his parents are his and that is not possible in this instant matter as neither the alleged father or mother has appeared in this matter at any time other than the alleged father in response to the States latest motion on behalf of the child seeking to have child support modified to reflect a greater debt even though they realize that my financial circumstances and health are seriously worsened and have actually gotten worse during that 15 years, that the child is not in this country and has not been since 2000. I suffer from diabetes, high blood pressure and many other medical problems. Court refused on untenable grounds after the respondent Tsegaye was order to bring in proof that the child was and at all times material, here within the State of Washington and dependent within the meaning of the RCW 26.26, though she failed to do so and admitted that the child is not in the USA nor has been since birth.

On April 15th, 2015 the Trial Judge made a default judgement. The document is already filed with the Court of Appeal.

My motion for this case I filed with the Court of Appeals, and it is a compilation of extensive information dealing with the intricacies of the case. All pertinent information is inside that document for judgement.

2-3 months after Samuel was born he was flown overseas. I was unsure if he was dead or alive, and even the mother hadn't had connection to the child for 10 years or so. The prosecutor office has abused their power against me here and has tried to enforce their power overseas where they have no jurisdiction.

The prosecutors office continued to give orders and terrorized me with threats to suspend my license before a judgement was final. I am asking the Judge to stop the Child Support Enforcement from harassing me, as I use my driving license to support myself.

The history of this case I have transcribed Clerk Papers from Trial Court to the Court of Appeals. Most of the filing done by the Prosecutor's office against me has been by default judgement. All of the necessary evidence is transcribed in the Clerk Papers and files. As aforementioned, all things necessary are inside my motion, and I am seeking a fair judgement. Also I am not under the greatest health and it is affecting my occupation, as I am currently fighting with diabetes, diabetic vision issues, and High Blood Pressure. Currently receiving extensive treatment and fighting sickness daily. For these reasons above I am seeking not only to be heard but to ask that a fair and just judgement be concluded and the child support order be dismissed.

CONCLUSION

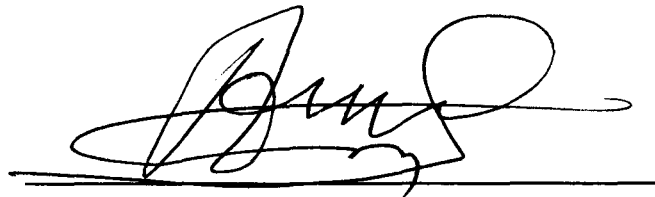
A child has a constitutional right to a swift and accurate determination of paternity. When the State acts as the child's guardian ad litem under RCW 74.20.310, it satisfies its duty to protect the child's right by evaluating the paternity of possible fathers. If the State accumulates overwhelming evidence that a particular man is the child's father, the State

is not obliged to locate and join in the paternity action every other possible father of the child to satisfy its duty. The Court of Appeals is reversed and the trial court's determination of paternity is reinstated.

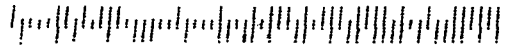
WHEREFORE appellant prays for a judgement that:

1. Order trial court to order DNA Testing
2. Order trial court to issue order to Child Support Registry to return all monies received on behalf of Alemayehu A. Jimma and remove and vacate all information with regard to this instant matter.
3. Award reasonable attorney's fees and legal expenses.
4. Any other relief the Court deems just and proper.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alemayehu A. Jimma', written over a horizontal line.

Alemayehu A. Jimma, Respondent Pro Se
Alleged Father
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Washington State Supreme Court

Alemayehu A. Jimma
Appellant/Respondent

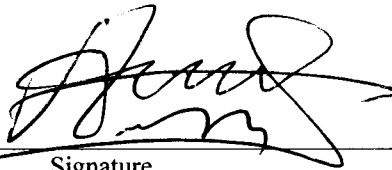
CA No. 93446-1
Court of Appeals No. 73445-8-1

v.

Response to the Answer to Petition for
Review

State of Washington/Meseret Tsegaye
Respondent

COMES NOW APPELLANT, ALEMAYEHU JIMMA, declares under the penalty of perjury for the State of Washington that I filed a copy of Response to the Answer to Petition Review and 2) CERTIFICATE OF SERVICE by hand delivering it to the Prosecutor's Office at the King County Courthouse 516 3rd Ave Seattle, WA 98104, and the Washington State Supreme Court Temple of Justice PO BOX 40929 Olympia, WA 98504-0929 by U.S. Post office/postmarked on Oct. 11, 2016.



Signature
Alemayehu A. Jimma, Pro Se Appellant