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FILED
SUPREME COURT
STATE OF WASHINGTON
10/6/2020
BY SUSAN L. CARLSON
CLERK

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

99096-4

SCANNED

NO. 97319-9

COURT OF APPEALS NO 80026-4-I
UNITED STATES COURT OF APPEALS OF THE
WASHINGTON STATE

UNITED STATES OF AMERICA SUPREME COURT

JOSEPH ESSILFIE

PLAINTIFF

VS

JORDAN KEATING ET AL

DEFENDANTS

FILED
COURT OF APPEALS DIV 1
STATE OF WASHINGTON
2020 OCT - 6 AM 11:05

PETITION FOR REVIEW

FOLLOWING AFFIRMANCE OF JUDGMENT OF MOTION
FOR SUMMARY JUDGMENT BY THE TRIAL COURT
OF SUPERIOR OF KING COUNTY
SUPERIOR COURT CASE NO. 18-2-54619-2

JOSEPH ESSILFIE
19707 INTERNATIONAL BLVD
APT. 466
SEATAC, WA 98188
PH. # 347-373-1455
PRO. SE.

2

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

JOSEPH ESSILFIE
PLAINTIFF

VS

JORDAN KEATING ET AL
DEFENDANTS

SUPREME COURT NO. 97319-9

APPEALS COURT NO. 80026-4-1

SUPERIOR COURT NO. 182-54619-2

PETITION FOR REVIEW

TO THE HONORABLE JUDGE LEACHS, LEACH, DWYER AND APPELWICK
AND TO THE HONORABLE ASSOCIATE JUSTICES OF THE
SUPREME COURT OF THE STATE OF WASHINGTON:

JOSEPH ESSILFIE, PLAINTIFF, HEREBY PETITIONS THIS
COURT TO GRANT REVIEW OF THE DECISION OF THE COURT OF
APPEAL FOR THE DIVISION 1 (ONE) FILED ON 6/24/2019
WHICH AFFIRMED THE TRIAL COURT'S JUDGMENT, DISMISSAL OF
MY CASE WITH PREJUDICE IN THE DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT. A COPY OF THE OPINION OF THE
COURT OF APPEAL IS ATTACHED AS APPENDIX "A" AND A
RESPONSE OF THE OPINION OF THE COURT OF THE APPEAL IS
ALSO ATTACHED AS APPENDIX "B"

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ISSUES PRESENTED FOR REVIEW.

1. DOES THE COURT OF APPEAL DECISION TO UPHOLD DEFENDANTS POISONING OF TOXIC FUMES TO MURDER ME BE THROWN OUT OF COURT DESPITE ALL THE EVIDENCE PLAINTIFF HAS PROVEN WITH OFF INTENTIONALITY AND THE NEGLIGENCE OF MY CASE, BETWEEN ESSILFIE, PLAINTIFF VS JORDAN KEATING ET. AL.

2. CAN ANYONE LOOK AT ALL THE WARNINGS BY LETTERS AND VERBAL WARNINGS OF TRYING TO GET THE DEFENDANTS EITHER TO STOP THE FUMES OR TO HAVE PEOPLE TO INVESTIGATE THE REASON WHY THOSE FUMES ARE IN MY APARTMENT

ENCLOSED ARE LETTERS I WROTE TO WARN THEM TO DO SOMETHING ABOUT THE FUMES OF WHICH THEY NEGLECTED TO DO. AS APPENDIX "C"

APPENDIX (1)
"C"

JOSEPH ESSILFIE
19707 INTERNATIONAL BLVD.
APT 466
SEATAC, WA. 98188
MON. JULY 2, 2018

DEAR MS. LEAH COLLEY,

ON THIS DAY I CAME TO YOUR OFFICE TO ADDRESS AN ONGOING PROBLEM WHICH HAS BEEN GOING ON SINCE MR JORDON KEATING WAS THE MANAGER AND HAS BEEN GOING ON UP TO THIS DAY WHICH HAS CAUSED ME TO HAVE A LAWSUIT AGAINST MR. KEATING AND EVERY ~~MANE~~ WORKER WHO HAS WORKED IN YOUR ~~FROM~~ OFFICE FROM ~~FEBRUARY TO MAY 2018~~ FEBRUARY 2017 TO MAY 2018 AND SO THIS CASE IS STILL PENDING IN COURT.

ITS ALL BECAUSE OF HEAVY METAL FUME OF WHICH I SPOKE WITH OFFICE AND NOTHING WAS DONE ABOUT IT AND IT CAME TO A POINT I HAD TO TAKE THEM TO CIVIL COURT, BECAUSE AFTER A LONG TIME THEY WERE SILENT TO MY CRIES AND PLEADINGS I HAD NO CHOISE BUT TO TAKE ~~AND~~ ACTION. MR KEATING HAS LEFT BUT YOU ARE NOW IN CHARGE AND UNDER YOUR SUPERVISION AND CARE THIS HEAVY METAL FUMES PUMPING IS STILL GOING, I STOP BY TO SPEAK ABOUT IT WITH YOU BUT AS WHAT MR KEATING DID SO IS WHAT YOUR ARE DOING, YOU TOLD ME TO CONTACT MY ATTORNE I'M MY OWN ATTORNEY. SINCE YOU ARE NOW IN CHARGE THIS PROBLEM NOW IS NOT MR KEATING'S PROBLEM OR UNDER HIS COURT CASE. THIS IS WHY. THIS TIME EVERYTHING IS HAPPENING UNDER YOUR SUPERVISION AND CARE, SO THIS TIME I WOULD LIKE YOU TO LISTEN TO ME AND DO EVERYTHING TO RECTIFY THE PROBLEM.

NOW, THIS IS WHAT I WOULD LIKE YOU TO DO, IS TO GET YOUR BOSS'S ATTENTION EVERYTHING HE HAS TO DO TO RECTIFY THE PROBLEM, TALK TO THE OWNER OF THE BUILDING TOO, TO SEND THE RIGHT AUTHORITIES WHO

② LOOK FOR FUMES RESIDUES IN BUILDINGS TO COME IN AND CHECK THESE TWO ROOM APARTMENTS, ON THE FIFTH FLOOR APARTMENT 566 AND ON THE FOURTH FLOOR MY APARTMENT 466.

IN APARTMENT 566 ON THE 5TH FLOOR BECAUSE I SUSPECT THAT'S WHERE THE FUMES IS COMING FROM BEING PUMPED INTO MY APARTMENT 466 SO AS TO FIND OUT WHAT IS GOING ON.

NO DECEPTION BECAUSE I CUT ALL MY HAIR OFF IN JANUARY 2018 AND NOW MY HAIR IS GROWING BACK AGAIN SO IF ANYONE DECEIVES ME THEN LET ME MAKE IT CLEAR I WILL DO ANY HAIR TEST AGAIN AND IF ANY HEAVY METAL IS FOUND IN IT AGAIN THE THIS TIME I WILL TAKE A CRIMINAL AGAINST EVERYBODY FOR CRIMINAL MISCHIEF AND ATTEMPTED MURDER, BECAUSE SUCH POISON CAN CAUSE INJURY, CANCER DAMAGE OF HUMAN CELLS, INFERTILITY AND DEATH.

I WON'T SIT BACK AND ALLOW ANYBODY TO MAIM OR KILL OR CAUSE MY DEATH.

I'M MAKING A COPY OF THIS LETTER FOR MY FUTURE RECORD AGAINST THIS SECOND CASE UNDER YOUR SUPERVISION.

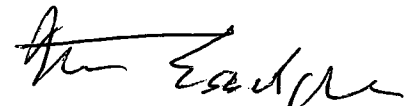
NOW, I'M WARNING YOU TO NOT FOLLOW THE PERNICIOUS WAYS OF MR KEATING OR BE A ACCOMPLICE OF MURDEROUS SCHEMES. SOME DAY IF HE SEES YOU HOMELESS HE WILL NOT TAKE CARE OF YOU OR YOUR FAMILY SO DO NOT LET HIM MAKE YOU LOSE YOUR JOB. BECAUSE HE IS ORIGINAL AMERICAN AND YOU ARE THE SAME DOESN'T MEAN YOU HAVE TO TAKE YOU INSTRUCTIONS FROM HIM. HE DOESN'T FEED YOUR FAMILY. PUT FRIENDSHIP ASIDE WHEN IT COMES TO YOUR JOB OR CONCERNS ABOUT YOUR JOB. I'M ALSO AMERICAN BY NATURALIZATION ALTHOUGH I DON'T HAVE THE SAME RIGHTS OR FEELINGS LIKE ORIGINAL AMERICAN

(3)

SO, NOW LISTEN TO ME AND DO AS I HAVE SAID.
CONTACT THE LANDLORD OR THE OWNER
OF THE BUILDING AND TELL HIM OR HER I SAID
HE OR SHE SHOULD DO HIS OR HER WORK TO
KEEP ME SAFE IN THE BUILDING OF
RESERVE AT SEATAC OR FACE THE ~~CONSEQUEN~~
CONSEQUENCIES AGAIN.

NOW, ENCLOSING YOU WILL FIND PAGE 8
OF LANDLORD/TENANT LAW, PLEASE READ WHERE
I HAVE CIRCLED. THANK YOU.

SINCERELY,


JOSEPH ESSILFIE

LEAH COLLEY
BUSINESS MANAGER
19707 INTERNATIONAL BLVD
SEATTLE, WA. 98188

N.B.

PLEASE, I WANT ALL THE INSTRUCTION GIVEN IN THIS
LETTER DONE IN JUST ONE (1) WEEK, AFTER ONE (1) WEEK IF
NOTHING HAS BEEN DONE THEN I MAY TAKE AN ACTION, COURT ACTION,
AGAINST YOU BECAUSE YOU ARE NOW IN CHARGE AND IT'S HAPPENING
AT YOUR WATCH SO I WILL HOLD YOU ALSO RESPONSIBLE SO TAKE WARNING
I WARNED MR KEATING SEVERAL TIMES HE DIDN'T LISTEN AND NOW
HE HAS GOTTEN HIMSELF INTO TROUBLE. IF YOU DON'T TAKE WARNING TOO
YOU ALSO WILL GET YOURSELF INTO TROUBLE. DON'T LISTEN TO ANYBODY TO
FOLLOW THEIR INSTRUCTION. PUT YOUR FAMILY FIRST, TELL MR. KEATING
NOT TO COME HERE IN THIS BUILDING ANY MORE BECAUSE YOU DON'T WANT HIM TO
PUT YOU INTO TROUBLE. BE SERIOUS ABOUT IT. I ALSO...

(4)

STATEMENT OF CASE
STATEMENT OF FACTS

ARE IN THE RESPONSE TO THE OPINION OF
THE APPEAL COURT. AS APPENDIX "D"

AND ALSO THE SUPPLIMENT I SENT TO THE
APPEAL COURT TELLING THEM OF THE CONTINUOUS
OF THE PUMPING OF THE FUMES AS OF THIS DAY.
AND IF THIS IS NOT NEGLIGENCE THEN WHAT IS

A COPY OF THE SUPPLIMENT TO MY
RESPONSE TO THE OPINION IS ATTACHED AS
APPENDIX "E"

(5)

ARGUMENT

I

THIS COURT SHOULD GRANT REVIEW TO RESOLVE THE CONFLICT BETWEEN THE OPINION OF THE COURT OF APPEAL IN THIS CASE WITH THE RESPONSE TO MY OPINION OF THE COURT OF THE APPEAL.

A GRANT OF REVIEW IN THIS CASE IS NECESSARY, BETWEEN THE CONFLICTING OPINION OF THE APPEAL COURT AND MY RESPONSE OF TO THE OPINION TO THE APPEAL COURT

THE APPEAL COURT HAVE NARROWED THE CASE TO NEGLIGENCE MEANING THEY HAVE ACCEPTED ALL THE POINTS I RAISED IN MY CASE INCLUDING THE WARNING LETTER I SENT TO THE DEFENDANTS TO DO SOMETHING TO RECTIFY THE PROBLEM FOR 3 YEARS AND DIDN'T DO ANYTHINGS EVEN UP TO THIS DAY OF REVIEW OF REVIEW. I CAN'T QUOTE ANY LAW IN SUPPORT OF MY CASE BECAUSE ITS UNPRECEDENTED, NO-ONE IN THE WHOLE WIDE-WORLD HAS LIVED IN APARTMENT BUILDINGS AND HAS 12 DIFFERENT HEAVY METAL POISONING IN HIS BODY, SO THIS SHOWS THE INTENTIONALITY OF MY CASE.

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THIS COURT SHOULD GRANT A REVIEW TO
SETTLE THE IMPORTANT AND RECURRING QUESTION
WHETHER NEGLIGENCE IS FOUND HERE

PLEASE REFERE TO THE VERBATIM
TRANSCRIPT.

7

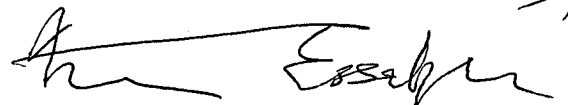
CONCLUSION

FOR THE FOR GOING REASONS, PLAINTIFF
RESPECTFULLY URGES THIS HONORABLE COURT
TO GRANT REVIEW IN THIS MATTER OF
UNPRECEDENTED MAGNITUDE, I SAY THIS
BECAUSE I'VE DONE TOXICOLOGY TEST IN
THE PERIOD OF OVER 3 YEARS IN DIFFERENT
DATES AND ALL THIS TIME NEW HEAVY METALS
ARE FOUND.

ENCLOSED IS APPENDIX "F"
OF ALL THE TEST I'VE DONE

DATE: 2/10/2020

RESPECTFULLY SUBMITTED,



JOSEPH ESSILFIE
19707 INTERNATIONAL BLVD
APT. 466
SEATAC, WA. 98188
PRO. SE.



THE CARLSON COMPANY INC

Call: 1-866-889-3410 or email: carlsonco@comcast.net

Client: Carlson Company LLC
Addr: 10343 Federal Blvd Ste J-401
Westminster, CO 80260
Phone: (719) 531-6666
Contact: Kaily Bissani

First Name: Jospheh
Last Name: Essieffie
ID: N/A

Test Name: Comprehensive Metal Test
Profile: HCC2049
Media: Hair
Reason: Other

Specid: Joseph
Acc #: 201820006
Collected: 6/25/2020
Received: 6/30/2020 10:42 AM
Released: 7/2/2020 10:01 PM
Status: Complete

Substance	Lab Result	Test Value	High Value	Test Method
LITHIUM	Detected	66 ug/kg H	42 ug/kg	ICPMS
BERYLLIUM	Detected	2.2 ug/kg	12 ug/kg	ICPMS
ALUMINUM	Detected	7566 ug/kg	8000 ug/kg	ICPMS
CHROMIUM	Detected	152 ug/kg	520 ug/kg	ICPMS
MANGANESE	Detected	140 ug/kg	570 ug/kg	ICPMS
COBALT	Detected	5.2 ug/kg	140 ug/kg	ICPMS
NICKEL	Detected	11 ug/kg	900 ug/kg	ICPMS
COPPER	Detected	4394 ug/kg	61300 ug/kg	ICPMS
ZINC	Detected	116770 ug/kg	209000 ug/kg	ICPMS
ARSENIC	Detected	175 ug/kg H	80 ug/kg	ICPMS
SELENIUM	Detected	588 ug/kg	1370 ug/kg	ICPMS
SILVER	Detected	124 ug/kg	1310 ug/kg	ICPMS
CADMIUM	Detected	7.8 ug/kg	170 ug/kg	ICPMS
TIN	Detected	191 ug/kg	340 ug/kg	ICPMS
ANTIMONY	Detected	25 ug/kg	130 ug/kg	ICPMS
BARIUM	Detected	188 ug/kg	1580 ug/kg	ICPMS
PLATINUM	Detected	0.55 ug/kg	0.8 ug/kg	ICPMS
MERCURY	Detected	835 ug/kg	1660 ug/kg	ICPMS
LEAD	Detected	97 ug/kg	4570 ug/kg	ICPMS
THORIUM	Detected	0.18 ug/kg	5 ug/kg	ICPMS
URANIUM	Detected	0.87 ug/kg	30 ug/kg	ICPMS
TITANIUM	Detected	69 µg/kg	700 µg/kg	ICPMS
VANADIUM	Detected	13 µg/kg	100 µg/kg	ICPMS
RUBIDIUM	Detected	1102 µg/kg H	80 µg/kg	ICPMS
MOLYBDENUM	Detected	141 µg/kg H	90 µg/kg	ICPMS
STRONTIUM	Detected	752 µg/kg	2100 µg/kg	ICPMS
GADOLINIUM	Detected	3.2 µg/kg	10 µg/kg	ICPMS
THALLIUM	Detected	191 µg/kg H	2 µg/kg	ICPMS
BISMUTH	Detected	1.9 µg/kg	2000 µg/kg	ICPMS
TUNGSTEN	Detected	7.2 µg/kg	10 µg/kg	ICPMS

Test Comment:

2" of curly head hair tested (Approximately 4 months timeframe)

This test is developed and validated by Expertox Laboratory. This is not a FDA approved test.

The preceding result has been reviewed and is certified to be as reported. Brandon Cox (Certifying Scientist)

APPENDIX A

THE COURT OF APPEALS OF THE STATE OF WASHINGTON SEATTLE

DATE: 2/7/2020

BARRY GENE ZIKER
JOYCE ZIKER PARKINSON PLLC
1601 5TH AVE. STE 2040
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JOSEPH ESSILFIE
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KANOR TAYLOR P.C.
1200 5TH AVE STE. 1910
SEATTLE, WA 98101

CASE # 80026-4-I

JOSEPH ESSILFIE, APPELLANT VS. JORDAN KEATING ET AL
KING COUNTY, CASE NO. 18-2-54619-2

COUNSEL'S

RESPONSE TO THE COPY OF THE OPINION FILED IN THE ABOVE-REFERENCED
APPEAL WHICH STATED IN PART:

"WE AFFIRM"

THIS IS MY MOTION FOR RECONSIDERATION

IM ALSO FILING A REVIEW BY THE SUPREME OF WASHINGTON D.C
FOR THE VERY FACT THAT I DO NOT THINK IM NOT BEING GIVEN A FAIR
REVIEW OF THIS CASE IN SEATTLE, WASHINGTON AND MY EVEN TAKE MY
CASE TO THE CONGRESS IN WASHINGTON D.C.

THE COURT OF APPEALS OF THE STATE OF WASHINGTON

JOSEPH ESSILFIE
APPELLANT

NO 80026-4-1

DIVISION ONE

UNPUBLISHED OPINION

JORDAN KEATING, LEAH COLLEY
JOSH DOE, ANOTHER MALE WORKER,
RESERVE AT SEATTLE PARTNERS,
LLP, INDIGO REAL ESTATE SERVICE, INC
A WASHINGTON CORPORATION
RESPONDANTS
PLYMOUTH HOUSING GROUP
DEFENDANT.

APPELLANT'S RESPONSE TO
UNPUBLISHED OPINION AND
MOTION FOR RECONSIDERATION OF
APPEALS' COURT DECISION OF
"WE AFFIRM"

APPELWICK, J. THE COURT'S ORDERS OF GRANTING SUMMARY
JUDGMENT DISMISSAL AND DENYING RECONSIDERATION OF MY NEGLIGENCE
INTENTIONALITY AND ALL THE OTHER FORMS I STATED WERE WRONG
JOSEPH ESSILFIE IS NOT ONLY ALLEGING BUT HAS PROOFS
ALSO TO ESTABLISH A FACT OF MY STATEMENTS

I DID NOT ONLY ALLEGED THAT THOSE FUMES CAUSED MY VARIO
HEALTH PROBLEMS, I ALSO SUPPORTED THEM WITH MY MEDICAL
RECORDS.

ON MY APPEAL I ALSO SUPPORT THE GENUINE ISSUES OF
MATERIAL FACT NOT ONLY THE NEGLIGENCE BUT THE INTENTIONALITY
AND ALL OTHER COMPONENTS OF MY CASE WITH EVIDENCES
NAMELY LETTERS I WROTE TO THEM TO DO SOMETHING TO STOP
THE FUMES OF WHICH THEY TURNED A DEAF EARS TO ALL MY
PLEADINGS WITH LETTERS I WROTE TO ALL OF THEM ALL

2

MOST OF THE STATEMENTS LISTED IN THE FACTS PORTION OF THE APPEALS COURT ARE RIGHT, THE PORTIONS OF PARTS WHICH ARE NOT TRUE IS AS FOLLOWS:

THE DEFENDANTS SAID NEGLIGENCE: BREACH OF DUTY, PROXIMATE CAUSE AND DAMAGES LACKED SUFFICIENT EVIDENCE - NO BUT THEY HAVE SUFFICIENT EVIDENCE, THE DO.

LET ME NARRATE AGAIN THE STORY I WROTE FROM THE BEGINNING.

IN THE CLAIM FORMS I STATED ON DECEMBER FIRST 2016 WHEN I FIRST MOVED INTO RESERVE AT SEASAC, THE PERSON WHO SIGNED ME IN WAS JOSH AND I TOLD HIM WHAT WAS GOING ON WITH ME THAT I'M IN SEATTLE HERE BECAUSE THERE PEOPLE WHO ARE FOLLOW ME FROM NEW YORK WHO WANT TO KILL ME AND THOSE PEOPLE HAS FOLLOWED ME HEAR IN SEATTLE, THEY INSULTED ME THAT I'M A WHORE AND I RETURNED THIS INSULT TO THEIR MOTHERS AND GRANDMOTHERS AND THEY ACCUSED ME OF NOT RESPECTING THE ELDERLY SO I NEED TO KILL ME, THEY ALSO ACCUSED ME OF HAVING H.I.V. DISEASE SO WHEN I CAME THERE I SHOWED JOSH MY H.I.V. TEST RESULT OF WHICH HE MADE A COPY OF IT, LATER ON AS I FILED THIS CASE HE CAME TO MY APARTMENT WHILE I WAS OUT OF THE HOUSE AND STOLE MY COPY FROM APARTMENT AND NOT HIM ALONE THERE PEOPLE WHO COMES TO MY APARTMENT WHEN I'M OUT OF THE HOUSE STEALING MY COURT PAPERWORK INCLUDING A CARD THE POLICE GAVE ME WITH MY CASE NUMBER ON IT WHEN I REPORTED THIS CASE TO THEM.

AT ONE TIME THE POLICE CAME ABOUT THIS SAME CASE AND THE POLICE OF JOSH CALLED THE MENTAL CRISIS PEOPLE TO COME OF WHICH WE HELD A MEETING IN THE OFFICE WHEN THE MENTAL CRISIS PEOPLE LEFT THEY GAVE ME THEIR CARD IT WAS ALSO STOLEN. AT ONE TIME SOMEONE CAME TO INSPECT MY APARTMENT I TOLD HER OF IT, SHE ASKED ME HOW I KNOW THEY STOLE THEM, MY ANSWER TO HER WAS, THEY ARE THE ONLY PEOPLE WHO HAS KEY TO ALL THE APARTMENTS IN THE BUILDING AND ALSO ARE THE ONES I'M HAVING PROBLEMS WITH.

(3)

COMING BACK TO THE PEOPLE WHO ARE FOLLOWING ME AROUND FROM NEW YORK WANTING TO KILLING ME, THEY BRIBE PEOPLE TO HELP THEM SO THEY TOOK BRIBE FROM THESE PEOPLE TO DO IT, ITS SOMETHING LIKE MURDERER FOR HIRE, THE OFFICE IS STILL PUMPING FUMES AS I'M WRITING TODAY.

I HAVE HEARD JORDAN KEATING AND LEAH COLLEY'S VOICES IN APARTMENT 566 WHERE I SAID THEY WERE PUMPING THE TOXIC FUMES FROM, CALLING ME THE SAME NAMES THOSE PEOPLE WHO FOLLOWED TO THIS CITY, TELLING ME TO MOVE SAYING "WAOORE MOVE" REPEATING IT OVER AND OVER AGAIN. MANY TIMES I HEAR JORDAN KEATING'S VOICE IN THE NIGHT UPSTAIRS, THE SAME PLACE, AT ONE TIME WHEN HE BROUGHT AT POWERFULL TOXIN AND HE SAID "YOU SHALL DIE" THAT NIGHT I FELL INTO THE DEEPEST I NEVER DID IN MY LIFE, I WOKE UP ALL OF A SUDDEN AND I WAS ASTONISHED HOW I MANAGE TO SURVIVE THE ORDEAL, SEVERAL TIMES I'VE PASS THROUGH IT THOSE PEOPLE I'M TALKING ABOUT A AROUND THE BUILDING 24 HOURS, 7 DAYS A WEEK

THEY BRIBE EVERYBODY TO HELP THEM EVEN DOCTORS NOT TO HELP ME WHEN I'M SICK THEY FOLLOWS ME EVERYWHERE. THE BRIBE HOSPITAL SECURITY, NURSE TO GIVE THEM ACCESS IN THE HOSPITAL WARDS ANY TIME I'M ADMITTED.

THE OFFICE WORKERS COME INTO MY APARTMENT ALL THE TIME. RECENTLY I WAS GOING THROUGH SOME GROCERY BAGS I MY BED ROOM AND SOMEONE HAS SLIPPED A PACK OF CIGARETTE INTO IT, I DON'T SMOKE, MY MEDICAL RECORDS SHOWS BECAUSE I MY MEDICAL RECORDS C.O.P.D. / EMPHYSEMA WAS LISTED IN IT THEY WERE TRYING TO MAKE IT SEEM I SMOKE.

RECENTLY THEY PUT A NOTE IN SOMEONE'S HANDWRITING IN MY APARTMENT WHEN I WAS OUT I CALL THE POLICE ABOUT IT, THIS IS THE OFFICER NAME AND CASE NUMBER K. RIP, NUMBER K 19030441.

(4)

I REPORT ALSO MANY CASES TO MY CASE WORKER THE PERSON WHO BROUGHT ME TO THE PLACE, THINGS THEY STOLE FROM APARTMENT EVEN PHONE

I LOVE TO LIVE IN NEW YORK BUT IT WAS THOSE PEOPLE WHO WANTS TO KILL ME HAS MADE ME COME HERE AND FOLLOWED ME. THE ONE WHO IS PAYING FOR EVERYTHING THE DO IS ONE DONNA SMITH WHO IS THE MANAGER OF MANY APARTMENTS INCLUDING ONE, 401, SENECA MANOR DRIVE WHERE I USE TO LIVE, SHE SAID I DON RESPECT THE ELDERLY SO I NEED TO BE KILLED. I HAVE TOLD THIS STORY TO SO MANY PEOPLE SO I MADE IT KNOWN TO THEM BUT BECAUSE OF BRIBES THEY ARE DOING THIS TO ME. I DON'T KNOW HOW MUCH MONEY THEY PAID PEOPLE THAT MADE THEM DO WHAT THEIR ARE DOING TO ME. I'VE TOLD THIS TO F.B.I. C.I.A. THEY HAVEN'T DONE ANYTHING ABOUT IT. CRIME STOPPERS DOESN'T EVEN WANT TO LISTEN TO MY CASE. I'VE WRITTEN LETTERS TO THEM ALL TO HELP ME BUT TO NO AVAIL.

SO I HAVE PROVEN NEGLIGENCE, BREACH OF DUTY APPROXIMATE CAUSE AND DAMAGES.

I DO NOT KNOW IF YOU READ EVERYTHING IN MY PAPERWORK FROM THE ONSET BEFORE YOU REACH THIS DECISION OF

" WE AFFIRM "

THIS IS CONTRARY TO EVERYTHING CONTAINED IN ALL MY PAPERWORK, BECAUSE I CAN SEE THAT YOU DIDN'T

IF MY CASE WRONG THEN WHY DID THE TRIAL JUDGE CONGRATULATED ME FOR MY RESPONSES TO THE DEFENDANT'S ATTORNEY'S

MOTIONS AND LATER ON CHANGED HER MIND, AND ALSO WOULDN'T ALLOW ME TO ANSWER HER QUESTIONS, CUTTING ME OFF EVERY NOW AND THEN

DID YOU READ THE TRANSCRIPTS OF THE TRIAL RECORDING, IF YOU DIDN'T THE DO BECAUSE I'M NOT GOING TO LET THIS CASE BLOW IN MY CASE. I MUST BE THE WINNER

THE RESPONDANT SAID I LACK PROOF THAT THE RESPONDANT HAD EVER PUMPED FUMES INTO MY APARTMENT? I HAVE PROOF, OVER PROOF, OVER PROOF MANY TIME OVER

THEIR CONTENTION THAT I LACK PROOF THAT THEY HAD PUMPED TOXINS INTO MY APARTMENT IS BASELESS. I'VE SPOKEN WITH THEM ABOUT IT MANY TIME AND THEY ARE STILL PUMPING IT. MY LETTERS TO THEM SHOWS WHY ARE THE PEOPLE WHO WANT TO KILL ME ARE IN AND AROUND THE HOUSE SINCE I MOVED INTO THE APARTMENT. THEY BRIBE PEOPLE TO KILL ME, SO THEY WERE BRIBED TO DO IT FOR THEM, THAT'S THEY ARE IN AND AROUND THE BUILDING CALLING ME NAMES DAY AND NIGHT. THEY DON'T LIVE THERE. MY MEDICAL RECORDS SHOWS IS HAVING EFFECTS ON MY HEALTH

6

ARE THEY HEAVY METALS, YES
ARE HEAVY METALS POISONS, YES
DO POISONS MAIM, CAUSES DISEASES,
AND KILLS, YES.

WHY IS DR. PHILLIPS AN INTERNAL
MEDICINE AND MEDICAL TOXICOLOGIST? IF
TOXINS ARE GOOD FOR HUMAN, WHY DID
HE BOTHERED HIMSELF TO STUDY THEM?
DOES HE KNOWS NOT ALL HUMANS ARE
HEALTHY ENOUGH TO TOLERATE EVEN THE
SLIGHTEST OF SOME THINGS THAT WILL NOT
BOTHER OTHERS, I MEAN NOT EVERYONE IS
HEALTHY ENOUGH TO WITHSTAND SOME THINGS
WHICH DOES NOT BOTHER OTHERS EVEN IN ITS
POTENCY.

PHILLIP OPINED THAT THE LAB TESTS WERE
NOT EVIDENCE OF TOXICITY OR HARM, SO THEN
WHERE DOES MY C.O.P.D/EMPHYSEMA COME
FROM NOT BEING A SMOKER? WHERE
DOES MY INTERNAL BLEEDING COME FROM OF
WHICH I NEVER HAD ONE IN ALL MY 67
YEARS OF MY LIFE.

THIS IS HOW I GOT IT, THEY PUMPED SO
MUCH TOXIN THAT EVENING THAT IT KNOCKED
ME OFF INTO VERY DEEP SLEEP BEING A LIGHT
SLEEPER

⑦

WHEN I GOT UP ALL OF A SUDDEN MY BELLY WAS IN EXCRUCIATING PAIN I CALL THE AMBULANCE WHICH CAME TO TAKE ME TO THE HOSPITAL, THOSE PEOPLE I AM TALKING ABOUT WHO HAS BRIBED RESERVE AT SEATAC WORKERS TO KILL ME FOR THEM FOLLOWED ME, THE AMBULANCE TO THE HOSPITAL BRIBED THE DOCTORS NOT TO HELP ME BECAUSE THEY WANT ME DEAD SO THE DOCTORS DIDN'T, I WAS EVEN VOMITTING, THEY DIDN'T HELP SO I ASK THEM TO CALL ME ANOTHER AMBULANCE TO TAKE ME TO ANOTHER HOSPITAL, THEY SAID IT CANNOT BE DONE AND OFFERED ME A BUS TICKET INSTEAD, IT WAS MIDDLE OF THE NIGHT, HOW CAN I GO AND WAIT FOR THE BUS WITH ME IN GREAT PAIN AND ALSO VOMITTING, SO A TAXI CAME AROUND AND I TOOK IT, I DIDN'T HAVE MONEY IN MY PCKET SO WE STOP AT AN A.T.M. MACHINE TOOK SOME MONEY AND WE CONTINUE TO ANOTHER HOSPITAL WHERE I WAS TAKEN CARE OF BECAUSE THERE WERE MANY DOCTORS THERE SO THEY COULDN'T REFUSE TO TAKE CARE OF ME. THAT'S WHERE THEY FOUND THAT I WAS HAVING INTERNAL BLEEDING.

THE LAW PHILLIP QUOTED AND REFER TO AS INADMISSIBLE, NAMELY ER 702 AND FRYE V. UNITED STATES 293 F. 1013 (D.C. CIR 1923)

DOES NOT APPLY IN MY CASE, THE REASON IS AS FOLLOWS → MY TOXIC POISONING IS

(8)

STILL ON GOING, IF YOU GO THROUGH MY TOXICOLOGY REPORT, YOU WILL NOTICE THAT THEY ARE TWO DIFFERENT DATES WITH ABOUT 8 MONTHS APART SHOWING THAT IT WAS ON GOING AND ITS STILL ON GOING RIGHT TO THIS DAY AND DATE I'M WRITING THIS MOTION TO RECONSIDER TO MAKE YOU KNOW THE TRUTH I AM DOING THE TEST AGAIN, I SENT MY HAIR AGAIN TO THE LAB, I HAVEN'T RECEIVE THE RESULT YET AND WHEN I RECEIVE THE RESULT I WILL SEND A COPY TO THIS COURT TO MAKE KNOWN THE TRUTH. WHAT PHILLIP SAID WAS ONLY THE ONE I DID THE FIRST TIME WITH THE 4 RESULT AND NOT UNDER THE ONE WITH 6 RESULT. AGAIN THE FUMES IS STILL ON-GOING SO IT KEEPS INCREASING IN MY BODY AND STILL CAUSING ME SICKNESSES EVEN THE FIRST TEST WHICH IS 4 HEAVY METALS CAUSED ME LUNGS PROBLEM. I WAS COUGHING BLOOD AND WAS IN THE HOSPITAL FOR A WEEK AND THAT WAS IN MARCH 2017. I HAD WANTED TO GO AND GET FRESH MEDICAL RECORD BUT BECAUSE OF CORONA VIRUS RECORD OFFICE DOES NOT OPEN.

(9)

SO I REPEAT THAT LAW PHILLIP QUOTED DOES NOT APPLY IN MY CASE. HE DIDN'T EVEN SAY HOW MANY THE POISON WERE, IT DEFINITELY MAY BE ONLY ONE POISON, YOU MAY CHECK IT YOURSELF, SO AGAIN IT DOESN'T FIT MY CASE SO IT MUST BE DISANNULLED.

MY CASE IS SO MAGNITUDE AND GREATLY UNIQUE THAT IT HASN'T HAPPEN IN ANY PART OF THE UNITED STATES OR EVEN THE WORLD.

HAVE ANYONE HEARD THAT ANY PERSON IN UNITED STATES LIVING IN APARTMENT BUILDING HAS THIS MUCH POISONING IN HIS OR HER BODY? NO, NOT ONE.

ANYONE WHO HAS POISON IN HIS BODY HAS ONLY ONE NAMELY LEAD

POISON TEST ARE NOT DONE WITH ONLY BLOOD OR URINE ALONE. IT CAN BE DONE WITH HAIR AS I HAVE DONE AND IT ALSO CAN BE DONE WITH FINGER OR TOE NAILS

MY MEDICAL RECORDS WAS NOT ONLY NOVEMBER 2018, THE DEFENDANTS OR RESPONDANTS ATTORNEY IS MY WITNESS OVER THIS.

RESPONDANTS ATTORNEY IS KEEPING SO SECRETS I'M TALKING ABOUT MISS BAMBERGER.

MISS BAMBERGER SENT ME A CONSENT FORM FOR ME TO SIGN TO COLLECT MY MEDICAL RECORDS AND I DID SO SHE HAS ALL MY MEDICAL RECORDS, MY X-RAYS AND MAYBE OTHER STUFF TOO. ENOUGH HERE

NOW LET ME COME BACK TO THE PUMPING OF FUMES. I KNOW FOR SURE THAT THEY ARE THE ONES PUMPING THE FUMES. CAN ONE APARTMENT EMIT MANY DIFFERENT KIND OF POISON WITHOUT A CAUSE? AND IF THEY ARE NOT THE ONES DOING IT AND I HAVE REPORTED IT TO THEM AND NOT TO THEM ONLY BUT TO INDIGO REAL ESTATE AND TO PLYMOUTH HOUSING GROUP ALSO AND THEY ALL HAVE STOP THEIR EARS FROM MY CRY THEN ARE THEY NOT TO BE HELD ACCOUNTABLE?

ALLOW ME TO SUGGEST SOMETHING HERE LET'S SAY FOR INSTANCE THERE IS SOME WATER ON THE FLOOR SOMEWHERE IN THE BUILDING AND IT HAS BEEN REPORTED TO THE OFFICE AND NOTHING WAS DONE TO IT AND SOMEONE SLIPPED ON IT, FELL TO THE GROUND AND BROKE HER HIP BONE, WILL THEY GO FREE OR THERE BE HELD ACCOUNTABLE.

(11)

WHAT ABOUT IF THERE IS SPARKS
COMING OF THE ELECTRICAL SOCKETS IN
MY APARTMENT AND I REPORTED IT TO THEM, WHAT
DO ANYONE THINK THEY WILL DO? THEY WILL RUN
TO TAKE CARE OF IT, ISN'T IT, IT IS, FOR FEAR
THEIR APARTMENT BUILDING WILL BURN DOWN.
ALL THIS I'M TALKING ABOUT APPLIES
TO MY CASE.

NOW LET ME BREAK IT DOWN IN PIECES
FOR EVERYONE TO KNOW. THEY DID POUR THE WATER
ON THE FLOOR YET THEY DIDN'T DO ANYTHING ABOUT
SOMEONE SLIP FELL BROKE BONE, THEY WILL BEAR
THE COST OF THE INJURY.

ONE MORE THING, SNOW FALLS IN FRONT OF
THE BUILDING ITS THEIR DUTY TO CLEAR IT, THEY
DON'T, SOMEONE FALLS AND HAD INJURY, THE COST
GOES TO THEM EVEN THOUGH THEY DIDN'T CAUSE
THE SNOW TO FALL.

THE SAME APPLY IN MY CASE. INVESTIGATE
THE CAUSE AND CORRECT SIMPLE AND SHORT
AND FOR OVER 3 YEARS THEY HAVE TURNED A
BLIND EYE TO IT OVER ALL THE WARNINGS I
GAVE THEM. THEY SHOULD BE HELD
RESPONSIBLE.

SO IF THEY ARE NOT THE ONES DOING IT AS THEY ARE THEY NOT OBLIGED BY LAW TO KEEP TENANTS SAFE AND SECURE AS CHAPTER 59.18 R.C.W. GOOD FAITH OBLIGATION DEMAND, QUOTE - STATE LAW REQUIRES LANDLORDS AND TENANTS TO ACT IN GOOD FAITH TOWARD ONE ANOTHER.

RIGHTS OF ALL TENANTS

REGARDLESS OF WHETHER THEY ARE COVERED BY THE RESIDENTIAL LANDLORD-TENANTS ACT ALL RENTERS HAVE THESE BASIC RIGHTS UNDER OTHER STATE LAWS: THE RIGHT TO LIVABLE DWELLING; PROTECTION FROM UNLAWFUL DISCRIMINATION; RIGHT TO HOLD THE LANDLORD LIABLE FOR PERSONAL INJURY OR PROPERTY DAMAGE CAUSED BY THE LANDLORD'S NEGLIGENCE; PROTECTION AGAINST LOCKOUTS AND SEIZURE OF PERSONAL PROPERTY BY THE LANDLORD

AND I HAVE PROVEN NEGLIGENCE BY REPORT FUMES FOR MANY YEARS AND THEY HAVE DONE NOTHING ABOUT IT WHICH HAS CAUSED ME HARM AND INJURIES AND ITS STILL ON-GOING.

WHEN I GET THIS RECENT LAB TEST RESULT I WILL BRING IT TO COURT AS SUPPLEMENT TO MY MOTION TO RECONSIDER.

(13)

DISCUSSION

PLAINTIFF HAS ALREADY PROVEN THAT GENUINE ISSUE EXISTS - GO BACK TO MY MEDICAL RECORDS AND THEY SHOW GENUINE ISSUE EXISTS AND I ALSO HOLD ATTORNEY BAMBERGER ACCOUNTABLE FOR HAVING MY MEDICAL RECORDS AND HIDING IT IN ORDER TO WIN HER CASE, THIS IS A CRIMINAL DEED AND SHOULD GO AGAINST HER RESPONDANT'S CASE.

I HAVE SO MANY PROOFS IN MY CASE WHICH FOR SOME REASON HAVE BEEN IGNORED BY THE COURT AND STILL BEING IGNORED. ALL THE LAW QUOTED BY THE ATTORNEY OF THE DEFENDANTS OR THE RESPONDANT'S DOES NOT APPLY IN MY CASE AND MUST BE EXCLUDED

I HAVE PROVEN NEGLIGENCE

① EXISTENCE OF DUTY OWED TO ME

Ⓐ PROOF - CHARTER 59.18 R.C.W.

② BREACH OF DUTY.

Ⓑ PROOF - MY LETTERS TO THEM OF WARNING ABOUT FUMES AND THEY NEGLECT TO INVESTIGATE AND RECTIFY

③ A RESULTING INJURIES,

Ⓒ PROOF - MEDICAL RECORDS SHOWS

④ THE BREACH AS THE PROXIMATE CAUSE OF INJURY

Ⓓ PROOF - I DON'T SMOKE OR DRINK WHAT CAUSED MY C.O.P.D./EMPHYSIMA, INTERNAL BLEEDING.

I ALSO HAVE DOCTOR REPORT OF TOXICOLOGIST AND MY OWN MEDICAL RECORDS FROM DOCTORS.

SUMMARY JUDGMENT DISMISSAL

IT IS BIASED. WHAT I DID SAY WAS ALL TRUE IT WAS FAVORITISM THAT CAUSED ME TO LOSE THE CASE. ARE THEY SAYING TOXINS AS MANY AND DIFFERENCES CANNOT CAUSE ANY SICKNESS? I'M BEING KIDDIN' HERE, DOES ENVIRONMENTAL POLLUTION CAUSE HEALTH HAZARDS? THAT'S WHY PEOPLE HOLD THAT'S WHY PEOPLE HOLD PROTESTS AGAINST IT

LABORATORY TEST DON'T CONSTITUTE QUALIFIED EXPERT TESTIMONY? SO THEN WHY ARE THEY SEEING PATIENTS ALL OVER AMERICA.

COLLEY AND KEATING SAID NO DUCTWORK? SO HOW DID THE HEAVY METAL DUSTS GET INTO MY APARTMENT AND NONE OTHER ELSE'S APARTMENT. IF THERE ARE FUMES ABOUT IT, DOESN'T PEOPLE DO? SO HOW DOES THE HEAVY METALS GET INTO MY BODY AS MANY AS THEY ARE, DIFFERENT KINDS.

ESSILFIE DID MAKE A SHOWING SUFFICIENT TO ESTABLISH HIS EXISTANCE OF ALL ELEMENT BUT ITS FAVORITISM THAT MADE ME LOSE MY CASE

THE TRIAL COURT ERR IN MY NEGLIGENCE AND ALL OTHER THINGS SUPPORTING CASE AND DISMISS MY CASE WITH PREJUDICE.

YES THE COURT OVERLOOKED THE SERIOUSNESS OF ESSILFIE DISEASES CAUSED BY HEAVY METALS WHICH SEND ME TO THE HOSPITAL WARDS FROM TIME TO TIME. DO YOU KNOW INTERNAL BLEEDING HAS CAUSED AND STILL CAUSE MANY DEATHS? SO MY RECONSIDERATION STANDS ON BLIND JUDGMENT.

MY REASON FOR NOT QUOTING ANY LAW IS I COULD NOT FIND ANY LAW SIMILAR TO MINE IN THE LAW BOOKS.

EVERY POISONING CASE I FIND CONCERNS ONLY ONE POISON. MINE IS MANY POISONS AS MANY AS TEN (10) POISONS IN MY BODY SO ITS OF NO CONSEQUENCE TO QUOTE ANY LAW BECAUSE MY CASE IS OF SUCH MAGNITUDE, SO GREAT, LAWS ABOUT POISONS IN THE LAW BOOKS CAN'T MICH MINE

I GOT TEN (10) POISONS IN MY BODY ALREADY I DID TWO (2) TOXICOLOGY TEST WITH ABOUT EIGHT (8) MONTHS INTERVAL BETWEEN THE TWO (2) AND IN BOTH TIMES NEW HEAVY METALS WERE FOUND AND ~~AND~~ AT THIS POINT I'M WRITING FUMES ARE STILL BEING PUMPED INTO MY APARTMENT WHAT LAW CAN I QUOTE I SUPPORT OF THIS. I'M DOING A NEW TEST, IN A FEW DAYS I WILL GET THE RESULT AND I WILL FILE IT AS SUPPLEMENT TO THIS MOTION.

WHAT I'M GOING THROUGH IS UNPRECEDENTED AND ITS VERY HORRIBLE NO LAW CAN MICH IT

HAS ANYONE EVER HEARD ANYONE POISONED IN AN APARTMENT WITH SUCH MANY POISONS? NOWHERE HERE OR IN THE WORLD.

THEY WANT EXPERT DOCTORS BEFORE MY MEDICAL CAN BE ACCEPTED? THOSE IN THE EMERGENCY ROOM ARE EXPERT ELSE THEY WOULDN'T BE THERE THOSE DOCTORS ARE OBLIGE BY LAW TO KEEP PATIENTS ALIVE WHILE THERE IS A CHANCE OF RECOVERY, IF SO, THEN ARE THEY NOT EXPERTS

IT IS THE BUILDING OFFICE'S DUTY TO KEEP TENANTS SAFE FROM DANGERS THEY FAILED TO DO THEIR DUTY HERE AND ITS NEGLIGENCE AND I HAVE PROOF SO MANY THINGS ATTACHED TO IT.

THERE'S NO LAW I CAN QUOTE IN SUPPORT OF THIS FLIGHT I'M GOING THROUGH. MY DOOR IS PROPPED OPEN 24 HOURS A DAY BECAUSE OF THE FUMES AND SOMEONE IS THROWING EGGS INTO MY APARTMENT IVE REPORTE IT TO THE POLICE.

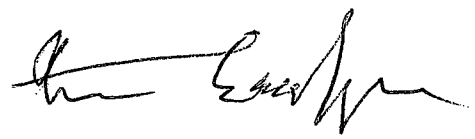
I CONTENTED THAT EVEN IF THEY ARE NOT RESPONSIBLE DIRECTLY THEY HAVE AN OBLIGATION TO KEEP ME SAFE BY INVESTIGATION AND RECTIFYING OF THE DANGEROUS SITUATION.

ALL THE LAWS QUOTED BY THE RESPONDANT: ATTORNEY DOES NOT APPLY IN MY CASE.

YOU CAN'T APPLY SOMETHING SMALL AS ONE POISON IN SOMEONE'S BODY TO MANY POISONS IN ANOTHER PERSON'S BODY. NO, NO IT SHOULDN'T BE ONE SIZE FITS ALL.

YES THE TRIAL COURT ABUSE ITS DISCRETION IN DENYING ESSLIE'S MOTION FOR RECONSIDERATION SO — WE AFFIRM.

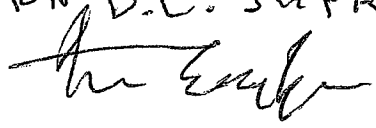
MUST BE DISANNULLED AND MY CASE REINSTATED.



WE CONCUR.

MUST BE DISANNULLED ALSO.

I CAN'T GET A FAIR REVIEW OF MY CASE IN SEATTLE SO I MAY TAKE MY CASE TO WASHINGTON D.C. SUPREME COURT AND TO CONGRESS.



APPENDIX "B"

THE SUPREME COURT STATE OF WASHINGTON

JOSEPH ESSILFIE
APPELLANT

VS.

JORDAN KEATING
ET. AL
RESPONDANTS

NO: 97319-9

A DESCRIPTION OF THE
NATURE OF CASE -
ASSAULT AND BATTERY

APPEAL FOR REVIEW OF
DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT

MY NAME IS JOSEPH ESSILFIE AND I'M THE APPELLANT
MY CASE STARTED FROM ROCHESTER NEW YORK, WITH MY
NEXT DOOR NEIGHBORS WHO WERE ACCUSING ME OF HAVING
H. I. V. VIRUS AND CALLING ME A WHORE SO I RETURNED THEIR
INSULTS TO THEIR MOTHERS AND GRANDMOTHER CALLING THE WHORE
SO THEY SAID I DON'T RESPECT THE ELDERLY SO THEY HAVE TO KILL
ME. THEY HIRED A HITMAN ONE AFTERNOON, HIDING IN A CAR.
THE PLACE WE LIVED WAS QUIET PLACE BUT I ENLURED THE
HITMAN A HE COULDN'T KILL ME. AT THAT TIME I BEGAN TO GET
SCARED AND TRIED TO MOVE AWAY FROM THEM BY MOVING FROM
THE APARTMENT BUILDING BUT THEY FOLLOW ME EVERYWHERE
I GO, INCLUDING FROM STATE TO STATE AND FROM CITY TO CITY
THAT'S WHY I FOUND MYSELF HERE IN SEATTLE, WASHINGTON THEY ARE
SEVEN PEOPLE FOLLOWING ME AROUND INCLUDING ONE WHITE OLD
WOMAN IN HER MID-SEVENTIES AND THREE CHILDREN A ONE YOUNG
MAN IN HIS FIFTIES, ROUGHLY.

I HAVE BEEN HOMELESS TWO TIMES BECAUSE OF THEM AND
BECAUSE I WANTED TO RUN AWAY FROM THEM.

CONTINUE NEXT PAGE

SO THIS IS WHAT HAPPENED NEXT, THE PLACE I NOW LIVE WAS A HELP FROM THE HOMELESS SHELTER WHERE I USED TO LIVE SO I MOVED INTO RESERVE AT SEATAC APARTMENT BUILDING OF THE 1ST OF DECEMBER 2016. I KNOW THOSE PEOPLE WHO ARE FOLLOWING ME EVERYWHERE I GO SEEKING TO KILL ME WILL COME THERE AND LIE TO THEM SO I SHOWED THE PERSON WHO ACCEPTED MY APPLICATION AND MY H. I. V. VIRUS TEST RESULT WHICH IS NEGATIVE AND JOSH WHO ACCEPTED MY APPLICATION MADE A COPY OF IT AND TOLD HIM NOT TO LISTEN TO THOSE PEOPLE OF WHOM I DON'T KNOW THEIR NAMES, I ONLY KNOW THE APARTMENT NUMBERS AT ROCHESTER, NEW YORK, WHERE I USED TO LIVE, I ONLY KNOW THEM BY THEIR VOICES OF WHICH THE CALL ME NAMES 24 HOURS A DAY, THEY FOLLOWED ME EVERYWHERE BRIBING PEOPLE NOT TO HELP ME. SO THEY BRIBED THE DEFENDANTS TO POISON ME BY TOXIC FUME TO KILL ME ALL BECAUSE THEY THEMSELVES WANTS TO KILL ME THAT'S WHY THEY FOLLOWED ME HERE. SO ON FEBRUARY 2017 THE DEFENDANTS STARTED PUMPING TOXIC FUMES INTO MY APARTMENT NUMBER 466 FROM APARTMENT NUMBER 566 SO I WENT TO THEM AND REPORTED THE FUMES TO THE DEFENDANTS TELLING THEM THAT THE OCCUPANTS IN APARTMENT 566 ARE PUMPING FUMES INTO MY APARTMENT NUMBER 466 BUT WAS TOLD NOBODY LIVES IN THAT APARTMENT AND WAS TOLD TO REPORT THE CASE TO THE POLICE SO I DID AND THE POLICE GAVE ME A CASE NUMBER. THE FUMES CONTINUED SO I KEPT GOING TO THEM BUT THE FUMES HAS CONTINUED UP TO THIS DAY I'M WRITING THIS STATEMENT. I HAVE REPORTED IT TOO MANY TIMES TO DO SOMETHING ABOUT THE FUMES AND UP TO THIS DAY THEY HAVE DONE NOTHING ABOUT IT AND I BELIEVE THIS CONSTITUTE NEGLIGENCE. ALSO I REPORTED SO MANY TIMES TO THE POLICE AND THE POLICE ALSO HAS DONE NOTHING ABOUT IT BUT RATHER ASKED ME TO TAKE IT TO COURT AND I DID HIRE AN ATTORNEY WHO WRATE A DEMAND LETTER TO THEM BUT THEY REFUSED THE DEMAND AND LATER ON THE ATTORNEY WAS BEING TOO FRIENDLY WITH THEM SO I TOOK THE CASE FROM HIM AND FILE IT MYSELF. THE TOXICOLOGY TEST I DID SHOWS A LOT OF HEAVY METALS AND ALSO HAS GIVEN ME SICKNESS LIKE C. O. P. D. AND INTERNAL BLEEDING OF WHICH I WAS ADMITTED IN THE HOSPITAL WARD FOR MANY DAYS. THE FUMES ARE MANY SO THAT SHOWS IT'S NOT ACCIDENTAL BUT INTENTIONAL. PEOPLE GET POISON IN APARTMENT BUILDINGS BUT THE POISON IS ALWAYS ONE, LIKE LEAD BUT MINE IS MANY. THE JUDGE ASKED ME HOW I KNOW THEY ARE THE ONES DOING IT BUT THEN DIDN'T ALLOW ME TO GIVE MY ANSWER.

HOW I KNOW THEY ARE THE ONES PUMPING THE FUMES IS, THE BUILDING BELONGS TO THEM AND IF I REPORTED SOMETHING TO THEM I EXPECT THEM TO TAKE STEPS TO RECTIFY THE PROBLEM BUT FOR OVER TWO YEARS NOW THEY HAVEN'T DONE ANYTHING ABOUT IT SO THIS SHOWS NEGLIGENCE ON THEIR PART.

THE LANDLORD/TENANT RULE SAYS ANY TENANT WHO SUFFERS INJURY IN THE BUILDING SHOULD HOLD THE LANDLORD RESPONSIBLE. THE INTERNAL BLEEDING I SUFFERED NEARLY KILLED ME, BUT THE JUDGE SAYS MY PRE-EXISTING CONDITION OF SICKLE ANEMIA CAUSED THE PROBLEM BUT THE DEFENDANTS ATTORNEY HAD MY MEDICAL REPORTS AND COULDN'T POINT ANYTHING OUT TO SUPPORT THEIR CASE SO WHY SHOULD THE JUDGE SAID SO. THE JUDGE BECAME THE DEFENDANTS ATTORNEY IN THE TRIAL SPEAKING FOR THEM, RAISING ALL KINDS OF OBJECTIONS AND WOULDN'T ALLOW ME TO FINISH WHAT I HAD TO SAY.

WHAT I HAD TO SAY ABOUT THE JUDGE'S ACCUSATION OF MY PRE-EXISTING CONDITION CAUSING THE INTERNAL BLEEDING IS THAT I AM NOT THE ONLY ONE IN MY FAMILY HAVING THIS CONDITION, MY SISTER WAS BORN WITH IT AND I WAS BORN WITH IT. MY SISTER HAS THE STRONGEST ONE WHICH GIVES HER SICKLE CELL CRISIS AND PUTS HER IN BED FOR OVER A MONTH YET MY SISTER NEVER HAD C.O.P.D. OR INTERNAL BLEEDING ALL HER 70 YEARS OF LIFE, MINE IS VERY MILD, NEVER HAD CRISIS IN. ALL THIS OVER 60 YEARS. SO WHY NOW? ALL THAT I SUFFERED HAPPEN DURING THIS PERIOD OF POISONING SO IT CAN'T BE FROM THE SICKLE CELLS.

THE LETTERS I WROTE TO THEM BEARS WITNESS THAT I HAVE TRIED TO GET THEM TO DO SOMETHING ABOUT THE TOXIC FUMES BUT TO NO AVAIL.

HEAVY METALS EVERYONE KNOWS ARE NOTHING TO SNEEZE AT EVERYONE CAN SEE FROM THE DEMONSTRATION, EVEN TEENS STANDING UP AGAINST ENVIRONMENTAL POLLUTION

SUCH HEAVY METALS IN MY BODY CAUSES CANCERS —
BRAIN, LUNGS, LIVER AND OTHER CANCERS. IF I WORK AT
A FACTORY THEN LATER ON WHEN I GET CANCER FACTORY
MAY PAY SOMETHING BUT THIS IS NOT FACTORY, ITS APARTMENT
BUILDING ~~AND~~ ITS NOT A MATTER OF IF BUT WHEN AND I CAN'T
COME BACK TO THEM TO GET HELP AND I CAN'T BE A BURDEN
UPON THE SHOULDER OF THE FEDERAL GOVERNMENT TO PAY
PAY MY CANCER MEDICAL BILLS WHEN I GET CANCER.

THE DEFENDANTS ATTORNEY STATES THAT I'M NOT A DOCTOR
TO DIAGNOSE MYSELF BUT THE TOXICOLOGIST HAS ALREADY
FOUND OUT THAT HEAVY METALS ARE CANCER CAUSING AGENTS
SO I'M JUST REPEATING WHAT HAS BEEN ALREADY ESTABLISHED
BY DOCTORS.

FURTHERMORE I WOULD LIKE TO POINT OUT THAT THERE
MAY BE SOME DECEPTION ON THE PART OF THE DEFENDANTS
ATTORNEY. THIS IS WHAT HAPPENED AFTER I REFILED THE CASE
BECAUSE IT WAS DISMISSED WITHOUT PREJUDICE AT FIRST
BY JUDGE CATHERINE MOORE BECAUSE I DIDN'T HAVE THE
INTERNAL BLEEDING THEN. AND AFTER I REFILED THE CASE,
IT WAS ASSIGNED TO JUDGE KAREN DONAHUE BUT THE
DEFENDANTS ATTORNEY FILED A MOTION FOR SUMMARY
JUDGMENT WITH A CRIMINAL COURT JUDGE AND NOT WITH
JUDGE KAREN DONAHUE, SO I FOUND THAT OUT AND CALLED
THE DEFENDANTS ATTORNEY AND TOLD HER ABOUT THE MISTAKE
AND BEING AN ATTORNEY I DON'T UNDERSTAND WHY SHE MADE
THAT MISTAKE AND FILING THE SUMMARY JUDGMENT AGAIN
I DO NOT KNOW SHE DIDN'T FILE IT WITH THE ASSIGNED
JUDGE DONAHUE BUT WITH JUDGE INVEEN. I DIDN'T
RECEIVE ANY LETTER FROM JUDGE DONAHUE THAT SHE HAS
ASSIGNED THE CASE TO JUDGE INVEEN SO I THINK
SOMETHING FISHY WENT ON. JUST MY SUSPICION.

THE MANAGEMENT COMES TO MY APARTMENT EVERYTIME I'M OUT IN THE CITY AND TAKE THINGS OUT OF MY APARTMENT THE STOLE MY PHONE BECAUSE WHEN MY HAIR WAS BEING CUT FOR THE TOXICOLOGY LAB TEST PICTURE WAS TAKEN TO SHOW THAT ITS MY HAIR. THEY HAVE STOLING OTHER THINGS LIKE GROCERY, MY BREAD KNIFE AND THEY POUR OUT MEDICATIONS FROM ITS BOTTLES, I REPORT TO THEM TO STOP COMING IN MY APARTMENT WHILE I'M OUT BUT THEY DONT CARE, THEY ALWAYS COME WHILE I'M OUT.

BECAUSE OF THE FUMES I PUT A TENT ON THE PORCH AND SLEEP IN, WHILE I WAS IN THE HOSPITAL WITH THE INTERNAL BLEEDING SOMEONE WENT IN AND CUT THE TENT SO I CAN SLEEP IN THE APARTMENT TO LET THE FUMES KILL ME, NOW I PROPPED THE DOOR OPEN 24 HOURS A DAY BECAUSE OF THE FUMES. SOMETIMES I HEAR THE MANAGER VOICES IN THE APARTMENT 566 CALLING ME NAMES, LIKE WHORE, DYING MAN AND SO ON, RECENTLY I HEARD JORDAN KEATING'S VOICE SAY "YOU SHALL DIE" IN THE MIDDLE OF THE NIGHT AND IN THAT NIGHT THE FUMES WAS SO STRONG IT ALWAYS PUTS ME INTO DEEP SLEEP. IT IS PUMPED 24 HOUR A DAY

NOW I WOULD LIKE TO MAKE IT CLEAR THAT MY CASE SHOULD NOT HAVE BEEN DISMISSED AS THERE ARE SUFFICIENT ALLEGATIONS TO SUPPORT LEGAL CLAIMS AND WITH THE ALLEGATIONS AND EVIDENCE SUBMITTED VIEWED IN THE LIGHT MOST FAVORABLE TO MY POSITION MY CASE SHOULD HAVE BEEN ALLOWED TO CONTINUE.

EVIDENCE EXISTS TO SUPPORT THE PLAINTIFF'S (MYSELF) CLAIM THAT THE HEAVY METALS HAVE CAUSED MEDICAL INJURY TO ME (THE PLAINTIVE) AND I ATTACHED MY MEDICAL RECORDS TO MY RESPONSE TO THE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT BUT THEN IT WAS UNWITTINGLY OVERLOOKED BY THE JUDGE.

THE JUDGE ALSO REMOVED INDIGO REAL ESTATE FROM THE LAWSUIT WHICH I BELIEVE IS NOT RIGHT BECAUSE THEY KNOW ABOUT THE POISONING BUT DIDN'T DO ANYTHING ABOUT IT BUT DISPLACE THE ORIGINAL EMPLOYEES FROM THEIR OFFICE AND BROUGHT NEW WORKERS IN THEIR PLACE AND WROTE LETTERS TO THE NEW EMPLOYEES AND INDIGO REAL ESTATE THEMSELVES BUT NOTHING HAS BEEN DONE AFTER ALL THIS OVER TWO YEARS. THEY THINK THE BURDEN OF PROVE IS ON ME SO THEY HAVEN'T DONE ANYTHING AND THE FUMES IS STILL GOING ON AS OF THIS DAY.

MY E-MAIL IS AS FOLLOW —

jessilfie51@gmail.com

Joseph Essilfie

JOSEPH ESSILFIE
19707 INTERNATIONAL BLVD
APT 466
SEATAC, WA. 98188

DATE: Mon. 6 24/2019

0
APPENDIX
"C"

(1)

JASEPH ESSILFIE
19707 INTERNATIONAL BLVD.
APT 466
SEATAC, WA. 98188
MON. JULY 2, 2018

DEAR MS. LEAH COLLEY,

ON THIS DAY I CAME TO YOUR OFFICE TO ADDRESS AN ONGOING PROBLEM WHICH HAS BEEN GOING ON SINCE MR JORDON KEATING WAS THE MANAGER AND HAS BEEN GOING ON UP TO THIS DAY WHICH HAS CAUSED ME TO HAVE A LAWSUIT AGAINST MR. KEATING AND EVERY ~~MANE~~ WORKER WHO HAS WORKED IN YOUR ~~FROM~~ OFFICE FROM ~~FEBRUARY TO MAY 2018~~ FEBRUARY 2017 TO MAY 2018 AND SO THIS CASE IS STILL PENDING IN COURT.

ITS ALL BECAUSE OF HEAVY METAL FUME OF WHICH I SPOKE WITH OFFICE AND NOTHING WAS DONE ABOUT IT AND IT CAME TO A POINT I HAD TO TAKE THEM TO CIVIL COURT, BECAUSE AFTER A LONG TIME THEY WERE SILENT TO MY CRIES AND PLEADINGS I HAD NO CHOISE BUT TO TAKE ~~AND~~ ACTION. MR KEATING HAS LEFT BUT YOU ARE NOW IN CHARGE AND UNDER YOUR SUPERVISION AND CARE THIS HEAVY METAL FUMES PUMPING IS STILL GOING, I STOP BY TO SPEAK ABOUT IT WITH YOU BUT AS WHAT MR KEATING DID SO IS WHAT YOUR ARE DOING, YOU TOLD ME TO CONTACT MY ATTORNE I'M MY OWN ATTORNEY. SINCE YOU ARE NOW IN CHARGE THIS PROBLEM NOW IS NOT MR KEATING'S PROBLEM OR UNDER HIS COURT CASE. THIS IS WHY. THIS TIME EVERYTHING IS HAPPENING UNDER YOUR SUPERVISION AND CARE, SO THIS TIME I WOULD LIKE YOU TO LISTEN TO ME AND DO EVERYTHING TO RECTIFY THE PROBLEM.

NOW, THIS IS WHAT I WOULD LIKE YOU TO DO, IS TO GET YOUR BOSS'S ATTENTION EVERYTHING HE HAS TO DO TO RECTIFY THE PROBLEM, TALK TO THE OWNER OF THE BUILDING TOO, TO SEND THE RIGHT AUTHORITIES WHO

(2) LOOK FOR FUMES RESIDUES IN BUILDINGS TO COME IN AND CHECK THESE TWO ROOM APARTMENTS, ON THE FIFTH FLOOR APARTMENT 566 AND ON THE FOURTH FLOOR MY APARTMENT 466.

IN APARTMENT 566 ON THE 5TH FLOOR BECAUSE I SUSPECT THAT'S WHERE THE FUMES IS COMING FROM BEING PUMPED INTO MY APARTMENT 466 SO AS TO FIND OUT WHAT IS GOING ON.

NO DECEPTION BECAUSE I CUT ALL MY HAIR OFF IN JANUARY 2018 AND NOW MY HAIR IS GROWING BACK AGAIN SO IF ANYONE DECEIVES ME THEN LET ME MAKE IT CLEAR I WILL DO ANY HAIR TEST AGAIN AND IF ANY HEAVY METAL IS FOUND IN IT AGAIN THE THIS TIME I WILL TAKE A CRIMINAL AGAINST EVERYBODY FOR CRIMINAL MISCHIEF AND ATTEMPTED MURDER, BECAUSE SUCH POISON CAN CAUSE INJURY, CANCER DAMAGE OF HUMAN CELLS, INFERTILITY AND DEATH.

I WON'T SIT BACK AND ALLOW ANYBODY TO MAIM OR KILL OR CAUSE MY DEATH.

I'M MAKING A COPY OF THIS LETTER FOR MY FUTURE RECORD AGAINST THIS SECOND CASE UNDER YOUR SUPERVISION.

NOW, I'M WARNING YOU TO NOT FOLLOW THE PERNICIOUS WAYS OF MR KEATING OR BE A ACCOMPLICE OF MURDEROUS SCHEMES. SOME DAY IF HE SEES YOU HOMELESS HE WILL NOT TAKE CARE OF YOU OR YOUR FAMILY SO DO NOT LET HIM MAKE YOU LOSE YOUR JOB. BECAUSE HE IS ORIGINAL AMERICAN AND YOU ARE THE SAME DOESN'T MEAN YOU HAVE TO TAKE YOU INSTRUCTIONS FROM HIM. HE DOESN'T FEED YOUR FAMILY. PUT FRIENDSHIP ASIDE WHEN IT COMES TO YOUR JOB OR CONCERNS ABOUT YOUR JOB. I'M ALSO AMERICAN BY NATURALIZATION ALTHOUGH I DON'T HAVE THE SAME RIGHTS OR FEELINGS LIKE ORIGINAL AMERICAN

3

SO, NOW LISTEN TO ME AND DO AS I HAVE SAID.

CONTACT THE LANDLORD OR THE OWNER OF THE BUILDING AND TELL HIM OR HER I SAID HE OR SHE SHOULD DO HIS OR HER WORK TO KEEP ME SAFE IN THE BUILDING OF RESERVE AT SEATAC OR FACE THE ~~CONSEQUEN~~ CONSEQUENCIES AGAIN.

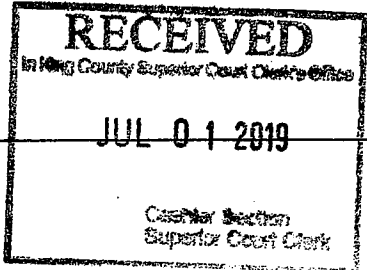
NOW, ENCLOSING YOU WILL FIND PAGE 8 OF LANDLORD/TENANT LAW, PLEASE READ WHERE I HAVE CIRCLED. THANK YOU.

SINCERELY,
Joe Essilfie
JOSEPH ESSILFIE

LEAH COLLEY
BUSINESS MANAGER
19707 INTERNATIONAL BLVD
SEATTLE, WA. 98188

N.B.

PLEASE, I WANT ALL THE INSTRUCTION GIVEN IN THIS LETTER DONE IN JUST ONE (1) WEEK, AFTER ONE (1) WEEK IF NOTHING HAS BEEN DONE THEN I MAY TAKE AN ACTION, COURT ACTION, AGAINST YOU BECAUSE YOU ARE NOW IN CHARGE AND ITS HAPPENING AT YOUR WATCH SO I WILL HOLD YOU ALSO RESPONSIBLE SO TAKE WARNING I WARNED MR KEATING SEVERAL TIMES HE DIDN'T LISTEN AND NOW HE HAS GOTTEN HIMSELF INTO TROUBLE. IF YOU DON'T TAKE WARNING TOO YOU ALSO WILL GET YOURSELF INTO TROUBLE. DON'T LISTEN TO ANYBODY TO FOLLOW THEIR INSTRUCTION. PUT YOUR FAMILY FIRST, TELL MR. KEATING NOT TO COME HERE IN THIS BUILDING ANY MORE BECAUSE YOU DON'T WANT HIM TO PUT YOU INTO TROUBLE, BE SERIOUS ABOUT IT. IF NEED BE CHANCE...



April 5, 2019

Page 1

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

JOSEPH ESSILFIE,

Plaintiff,

v.

KEATING, et al.

Defendant.

COPY

King County Superior Court

No. 18-2-54619-2

COA No. 80026-4-I

Verbatim Transcript from Recorded Proceedings

Motion for Defendant's Summary Judgment

Before The Honorable LAURA INVEEN

April 5, 2019

King County Courthouse

Seattle, Washington

APPEARANCES:

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1 (The Honorable Laura Inveen presiding)

2 (Friday, April 5, 2019)

3 (Recording begins 9:57 a.m.)

4 THE COURT: Have a seat at the table. Just right
5 here. Today we are here in a hearing in the case entitled
6 Joseph -- Essilfie?

7 MR. ESSILFIE: Yes.

8 THE COURT: Is that right? Am I pronouncing it
9 correctly?

10 MR. ESSILFIE: Yes.

11 THE COURT: Okay. Have a seat, Mr. Essilfie. And
12 -- versus a number of defendants, Jordan Keating, Leah
13 Colley, Josh, and then an unidentified other male worker,
14 Reserve at SeaTac Partners, Plymouth Housing, and Indigo
15 Real Estate. Now there is -- case No. 18-2-54619-2. And
16 this matter is before the Court but not on behalf of all of
17 the defendants, I understand. And so I think Mr. Essilfie
18 is here and then one other individual, and I'll have her
19 introduce herself for the Court and who she's representing.

20 MS. BAMBERGER: Good morning, Your Honor. Karen
21 Bamberger, and I am here for all the defendants except
22 Plymouth Housing Group that I don't believe has even
23 appeared in the matter. But all but Plymouth Housing.

24 THE COURT: And so I -- in reviewing -- have a seat.
25 In reviewing the electronic file, I noticed there was a

1 notice of appearance from Barry Ziker. Is he -- with a
2 different law firm. Who is he representing, if anyone at
3 this point?

4 MS. BAMBERGER: I thought we had filed a notice of
5 substitution or maybe of association. But in any event, Mr.
6 Ziker -- I don't have his notice of appearance in front of
7 me, but he also would be appearing, I believe, on behalf of
8 all the same defendants that I am. He's not representing --

9 THE COURT: And he wasn't given notice of this
10 motion. And so that's what I was concerned about.

11 MS. BAMBERGER: He -- oh. I can tell you he has
12 notice of the motion.

13 THE COURT: All right.

14 MS. BAMBERGER: In fact, I thought he was going to
15 be here, and then I thought we had filed a notice of -- or
16 he had filed a notice of withdrawal, but perhaps not.

17 THE COURT: I didn't see it, but I could have
18 overlooked it.

19 So we were -- this was scheduled for -- in February,
20 and that's when the snow came, and so we had to reschedule
21 it. This is the defendant's motion for summary judgment,
22 which is a procedure -- it looks like Mr. Essilfie has a
23 pretty good understanding of it because he wrote a pretty
24 good response. But this is a procedure by which the
25 defendants are basically asking me as the judge to make a

1 legal ruling to stop the case before it goes forward any
2 further and saying that there just isn't enough information
3 to even provide a trial.

4 And so I will hear an argument from the defendants
5 first and then Mr. Essilfie has the opportunity to respond.
6 And then the defendants, because they are the moving
7 parties, get the final word. And I have received all of the
8 materials from both sides on the case. So I'll hear from
9 Ms. Bamberger. You're welcome just to argue from the table.

10 MS. BAMBERGER: Okay. Thank you, Your Honor.

11 As Your Honor notes, this is a motion for summary
12 judgment. This is not the first time we have been before a
13 court, and we filed a similar motion for summary judgment,
14 and that was dismissed by Judge Moore in September of 2018,
15 albeit without prejudice. And I think really the only thing
16 that changed between that time and now is that Mr. Essilfie
17 filed a different complaint adding slightly different
18 defendants, and he filed some more -- I don't really want to
19 call it evidence, but I guess it's evidence, of additional
20 testing that he had done.

21 And our position, Your Honor, is that this simply
22 does not change the outcome, that the burden of proof is
23 with Mr. Essilfie to show duty, breach of duty, causation of
24 damages. We laid out in our moving papers with declarations
25 from a qualified toxicologist, Dr. Scott Phillips, board-

1 certified, that the test results from the Carson Company
2 simply don't meet the scientific rigors of Frye or ER 702.
3 The hair samples don't show what Mr. Essilfie, I think,
4 believes they show. Even if the hair samples had high
5 levels, and Dr. Phillips explains why they are not high
6 relative to the EPA, toxicity isn't determined by hair
7 samples. Carson reported sulfates but no chemicals or
8 toxins were detected. Dr. Philips stated, quote, I opine
9 that for this claimant, there is no evidence of toxicity,
10 cancer, or poisoning by gas or other chemicals.

11 The napkin test, which I think is new since the last
12 hearing, also doesn't meet the burden of proof. It's a page
13 of a sample, I guess, of a napkin. We don't know where the
14 napkin came from. There was no control napkin. There's a
15 lot of evidentiary issues with that.

16 And so our position remains as it was back in
17 September of 2018, that Mr. Essilfie simply does not -- has
18 not and cannot meet the burden of proof to establish the
19 essential elements of the negligence cause of action. And
20 for that reason, Your Honor, we believe that motion for
21 summary judgment is appropriate. Thank you.

22 THE COURT: And before I hear from you, Mr.
23 Essilfie, I just wanted to turn to -- might have a question
24 or two. I wanted to remind myself. And feel free to have a
25 seat. I'm going to turn to Mr. Essilfie's response here.

1 All right. So I will hear from you.

2 MR. ESSILFIE: Thank you, Your Honor. The reason
3 why I brought them to court is that the beginning of the
4 problem started in Rochester, New York, some people
5 bothering me. And I was (indiscernible) from them, running
6 from them. They told me I -- they tell me that I am a
7 whore. And so I return to -- and so to the grandmothers and
8 mothers, and they said they need to kill me. So they
9 followed me everywhere. That's why I ended up here.

10 THE COURT: What year was that?

11 MR. ESSILFIE: It started about five years ago.
12 They have been following me everywhere. City to city, state
13 to state.

14 THE COURT: Are these people that you could see?

15 MR. ESSILFIE: Yeah. They live -- we live together
16 in the same apartment. And so they say I have HIV, but I
17 don't have HIV. The defendant's lawyer sent me a consent
18 form to fill it out and send it back to her to get my
19 medical records. I did that. And there's no HIV there.
20 She can very witness.

21 So I -- this -- I -- returning to the grandmothers
22 and mothers, they say that I don't respect the elderly and
23 they need to kill me.

24 THE COURT: Whose grandmothers and mothers?

25 MR. ESSILFIE: Those who are saying I am a whore and

1 I have HIV, yeah. They -- we live in the same apartment
2 building, and that's what they were bothering me with.

3 THE COURT: The one in SeaTac?

4 MR. ESSILFIE: In -- no. In Rochester, New York.

5 THE COURT: Oh, in Rochester --

6 MR. ESSILFIE: It started in Rochester, New York.

7 THE COURT: Okay.

8 MR. ESSILFIE: So I was trying to run away when they
9 said they need to kill me. I don't respect the elderly, so
10 they need to kill me. They hired hit man so I was trying to
11 run away. I went to the Bronx. They followed me there. I
12 was (indiscernible) leaving house, surrounded me. I'm
13 sleeping outside, calling -- from there I came to Portland.
14 They followed me to Portland. From Portland I came to
15 Seattle here. They followed me here. All the time I was
16 homeless, they live in cars. They have seven people. They
17 live in cars. They are not kids. They are adults. The
18 oldest may be early 70s --

19 THE COURT: Why would they care about you?

20 MR. ESSILFIE: Yeah. I don't know why. And they
21 said they need to kill me because I don't respect the
22 elderly because I insulted the grandmothers and mothers.
23 And so they started following me. I came here. I went back
24 to New York. They came back. And then from New York I came
25 to Portland, Oregon. They followed me there -- no. From

1 San Francisco -- they followed me to San Francisco. I
2 didn't stay there. I followed -- I came to Seattle here.
3 They came here. I was homeless.

4 They attacking me everywhere, disgracing me,
5 everything. Tell people I have HIV, everywhere. Even in
6 this court, they disgrace me here. If you ask those are the
7 security, they will tell you. They disgrace me.

8 THE COURT: Do you have other cases that are going
9 on?

10 MR. ESSILFIE: What?

11 THE COURT: Do you have other cases that are going
12 on? When you say that --

13 MR. ESSILFIE: Yes.

14 THE COURT: Okay.

15 MR. ESSILFIE: And they tell me, they scream the
16 last one, that was (indiscernible) I was told the case
17 schedule, I didn't follow it.

18 THE COURT: Okay.

19 MR. ESSILFIE: I didn't follow the case schedule so
20 they dismiss me. And so I came. And then I was homeless
21 for a long time. They are following me everywhere. So this
22 -- my caseworker, he is the one who found me the place I am
23 living now.

24 THE COURT: So he's on your side?

25 MR. ESSILFIE: No. He's not here with me.

1 THE COURT: Pardon?

2 MR. ESSILFIE: He's not here with me.

3 THE COURT: No. But has he been -- he supports you?

4 MR. ESSILFIE: Yeah. Yeah.

5 THE COURT: He's helping you?

6 MR. ESSILFIE: Yeah.

7 THE COURT: And what agency is he with?

8 UNIDENTIFIED SPEAKER: Harborview Medical Center.

9 MR. ESSILFIE: And so he has found me the place. So
10 when I got there, I gave them my HIV test result. That some
11 people are bothering me, don't listen to them. I gave it to
12 them. They made a copy. I have got that in first of
13 December, 1st of December in 2016. I give it to them. They
14 made a copy. I'm told everything will be okay.

15 And then in February they started pumping toxic
16 fumes. I want to die. I told them, they said report it to
17 the -- nobody lives there. They -- I thought they were
18 pumping it from Apartment 5 Sunset. I live in 4 Sunset.
19 And that's where they pumping the fumes. They said report
20 it to police. So I did report it. And the police gave me a
21 card with my case number.

22 Your Honor asked me where it is. They came and
23 stole it. Anytime I'm out of the apartment, they go inside
24 my apartment.

25 THE COURT: Do you lock your door?

1 MR. ESSILFIE: Yeah, I lock it. They go there --
2 because they -- own the apartment buildings there, they have
3 the keys to all of the apartment buildings. They go into
4 the apartments in the building.

5 I reported everything to him. They pour out my
6 medication. They stole my bread knife. They -- we even
7 called these people, mental clinic. They came there. We
8 heard them meeting in the office. I told them the same
9 thing that -- the fumes, the fumes. Kept going to them,
10 kept going -- I warned them several times. They didn't do
11 anything.

12 Okay. I started writing letters to them. I wrote
13 letters to the new manager there several times. Do
14 something about it. Nothing was done. I wrote letter to
15 (indiscernible) Martin (indiscernible). I wrote another
16 letter to another office of -- nothing has been done. These
17 fumes are going home. They are giving me sicknesses many
18 times. I don't drink. I don't smoke. I don't do drugs,
19 yet I have emphysema. I have emphysema. I have COPD. And
20 then the last one is give me -- I was sleeping. The fumes
21 were so much in my apartment. When I --

22 THE COURT: How many units are in this building?

23 MR. ESSILFIE: Many, many. Of -- mine is the 4th
24 floor so about 166 apartments in the 4th floor I think.

25 UNIDENTIFIED SPEAKER: It's very large, yes.

1 MR. ESSILFIE: Yeah.

2 THE COURT: And is anyone else complaining about
3 this?

4 MR. ESSILFIE: No. It's directed to me. Because
5 they want to kill me, they bribe people to poison me. They
6 bribe doctors, lawyers. I have hired a lawyer. I paid the
7 lawyer over 3,000 initial consultation. I found out that he
8 was instead helping them. That's why I took my case from
9 him. And I called several people, several lawyers, couldn't
10 get anybody. So that's why I brought him here.

11 I warned them. They bribe people, doctors, lawyers,
12 nurses, hospital workers, everywhere I go. And so I have
13 warned them several times. They didn't do anything. Then I
14 said I wanted my doctors to have me evaluated -- the doctors
15 to refer me to toxicology.

16 THE COURT: Who -- why would they do that?

17 MR. ESSILFIE: Yes -- they want me dead.

18 THE COURT: Why?

19 MR. ESSILFIE: They said I don't respect the
20 elderly. They --

21 THE COURT: Well, lots of people don't respect the
22 elderly --

23 MR. ESSILFIE: Yeah.

24 THE COURT: -- but they don't want to be --

25 MR. ESSILFIE: Yeah. The oldest is about 70 years.

1 THE COURT: Do you have names of these people?

2 MR. ESSILFIE: I don't know their names. They know
3 my name, my Social Security Number, my telephone number.
4 They track me around with all those things.

5 So I was looking for someplace to get a test done.
6 The doctors didn't help me. So I Google and I Google and I
7 found the Carson Company. And they did a test for me and
8 they found all these heavy metals. The first one I did, it
9 was four heavy metals. The second one I did -- because it
10 was still going on, even the first (indiscernible) I wrote
11 to the (indiscernible). The fumes is still going on. So I
12 did the second test and true to what I said, they found
13 other heavy metals. And then I did a room test so paper
14 towel -- paper towel she is talking about. I wet it and
15 then cleaned some of the dust in the room and send it to
16 Carson and they did it.

17 They said Carson is not -- they said is not
18 qualified. What have you done to him -- to Carson? If he
19 -- if they are not qualified, have you reported him to BBB?
20 Better Business Bureau? You haven't. Have you reported him
21 to FBI? No. Have you reported him to FDA? No. They
22 haven't reported him. That mean they consent to what they
23 are doing. If they are playing wrong, get them to a place
24 where they can stop them from doing what they are doing. So
25 they are -- they haven't taken them to a place where they

1 can stop them from doing that. That means you consent to
2 what they do. That means the result they give me is true.
3 You consent to it, so you have to accept the test as fact.
4 You heard it. Have you done anything about it? No. Nobody
5 has done anything.

6 Your Honor, they take another place to me, you know,
7 this is assault and battery case. They did (indiscernible)
8 things to me. They said it's not intentional. If it's not
9 intentional, look at how many heavy metals they found in me.
10 In tests -- not intentional means it has to be maybe lead.
11 If it's lead, one lead is what they can find in my body. If
12 it's not intentional, maybe asbestos. You have to see
13 asbestos only in my body. But it -- several heavy metal.
14 That means one burden cannot spew out, but this several
15 heavy metals like that? You know?

16 And then I -- I wrote letters to them. Come and do
17 something to find out the problem. They haven't. Keating
18 didn't. Ms. Colley didn't. The Intercor (phonetic), the
19 main office, they didn't. Another place -- who was that
20 second one? The second office? They haven't done it. And
21 they don't care about my life.

22 THE COURT: So I'm going to stop you, and I'm going
23 to deliver a message that you're not going to want to hear,
24 but then I want to talk to you a little bit with you after
25 that.

1 I first of all want to applaud you for all of your
2 hard work. And you have gone to a lot of effort, including
3 obtaining the laboratory results. And I don't know -- they
4 may -- I'm not -- I don't know that the defense attorney was
5 saying that they are not qualified to do what they do. It's
6 just that is that sufficient evidence to support your case?
7 And I'm even going to park that.

8 But even taking their lab results as true, it
9 doesn't link the defendants with those lab results. And
10 taking all of the evidence in the light most favorable to
11 you, which I'm required to do at this position, I don't find
12 that the defendants in this case actually are creating fumes
13 and then secondly that they're actually causing negative
14 effects to your body. So I have to dismiss the case for the
15 defendants that have filed this action.

16 Now, I know that you are -- you are a person that --
17 you've got some really tough medical issues that you're
18 dealing with, don't you?

19 MR. ESSILFIE: Yes.

20 THE COURT: Other -- and I don't mean to get
21 personal, but you put in your medical records into the case.

22 MR. ESSILFIE: Yes.

23 THE COURT: Right. So I know some things about your
24 medical records.

25 MR. ESSILFIE: Uh-huh.

1 THE COURT: Sickle cell is really tough, isn't it?

2 MR. ESSILFIE: Yes.

3 THE COURT: You've got to deal -- I mean, that
4 creates a lot of issues for you. And you -- are you still
5 on insulin?

6 MR. ESSILFIE: Yeah, I'm still on insulin but, Your
7 Honor --

8 THE COURT: And --

9 MR. ESSILFIE: -- give me (indiscernible) bleeding.
10 I don't smoke. I don't drink. I don't --

11 THE COURT: I know, I know. And so we don't know
12 where that came from, what that --

13 MR. ESSILFIE: This is from there.

14 THE COURT: You say it is, but, see, I can't just
15 guess or think it is. I have to have evidence, and we don't
16 have that so --

17 MR. ESSILFIE: Your Honor, please. Let me say one
18 more thing.

19 THE COURT: Okay.

20 MR. ESSILFIE: If it is so and I told them I'm
21 smelling all these fumes and I wrote to them to do something
22 about it, why haven't they done it?

23 THE COURT: Can -- and I'm also now going to talk to
24 you about something that is really sensitive, and I don't
25 want to get you on the defensive. But you also have some

1 mental health issues, correct?

2 MR. ESSILFIE: No, I don't. Because of what it --
3 these people are doing to me, and I say it and people don't
4 believe. So the last time -- two times I have been in the
5 mental hospital.

6 THE COURT: Uh-huh.

7 MR. ESSILFIE: I told them to investigate. The
8 judge gave me two weeks to stay there. They investigated.
9 They found the truth and they shut me in five days.

10 THE COURT: I just don't want you to be running all
11 over the country away --

12 MR. ESSILFIE: Two times.

13 THE COURT: -- from people, because I -- I think you
14 will never stop running. You went to Rochester. You went
15 to San Francisco.

16 MR. ESSILFIE: Yeah.

17 THE COURT: You went to Portland. And it's easy for
18 me to tell you, but I really think that all those people
19 have way more important things to worry about than you. And
20 right now you're alive. Nobody has killed you.

21 And so I want you to work with your folks -- for
22 example, Dr. Christine Curry (phonetic) says you missed some
23 appointments with her. Do you know what I'm talking about?

24 MR. ESSILFIE: Yeah. But I don't have any name
25 Curry.

1 THE COURT: Because there are some medications that
2 help you not worry so much about people.

3 MR. ESSILFIE: I don't have --

4 THE COURT: And I know you don't want to hear it
5 from me, and I'm certainly not a doctor, but I would really
6 encourage you. I've seen -- I've been doing this business
7 for a long time, and I've worked with people with issues
8 regarding mental health issues. And there are some really
9 good medications out there that can kind of take you away
10 from worrying about things.

11 MR. ESSILFIE: No. I don't worry --

12 THE COURT: Well, you --

13 MR. ESSILFIE: -- what I'm saying is true. Is true.
14 They found these toxins in the room, in the dust. If we are
15 not the ones doing it, I have spoken to them about it for
16 several months. They have to do something to show me that
17 there is nothing there. The dust is still there. I want
18 them to send somebody to do a dust test.

19 THE COURT: Don't you think it's curious that you're
20 the only one in that big apartment building that's
21 complaining?

22 MR. ESSILFIE: Yeah. Because they are directing it
23 onto me personally.

24 THE COURT: But, see, all these people in the United
25 States, why would they pick you?

1 MR. ESSILFIE: Because they are -- I -- Your Honor,
2 I'm telling you the truth. In God's name, I am telling you
3 the truth.

4 THE COURT: I am not -- I do not think you are
5 lying. I absolutely do not.

6 MR. ESSILFIE: Yeah. They want to kill me. This --

7 THE COURT: I --

8 MR. ESSILFIE: I don't respect the elderly. Because
9 I -- please send somebody to the security. Ask them. Send
10 somebody to the library. (indiscernible) library. They
11 disgrace me everywhere. They follow me everywhere. I'm
12 telling the truth. In God's name I'm telling the truth.
13 I'm not lying.

14 THE COURT: I don't -- no, I don't think you are. I
15 think you told me the -- I think you truly believe it. The
16 question is, is that a rational belief? That's the
17 question.

18 MR. ESSILFIE: Your Honor, please don't dismiss my
19 case with prejudice.

20 THE COURT: Well, I'm not dismissing it against
21 Plymouth because they're not here to ask for dismissal.

22 MR. ESSILFIE: Yeah. That's what they want you to
23 do. To dismiss my case with prejudice.

24 THE COURT: I don't know -- I don't have -- have you
25 served Plymouth?

1 MR. ESSILFIE: What?

2 THE COURT: Have you served Plymouth with a notice
3 of the lawsuit? Because right now they're not in front of
4 me, so I'm not addressing your claim, if any, against
5 Plymouth.

6 MR. ESSILFIE: I wrote letters to them all.

7 THE COURT: Okay. I don't --

8 MR. ESSILFIE: They send somebody to inspect the
9 place, my apartment. They came, they saw some sugar packet
10 on the stove. They said it's combustible. So I have to
11 remove the sugar packet. Okay.

12 THE COURT: Oh.

13 MR. ESSILFIE: They don't want the house to burn
14 down. But they don't -- they want me -- they want my life
15 to end. I wrote to them to say it's going on. They have to
16 do something about it. And it -- they haven't done
17 anything. Several times I wrote to them.

18 So, please, Your Honor, don't dismiss this case with
19 prejudice. I'm going to die. This poison causes cancers
20 and all these things. It's making me sick. They thing on
21 my breathing, it's not from any of my sickness. It's not
22 from any --

23 THE COURT: No, it's not something that would
24 sustain a court -- a trial.

25 MR. ESSILFIE: It kills. It kills.

1 THE COURT: Yeah, and I know you and I will probably
2 never agree on this, but I'm thrilled that you have some
3 support here in court. And I encourage you to continue
4 working with him.

5 And I am going to sign the proposed order. Ms.
6 Bamberger, do you have the order?

7 MS. BAMBERGER: I do, Your Honor.

8 THE COURT: Like I say, it doesn't dismiss it
9 against Plymouth, but that's only because I don't know if
10 they have officially received the summons to be in court.
11 So have you served Plymouth officially with notice of the
12 lawsuit?

13 MR. ESSILFIE: Yes. Yes.

14 THE COURT: There's not a notice in the file that
15 says you have done that.

16 MR. ESSILFIE: I did. I did.

17 THE COURT: It requires you to file an affidavit of
18 service. Do you know what that is?

19 MR. ESSILFIE: Yeah. I -- I don't have anybody --
20 no. I don't have any -- so I Google and said I can send it
21 by certified mail.

22 THE COURT: Yeah. Certified mail is not considered
23 legal service for a case like this. You actually -- there
24 are court rules that talk about how you serve it and who
25 needs to be served. So it's probably not sufficient

1 service.

2 Ms. Bamberger, did you receive what you considered
3 sufficient service?

4 MR. ESSILFIE: Please, please, Your Honor --

5 MS. BAMBERGER: I think so, Your Honor --

6 MR. ESSILFIE: -- don't dismiss it with prejudice.

7 THE COURT: Okay.

8 MR. ESSILFIE: These people are killing me. I'd
9 love to be in New York. Now I'm here.

10 THE COURT: Tell me about Rochester. What was your
11 Rochester connection? Because my in-laws are from
12 Rochester.

13 MR. ESSILFIE: Rochester I lost -- I was in New York
14 City and I lost my job. And so my brother was there, so
15 I --

16 THE COURT: What kind of work did you do?

17 MR. ESSILFIE: I was security in New York.

18 THE COURT: And so do you have family here?

19 MR. ESSILFIE: Yeah. In Rochester.

20 THE COURT: But not on the west coast?

21 MR. ESSILFIE: No.

22 THE COURT: So do you keep in touch with them?

23 MR. ESSILFIE: Sometimes, once in a while.

24 THE COURT: Okay. That's where my son is right now,
25 is in Rochester.

1 MR. ESSILFIE: New York.

2 THE COURT: Yes. We're going to make a copy of
3 this. And, like I say, it does not apply to Plymouth, but
4 that's because they aren't present today. They're not
5 making that request. I don't know -- I can't imagine that
6 things would be different against Plymouth.

7 MR. ESSILFIE: But, Your Honor, please don't dismiss
8 it --

9 THE COURT: You're never going to convince me and
10 I'm never going to convince you.

11 MR. ESSILFIE: -- with prejudice. No. Don't
12 dismiss it with prejudice please. It's a serious case. I'm
13 going to die. Look --

14 THE COURT: We're all going to die.

15 MR. ESSILFIE: I'm 163 and now I'm 145.

16 THE COURT: That's --

17 MR. ESSILFIE: It's (indiscernible) the company tell
18 you, not if you are a few days in this stuff. Daily for two
19 years now. And several heavy metals. It's not -- it's
20 intentional. They're trying -- heavy metals.

21 THE COURT: I just don't see evidence of that, I'm
22 sorry.

23 MR. ESSILFIE: Then why is it so many heavy metals?

24 THE COURT: Well, it doesn't -- it doesn't -- the
25 evidence does not support that. So I'm sorry I'm giving you

1 bad news. I wish you the best.

2 MR. ESSILFIE: That being dismissed with prejudice?

3 THE COURT: With all of the defendants that Ms.

4 Bamberger represents, yes.

5 MR. ESSILFIE: With prejudice.

6 THE COURT: With prejudice.

7 MR. ESSILFIE: Oh, Your Honor.

8 THE COURT: Yeah.

9 MR. ESSILFIE: Ah.

10 THE COURT: Okay? So you take care of yourself.

11 Okay.

12 MS. BAMBERGER: Thank you, Your Honor.

13 (Recording ends 10:28 a.m.)

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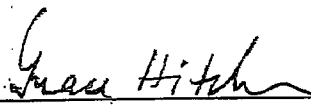
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C E R T I F I C A T E

STATE OF WASHINGTON)
COUNTY OF KING)

I, the undersigned, under my commission as a Notary Public in and for the State of Washington, do hereby certify that the foregoing audiotape, videotape, and/or hearing was transcribed under my direction as a transcriptionist; and that the transcript is true and accurate to the best of my knowledge and ability; and that I am not a relative or employee or any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 1st day of July, 2019.


Grace Hitchman, AAERT, CET-663
In and for the State of Washington,
residing at Seattle.
Commission expires April 27, 2020

THE SUPREME COURT
STATE OF WASHINGTON

JOSEPH ESSILFIE
APPELLANT

VS.

JORDAN KEATING
ET. AL
RESPONDANTS

NO: 97319-9

A DESCRIPTION OF THE
NATURE OF CASE -
ASSAULT AND BATTERY

APPEAL FOR REVIEW OF
DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT

MY NAME IS JOSEPH ESSILFIE AND I'M THE APPELLANT
MY CASE STARTED FROM ROCHESTER NEW YORK, WITH MY
NEXT DOOR NEIGHBORS WHO WERE ACCUSING ME OF HAVING
H. I. V. VIRUS AND CALLING ME A WHORE SO I RETURNED THEIR
INSULTS TO THEIR MOTHERS AND GRANDMOTHER CALLING THE WHORE
SO THEY SAID I DON'T RESPECT THE ELDERLY SO THEY HAVE TO KILL
ME. THEY HIRED A HITMAN ONE AFTERNOON, HIDING IN A CAR.
THE PLACE WE LIVED WAS QUIET PLACE BUT I ENLURED THE
HITMAN A HE COULDN'T KILL ME. AT THAT TIME I BEGAN TO GET
SCARED AND TRIED TO MOVE AWAY FROM THEM BY MOVING FROM
THE APARTMENT BUILDING BUT THEY FOLLOW ME EVERYWHERE
I GO, INCLUDING FROM STATE TO STATE AND FROM CITY TO CITY
THAT'S WHY I FOUND MYSELF HERE IN SEATTLE, WASHINGTON THEY ARE
SEVEN PEOPLE FOLLOWING ME AROUND INCLUDING ONE WHITE OLD
WOMAN IN HER MID-SEVENTIES AND THREE CHILDREN A ONE YOUNG
MAN IN HIS FIFTIES, ROUGHLY.

I HAVE BEEN HOMELESS TWO TIMES BECAUSE OF THEM AND
BECAUSE I WANTED TO RUN AWAY FROM THEM.

CONTINUE NEXT PAGE

SO THIS IS WHAT HAPPENED NEXT, THE PLACE I NOW LIVE WAS A HELP FROM THE HOMELESS SHELTER WHERE I USED TO LIVE SO I MOVED INTO RESERVE AT SEATAC APARTMENT BUILDING OF THE 1ST OF DECEMBER 2016. I KNOW THOSE PEOPLE WHO ARE FOLLOWING ME EVERYWHERE I GO SEEKING TO KILL ME WILL COME THERE AND LIE TO THEM SO I SHOWED THE PERSON WHO ACCEPTED MY APPLICATION MY H. I. V. VIRUS TEST RESULT WHICH IS NEGATIVE AND JOSH WHO ACCEPTED MY APPLICATION MADE A COPY OF IT AND TOLD HIM NOT TO LISTEN TO THOSE PEOPLE OF WHOM I DON'T KNOW THEIR NAMES, I ONLY KNOW THE APARTMENT NUMBERS AT ROCHESTER, NEW YORK, WHERE I USED TO LIVE, I ONLY KNOW THEM BY THEIR VOICES OF WHICH THE CALL ME NAMES 24 HOURS A DAY, THEY FOLLOWED ME EVERYWHERE BRIBING PEOPLE NOT TO HELP ME. SO THEY BRIBED THE DEFENDANTS TO POISON ME BY TOXIC FUME TO KILL ME ALL BECAUSE THEY THEMSELVES WANT TO KILL ME THAT'S WHY THEY FOLLOWED ME HERE. SO ON FEBRUARY 2017 THE DEFENDANTS STARTED PUMPING TOXIC FUMES INTO MY APARTMENT NUMBER 466 FROM APARTMENT NUMBER 566 SO I WENT TO THEM AND REPORTED THE FUMES TO THE DEFENDANTS TELLING THEM THAT THE OCCUPANTS IN APARTMENT 566 ARE PUMPING FUMES INTO MY APARTMENT NUMBER 466 BUT WAS TOLD NOBODY LIVES IN THAT APARTMENT AND WAS TOLD TO REPORT THE CASE TO THE POLICE SO I DID AND THE POLICE GAVE ME A CASE NUMBER. THE FUMES CONTINUED SO I KEPT GOING TO THEM BUT THE FUMES HAS CONTINUED UP TO THIS DAY I'M WRITING THIS STATEMENT. I HAVE REPORTED IT TOO MANY TIMES TO DO SOMETHING ABOUT THE FUMES AND UP TO THIS DAY THEY HAVE DONE NOTHING ABOUT IT AND I BELIEVE THIS CONSTITUTE NEGLIGENCE. ALSO I REPORTED SO MANY TIMES TO THE POLICE AND THE POLICE ALSO HAS DONE NOTHING ABOUT IT BUT RATHER ASKED ME TO TAKE IT TO COURT AND I DID HIRE AN ATTORNEY WHO WRATE A DEMAND LETTER TO THEM BUT THEY REFUSED THE DEMAND AND LATER ON THE ATTORNEY WAS BEING TOO FRIENDLY WITH THEM SO I TOOK THE CASE FROM HIM AND FILE IT MYSELF. THE TOXICOLOGY TEST I DID SHOWS A LOT OF HEAVY METALS AND ALSO HAS GIVEN ME SICKNESS LIKE C. O. P. D. AND INTERNAL BLEEDING OF WHICH I WAS ADMITTED IN THE HOSPITAL WARD FOR MANY DAYS. THE FUMES ARE MANY SO THAT SHOWS IT'S NOT ACCIDENTAL BUT INTENTIONAL. PEOPLE GET POISON IN APARTMENT BUILDINGS BUT THE POISON IS ALWAYS ONE, LIKE LEAD BUT MINE IS MANY. THE JUDGE ASKED ME HOW I KNOW THEY ARE THE ONES DOING IT BUT THEN DIDN'T ALLOW ME TO GIVE MY ANSWER.

HOW I KNOW THEY ARE THE ONES PUMPING THE FUMES IS, THE BUILDING BELONGS TO THEM AND IF I REPORTED SOMETHING TO THEM I EXPECT THEM TO TAKE STEPS TO RECTIFY THE PROBLEM BUT FOR OVER TWO YEARS NOW THEY HAVEN'T DONE ANYTHING ABOUT IT SO THIS SHOWS NEGLIGENCE ON THEIR PART.

THE LANDLORD/TENANT RULE SAYS ANY TENANT WHO SUFFERS INJURY IN THE BUILDING SHOULD HOLD THE LANDLORD RESPONSIBLE. THE INTERNAL BLEEDING I SUFFERED NEARLY KILLED ME, BUT THE JUDGE SAYS MY PRE-EXISTING CONDITION OF SICKLE ANEMIA CAUSED THE PROBLEM BUT THE DEFENDANTS ATTORNEY HAD MY MEDICAL REPORTS AND COULDN'T POINT ANYTHING OUT TO SUPPORT THEIR CASE SO WHY SHOULD THE JUDGE SAID SO. THE JUDGE BECAME THE DEFENDANTS ATTORNEY IN THE TRIAL SPEAKING FOR THEM, RAISING ALL KINDS OF OBJECTIONS AND WOULDN'T ALLOW ME TO FINISH WHAT I HAD TO SAY.

WHAT I HAD TO SAY ABOUT THE JUDGE'S ACCUSATION OF MY PRE-EXISTING CONDITION CAUSING THE INTERNAL BLEEDING IS THAT I AM NOT THE ONLY ONE IN MY FAMILY HAVING THIS CONDITION, MY SISTER WAS BORN WITH IT AND I WAS BORN WITH IT. MY SISTER HAS THE STRONGEST ONE WHICH GIVES HER SICKLE CELL CRISIS AND PUTS HER IN BED FOR OVER A MONTH YET MY SISTER NEVER HAD C.O.P.D. OR INTERNAL BLEEDING ALL HER 70 YEARS OF LIFE, MINE IS VERY MILD, NEVER HAD CRISIS IN ALL THIS OVER 60 YEARS. SO WHY NOW? ALL THAT I SUFFERED HAPPEN DURING THIS PERIOD OF POISONING SO IT CAN'T BE FROM THE SICKLE CELLS.

THE LETTERS I WROTE TO THEM BEARS WITNESS THAT I HAVE TRIED TO GET THEM TO DO SOMETHING ABOUT THE TOXIC FUMES BUT TO NO AVAIL.

HEAVY METALS EVERYONE KNOWS ARE NOTHING TO SNEEZE AT EVERYONE CAN SEE FROM THE DEMONSTRATION, EVEN TEENS STANDING UP AGAINST ENVIRONMENTAL POLLUTION

SUCH HEAVY METALS IN MY BODY CAUSES CANCERS —
BRAIN, LUNGS, LIVER AND OTHER CANCERS. IF I WORK AT
A FACTORY THEN LATER ON WHEN I GET CANCER FACTORY
MAY PAY SOMETHING BUT THIS IS NOT FACTORY, ITS APARTMENT
BUILDING AND ITS NOT A MATTER OF IF BUT WHEN AND I CAN'T
COME BACK TO THEM TO GET HELP AND I CAN'T BE A BURDEN
UPON THE SHOULDER OF THE FEDERAL GOVERNMENT TO PAY
PAY MY CANCER MEDICAL BILLS WHEN I GET CANCER.

THE DEFENDANTS ATTORNEY STATES THAT I'M NOT A DOCTOR
TO DIAGNOSE MYSELF BUT THE TOXICOLOGIST HAS ALREADY
FOUND OUT THAT HEAVY METALS ARE CANCER CAUSING AGENTS
SO I'M JUST REPEATING WHAT HAS BEEN ALREADY ESTABLISHED
BY DOCTORS.

FURTHERMORE I WOULD LIKE TO POINT OUT THAT THERE
MAY BE SOME DECEPTION ON THE PART OF THE DEFENDANTS
ATTORNEY. THIS IS WHAT HAPPENED AFTER I REFILED THE CASE
BECAUSE IT WAS DISMISSED WITHOUT PREJUDICE AT FIRST
BY JUDGE CATHERINE MOORE BECAUSE I DIDN'T HAVE THE
INTERNAL BLEEDING THEN. AND AFTER I REFILED THE CASE,
IT WAS ASSIGNED TO JUDGE KAREN DONAHUE BUT THE
DEFENDANTS ATTORNEY FILED A MOTION FOR SUMMARY
JUDGMENT WITH A CRIMINAL COURT JUDGE AND NOT WITH
JUDGE KAREN DONAHUE, SO I FOUND THAT OUT AND CALLED
THE DEFENDANTS ATTORNEY AND TOLD HER ABOUT THE MISTAKE
AND BEING AN ATTORNEY I DON'T UNDERSTAND WHY SHE MADE
THAT MISTAKE AND FILING THE SUMMARY JUDGMENT AGAIN
I DO NOT KNOW SHE DIDN'T FILE IT WITH THE ASSIGNED
JUDGE DONAHUE BUT WITH JUDGE INVEEN. I DIDN'T
RECEIVE ANY LETTER FROM JUDGE DONAHUE THAT SHE HAS
ASSIGNED THE CASE TO JUDGE INVEEN SO I THINK
SOMETHING FISHY WENT ON. JUST MY SUSPICION.

THE MANAGEMENT COMES TO MY APARTMENT EVERYTIME I'M OUT IN THE CITY AND TAKE THINGS OUT OF MY APARTMENT THE STOLE MY PHONE BECAUSE WHEN MY HAIR WAS BEING CUT FOR THE TOXICOLOGY LAB TEST PICTURE WAS TAKEN TO SHOW THAT ITS MY HAIR. THEY HAVE STOLING OTHER THINGS LIKE GROCERY, MY BREAD KNIFE AND THEY POUR OUT MEDICATIONS FROM ITS BOTTLES, I REPORT TO THEM TO STOP COMING IN MY APARTMENT WHILE I'M OUT BUT THEY DONT CARE, THEY ALWAYS COME WHILE I'M OUT.

BECAUSE OF THE FUMES I PUT A TENT ON THE PORCH AND SLEEP IN, WHILE I WAS IN THE HOSPITAL WITH THE INTERNAL BLEEDING SOMEONE WENT IN AND CUT THE TENT SO I CAN SLEEP IN THE APARTMENT TO LET THE FUMES KILL ME, NOW I PROPPED THE DOOR OPEN 24 HOURS A DAY BECAUSE OF THE FUMES. SOMETIMES I HEAR THE MANAGER VOICES IN THE APARTMENT 566 CALLING ME NAMES, LIKE WHORE, DYING MAN AND SO ON, RECENTLY I HEARD JORDAN KEATING'S VOICE SAY "YOU SHALL DIE" IN THE MIDDLE OF THE NIGHT AND IN THAT NIGHT THE FUMES WAS SO STRONG IT ALWAYS PUTS ME INTO DEEP SLEEP. It IS PUMPED 24 HOUR A DAY

NOW I WOULD LIKE TO MAKE IT CLEAR THAT MY CASE SHOULD NOT HAVE BEEN DISMISSED AS THERE ARE SUFFICIENT ALLEGATIONS TO SUPPORT LEGAL CLAIMS AND WITH THE ALLEGATIONS AND EVIDENCE SUBMITTED VIEWED IN THE LIGHT MOST FAVORABLE TO MY POSITION MY CASE SHOULD HAVE BEEN ALLOWED TO CONTINUE. EVIDENCE EXISTS TO SUPPORT THE PLAINTIFF'S (MYSELF) CLAIM THAT THE HEAVY METALS HAVE CAUSED MEDICAL INJURY TO ME (THE PLAINTIVE) AND I ATTACHED MY MEDICAL RECORDS TO MY RESPONSE TO THE DEFENDANT'S MOTION FOR SUMMARY JUDGMENT BUT THEN IT WAS UNWITTINGLY OVERLOOKED BY THE JUDGE.

THE JUDGE ALSO REMOVED INDIGO REAL ESTATE
FROM THE LAWSUIT WHICH I BELIEVE IS NOT RIGHT
BECAUSE THEY KNOW ABOUT THE POISONING BUT DIDN'T DO
ANYTHING ABOUT IT BUT DISPLACE THE ORIGINAL
EMPLOYEES FROM THEIR OFFICE AND BROUGHT NEW
WORKERS IN THEIR PLACE AND WROTE LETTERS TO
THE NEW EMPLOYEES AND INDIGO REAL ESTATE
THEM SELVES BUT NOTHING HAS BEEN DONE
AFTER ALL THIS OVER TWO YEARS. THEY THINK THE
THE BURDEN OF PROVE IS ON ME SO THEY HAVEN'T
DONE ANYTHING AND THE FUMES IS STILL GOING ON
AS OF THIS DAY.

MY E-MAIL IS AS FOLLOW —

jessilfie51@gmail.com

Joe Essilfie

JOSEPH ESSILFIE
19707 INTERNATIONAL BLVD
APT 466
SEATAC, WA. 98188

DATE: Mon. 6 24/2019

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

JOSEPH ESSILFIE,

Appellant,

v.

JORDAN KEATING; LEAH COLLEY;
JOSH DOE, another male worker;
RESERVE AT SEATAC PARTNERS,
LLP; INDIGO REAL ESTATE
SERVICE, INC., a Washington
corporation,

Respondents,

PLYMOUTH HOUSING GROUP,

Defendant.

No. 80026-4-I

DIVISION ONE

UNPUBLISHED OPINION

APPELWICK, J. — Essilfie appeals the trial court’s orders granting summary judgment dismissal and denying reconsideration of his negligence claim. He alleged below that the respondents, including the owner and manager of the apartment building where he resides, had been pumping toxic fumes into his apartment. He further alleged that these fumes caused him various health problems. On appeal, he argues that there are genuine issues of material fact regarding his negligence claim that preclude summary judgment. We affirm.

FACTS

In November 2018, Joseph Essilfie filed a lawsuit against several defendants, alleging that they pumped toxic fumes into his apartment.¹ He alleged that the toxic fumes exposed him to heavy metals, causing him various health problems. The defendants included Reserve at SeaTac Partners LLP, the owner of the apartment building where he resides, Indigo Real Estate Service Inc., the company that manages the building, and Leah Colley and Jordan Keating, two Reserve at SeaTac employees.² Essilfie sought to recover \$200 million in damages.

In his complaint, Essilfie stated that he had gathered additional evidence in support of his negligence claim.³ This statement appears to refer to a heavy metals test he had conducted by The Carlson Company Inc. in August 2018. The test results purport to show the presence of numerous heavy metals in a sample of Essilfie's hair. The results also indicate that "[n]o chemicals or toxins [were]

¹ In February 2018, Essilfie filed a lawsuit against the "Landlord of Reserve at Seatac" making similar allegations. The trial court dismissed that action without prejudice in September 2018.

² Essilfie also filed the lawsuit against Plymouth Housing Group and a defendant he identified as "Josh/One Other Male Worker." Plymouth Housing Group's relation to this case is unclear from the record. "Josh/One Other Male Worker" appears to refer to another Reserve at Seatac employee.

³ Essilfie did not explicitly refer to negligence in his complaint. But, he referred to the defendants' alleged negligence in a responsive pleading below and in his opening brief on appeal. Thus, we construe his claim for damages based on illnesses he allegedly contracted from the defendants pumping toxic fumes into his apartment as a negligence claim.

detected.” Further, Essilfie provided test results purporting to show the presence of heavy metals in a sample of dust. He claimed in a pleading that the dust sample came from a room in his apartment.

In January 2019, Reserve at Seatac, Indigo Real Estate, Colley, Keating, and “Josh/One Other Male Worker” filed a motion for summary judgment against Essilfie.⁴ They argued that Essilfie lacked sufficient evidence to establish three of the four elements of negligence: breach of duty, proximate cause, and damages.

First, the respondents contended that Essilfie lacked proof that the respondents had ever pumped fumes into his apartment. They provided declarations from Colley and Keating, both of whom stated that they had never caused toxic fumes to be pumped into Essilfie’s apartment, and that there is no ductwork in the building that would make that possible. Second, they argued that Essilfie’s speculation that the alleged fumes caused him physical harm was inadmissible under ER 702. Last, they asserted that the test results from Carlson were inadmissible under ER 702 and Frye v. United States, 293 F. 1013 (D.C. Cir. 1923). They relied on a declaration from Dr. Scott Phillips, a physician specializing in internal medicine and medical toxicology. Phillips opined that the laboratory tests were not evidence of toxicity or harm. He explained that metal poisoning is

⁴ For clarity, we refer to Reserve at Seatac, Indigo Real Estate, Colley, Keating, and “Josh/One Other Male Worker” collectively as “the respondents” throughout the remainder of the opinion. Plymouth Housing Group did not join in the motion.

diagnosed clinically in conjunction with blood or urine tests, neither of which was done in this case.

Essilfie opposed the respondents' motion. He argued that the laboratory tests from Carlson supported his claim. Further, he provided a medical record from his November 2018 medical examination. The medical record does not address whether he suffers from metal poisoning. Essilfie also provided copies of letters he wrote to Plymouth Housing Group, Colley, and Reserve at Seatac. The letters detail his concerns regarding the alleged toxic fumes in his apartment. His letters to Colley specifically ask her to stop pumping fumes into his apartment, and to assist him in getting others to stop pumping fumes.

The trial court granted the respondents' motion and dismissed Essilfie's negligence claim against them with prejudice. At the hearing on the motion, the court explained to Essilfie that even if the laboratory tests were true,

[they] don't link the defendants with those lab results. And taking all of the evidence in the light most favorable to you, which I'm required to do at this position, I don't find that the defendants in this case actually are creating fumes and then secondly that they're actually causing negative effects in your body. So I have to dismiss the case for the defendants that have filed this action.

Essilfie then filed a motion for reconsideration. He again argued that toxic fumes in his apartment were causing him health problems. He also attached new medical records to the motion. In the new records, Dr. Hildegard Staninger, an industrial toxicologist and doctor of integrative medicine, analyzed Essilfie's test

results from Carlson and his current symptomatology. Staninger opined that Essilfie's symptoms "and the metal parameters found to be extremely high in value correlate to systemic target organ toxicity." Essilfie then filed another pleading to supplement his motion for reconsideration. He provided even more medical records as an attachment to that pleading. The trial court denied Essilfie's motion.

Essilfie appeals.⁵

DISCUSSION

Essilfie makes two arguments. First, he argues that the trial court erred in granting the respondents' motion for summary judgment and dismissing his negligence claim against them with prejudice. Second, he argues that the trial court erred in denying his motion for reconsideration. He specifically asserts that genuine issues of material fact regarding his negligence claim preclude summary judgment.⁶

⁵ The respondents argue that we should not consider Essilfie's appeal because his negligence claim has not been dismissed as to Plymouth Housing Group. Under RAP 2.2(d), we will hear an appeal on less than all claims only if the trial court expressly enters findings illustrating that there is no just reason for delay, or in the exercise of our discretion under RAP 2.3. The trial court did not enter such findings in its order granting summary judgment, and Essilfie did not move for discretionary review. However, in January 2020, the trial court granted Plymouth Housing Group's motion to dismiss Essilfie's claim against it with prejudice. Thus, we decline to dismiss Essilfie's appeal on the basis that his claim against Plymouth Housing Group is still pending.

⁶ As an initial matter, the respondents argue that we lack a sufficient basis to consider these arguments because Essilfie did not comply with RAP 9.1 and 9.2(b) by not providing "enough of a record to review the purported issues on appeal." An appellant bears the burden of perfecting the record on appeal so that "the reviewing court has before it all the evidence relevant to deciding the issues

We review summary judgment orders de novo, considering the evidence and all reasonable inferences from the evidence in the light most favorable to the nonmoving party. Keck v. Collins, 184 Wn.2d 358, 370, 357 P.3d 1080 (2015). Summary judgment is appropriate only when no genuine issue exists as to any material fact and the moving party is entitled to judgment as a matter of law. Id. If a plaintiff “fails to make a showing sufficient to establish the existence of an element essential to that party’s case, and on which that party will bear the burden of proof at trial,” summary judgment is proper. Young v. Key Pharms., Inc., 112 Wn.2d 216, 225, 770 P.2d 182 (1989) (quoting Celotex Corp. v. Catrett, 477 U.S. 317, 322, 106 S. Ct. 2548, 91 L. Ed. 2d 265 (1986)), overruled on other grounds by 130 Wn.2d 160, 922 P.3d 69 (1996).

To prevail on a negligence claim, a plaintiff must prove (1) the existence of a duty owed to the plaintiff, (2) a breach of that duty, (3) a resulting injury, and (4) the breach as the proximate cause of the injury. N.L. v. Bethel Sch. Dist., 186 Wn.2d 422, 429, 378 P.3d 162 (2016). The parties dispute whether Essilfie can establish breach of a duty, proximate cause, or a resulting injury.

before it.” Rhinevault v. Rhinevault, 91 Wn. App. 688, 692, 959 P.2d 687 (1998). We may decline to reach the merits of an issue if this burden is not met. Id. Essilfie did not meet his burden by providing us with only his response to the respondents’ motion for summary judgment and his motion for reconsideration. However, the respondents supplemented the record by providing us with the other pleadings necessary to resolve Essilfie’s arguments. “Washington law shows a strong preference for deciding cases on the merits.” Luckett v. Boeing, 98 Wn. App. 307, 313, 989 P.2d 1114 (1999). We therefore reach the merits of Essilfie’s appeal.

I. Summary Judgment Dismissal

Essilfie contends that the trial court overlooked the seriousness of the diseases caused by heavy metals in dismissing his negligence claim on summary judgment. He cites the various health problems he suffers from, as well as the laboratory tests he had done showing the presence of heavy metals. The respondents counter that Essilfie's laboratory tests do not constitute qualified expert testimony.

Even if we were to assume the accuracy of the laboratory tests, Essilfie has not provided any evidence connecting the respondents to his exposure to heavy metals. The respondents provided declarations below from both Colley and Keating. In their declarations, Colley and Keating stated that they had never caused toxic fumes to be pumped into Essilfie's apartment, and that there is no ductwork in the building that would make that possible. Essilfie did not provide any evidence to contradict those statements. Thus, there is no genuine dispute of material fact regarding the breach of duty and causation elements of his negligence claim. Essilfie does not make a showing sufficient to establish the existence of either element.

The trial court did not err in dismissing Essilfie's negligence claim against the respondents on summary judgment.

II. Denial of Reconsideration

Essilfie argues next that the trial court erred in denying his motion for reconsideration. He states that the court's decision was wrong "for the very fact I have stated." We construe this statement as repeating his earlier argument that the court overlooked the seriousness of the diseases caused by heavy metals.

We review an order denying a motion for reconsideration for an abuse of discretion. See Rivers v. Wash. State Conf. of Mason Contractors, 145 Wn.2d 674, 684-85, 41 P.3d 1175 (2002). On reconsideration, Essilfie provided additional medical records, including a letter from an industrial toxicologist analyzing his test results from Carlson and his current symptomatology. Staninger, the industrial toxicologist, opined that Essilfie's symptoms "and the metal parameters found to be extremely high in value correlate to systemic target organ toxicity."

Again, even if we were to assume the accuracy of Staninger's letter, Essilfie has not provided any evidence connecting the respondents to the above described organ toxicity. Specifically, he did not provide any evidence to contradict Colley's and Keating's statements that they had never caused toxic fumes to be pumped into his apartment, and that there is no ductwork in the building that would make that possible. Accordingly, Essilfie's motion for reconsideration did not change his failure to make a showing sufficient to establish the existence of the breach of duty and causation elements of negligence.

The trial court did not abuse its discretion in denying Essilfie's motion for reconsideration.⁷

We affirm.

Uppelwick, J.

WE CONCUR:

Seach, J.

Dunne, J.

⁷ Essilfie also argues for the first time on appeal that his right to equal protection while living in his apartment has been violated. He does not explain how the respondents have violated this right, or how this violation relates to his negligence claim. To raise this claim for the first time on appeal, Essilfie must show manifest error affecting a constitutional right. RAP 2.5(a)(3). He fails to do so here. He also did not support his argument with any citation to legal authority or reference to the record, as required under RAP 10.3(a)(6). We hold pro se litigants to the same standard as attorneys. Kelsey v. Kelsey, 179 Wn. App. 360, 368, 317 P.3d 1096 (2014). As a result, we decline to reach Essilfie's equal protection argument.