WASHINGTON STATE COURT OF APPEALS DIVISION THREE

CASE SUMMARIES FOR ORAL ARGUMENT

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

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Date of Hearing: Wednesday, April 29, 2020
Location: Spokane, 500 North Cedar
Telephonic Oral Argument

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9:00 a.m.

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1)   **No.: 36556-5-III**
      Case Name: Daniel Nelson v. Spokane Community College
      County: Spokane
      Case Summary: Spokane Community College dismissed Daniel Nelson from the college's nursing program following his admission to plagiarism. Mr. Nelson appeals the discipline, claiming violations of Washington's Administrative Procedures Act, ch. 34.05, RCW, and violations of constitutional due process protections.

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2) **No.: 36495-0-III**
Case Name: Evans v. Spokane County
County: Spokane
Case Summary: Carlton Evans sustained severe, life-altering injuries, when a tree fell on his car during a heavy windstorm. Spokane County owned the road and maintained the land where the tree was located. Mr. Evans and his wife sued the County for negligently maintaining both the tree and the road. A jury entered a defense verdict for the County. The Evanses appeal, arguing the lower court erred by dismissing one of their legal theories on summary judgment, by giving erroneous jury instructions, and for limiting and excluding testimony from their expert witnesses. The County conditionally cross-appeals the trial court's decision to give, and refusal to give, other contested instructions.

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