

THE SUPREME COURT OF WASHINGTON

Mailing: PO Box 40929

Olympia, WA 98504-0929

December 7, 2021

Rita Cagliostro

212 Alaskan Way S205

Seattle WA 98104

Joshua Waldek Campbell

Attorney at Law

1741 Cleanwater Dr. SW

PO BOX 40124

Olympia, WA 98504-0124

joshua.campbell@atg.wa.gov

RECEIVED
DEC 08 2021

Washington State
Supreme Court

Case # 81266-1

Rita Cagliostro, Appellant v. DSHS et al, Respondent

King County Superior Court No. 19-2-30303-4

APPELLANT hereby,

MOTIONS: FOR RECONSIDERATION RAP 12 4(b) and PETITION FOR REVIEW RAP 13.4(a) by the SUPREME COURT

Appellant motions to pay the \$200 required upon notice from the SUPREME COURT, that Motion for Reconsideration has been completed by the Court of Appeals.

Unless a separate 30 days is to begin. After the MOTION FOR RECONSIDERATION has been completed and mailed to Appellant. As such the date affective there of Appellant has to apply the \$200.

STATEMENT OF RECONSIDERATION

Appellant motions courts to reconsider loss of time injury from April 2019 back to May 2016. Procedural law states that:

An injury is considered an loss of time (LTI) only when the injured worker:

- Is unable to perform regular job duties
- Takes time off for recovery
- Is assigned modified work duties while recovering

Appellant meets all three criteria of loss of time injury (LTI).

Substantive law: rights and duties supports Appellant's claim in:

ANALYSIS

1. Appellant is requesting reconsideration of the circumstance in of itself. That Appellant, was trying to readdress with DVR a review of the appellant's directive circumstances discussed between DVR Joan Lopez-Stuitt May 5, 2016 via email and in person. Appellant has already provided the ALJ court of Administration the email clearly marking appellant's point into the matter. Leaving the last conversation with the understanding that DVR was no longer going to be located at the Mercer Street near Roy location but was in transfer to new location at the Pacific Tower, 1200 12th Ave S, Seattle, WA 98144.
2. The matter of the directive given to appellant was to handle own legal issues (including legal "clinics") and to attend the mental health therapies for obtaining the needed medical doctor's note to return to employment.
3. Upon April 04, 2019, when Appellant contacted DVR on the phone found on the internet, the receptionist response was to obtain a referral to the facility at Pacific Tower, 1200 12th Ave S, Seattle, WA 98144, no walk-ins were being welcomed.

4. Appellant went to Department of Social and Health Services closest to her, at the CSO location in Bell town, to request the referral. The referral process was being hindered.
5. After the employee at the DSHS location declined to submit the details onto the application process on the computer input screen for further assistance. Appellant turned to Requesting a hearing, this hearing.
6. **As indicated on the hearing application itself.** That appellant was being given mixed signals on how the TANF/DVR employment processes were being dealt in assisting her.
7. Appellant turned to North West Justice Project to seek the legal clinic assistance to address the matter, however, the **North West Justice Project upon receiving the records via fax** as requested, responded with unable to address the matter due to no formal denial notice is presented.
8. Appellant explained to North West Justice Project that appellant went through the channels via phone, face to face and email and was being gas-lighted, stone walled.
9. The **re-determination was then processed October 1, 2019** after the **hearing request was filed timely within the 45 days from the attempted application.** The ALJ from the court of administration turned the issue to the passed for which Appellant needed spot light on to show loss of time.

ARGUMENT UNDER THE CIRCUMSTANCES

1. May 5, 2016 , DVR closed appellant case, although appellant argues that point, as not closed, only followed the directive discussed. Whether the DVR employee mailed a closed letter in response, appellant only sees that as a stone wall attempt but at the very least covering the back side of the DVR agency only and does not lawfully have authority.

2. April 04, 2019, appellant made the request via applying again, face to face with the understanding the course action was to follow through with the Mental Health and legal filings (pro se and Legal Clinics) distinctly typed directive by DVR sent over secure email May 5, 2016.

3. Prompted a pugnacious response from the DSHS employee April 04, 2019. The employee at the DSHS location declined to submit the details onto the application process on the computer input screen for further assistance. Appellant turned to Requesting a hearing, this hearing.

4. Appellant therefore asserts that on April 04, 2019, the 45 days time to Request hearing was timely submitted in compliance with WAC 388-891A-0255 (1)(b) " (b) The name of the DSHS program that the fair hearing involves (such as DVR) ".

5. " Exception to Policy: a client has a right to ask for an Exception to Policy for any denied services by DVR that would be allowed under the Code of Federal Regulations, or CFRs, but not in contradiction with State law. " Whether appellant was alarmed by the actions of the face to face employee April 04, 2019, involvement declining data input, (Workforce Innovation Opportunity Act) WIOA to access training? Investigation is hindered here. As the TANF letter April 05, 2019 requested legal records of Appellant.

CRUCIAL POINTS OF ARGUMENT ON THE **PHYSICAL DENIAL** BY THE
EMPLOYEES AT DSHS/DVR ON BENEFITS ASSISTANCE

RCW 41.05A.070 : “(1) To secure reimbursement of any assistance paid as a result of injuries to or illness of a recipient caused by the negligence or wrong of another, the authority is subrogated to the recipient's rights against a tort feisor or the tort feisor's insurer, or both.”

RCW 74.09.180, RCW 43.20B.060, DSHS and equitable subrogation, in equity, an insurer's right to recover a subrogation interest is confined to " the excess which the insured has received from the wrongdoer, remaining after the insured is fully compensated for the loss" Thiringer v. American Motor Insurance Company, (punitive damages) under ss 504 of the Rehabilitation Act & Title II of the ADA. CITING: Cagliostro v. Collins, Western District of Washington.

RCW 74.20.065, Wrongfully depriving Appellant, custody of child. (Citing Division III, No. 36992-7-III).

Where King County is the best forum jurisdiction thereof because of the wrongful deprivation of custody, had not to date been remedied, as the procedural law provides. (WAPA) , Chapter 34.05 RCW.

An unchallenged finding of fact is accepted as a verity on appeal. (Therefore and still appellant argues numerous motions requests for appointment of counsel).

Citing: Docket No. 59802-9, " [8] Affirmatively ignoring reasonable directions from a superior on a work related matter *qualifies as employee misconduct*." (Tapper v. Employment Security Department 122 Wn 2d 397, 858 P .2d 494), because appellant believes that following through with the directives of the IRS attorney herein attached record, and the that of the DVR counselor May 5, 2016, to handle the filing deadlines, and attend to the Mental Health therapy, as a recovery for injury directive was in line with this here employment security loss of time claim, but relevant for:

Admission by Motion, Qualifications for Admission by Motion Under APR 3(c)(1), varatuomari, for appellant.

LOSS OF TIME claim; includes as is true today, teen resides in a separate city from the receiver of support, in Oregon City residing at grandma Kat's (due to fears of DSHS failure to act) and attending high school in Sandy, Oregon, 30 miles away, by vehicle purchased through appellant's help. The other parent holds the title records. Money costs to Appellant being carried additionally upon appellant's finances.

Per Sandy High School phone texts to appellant of late and absent (causes communications from appellant and Sandy High School Oregon) to request excuse of absent/tardinesses, Appellant's now teen, drives through difficult traffic un-experienced in time it takes to arrive on time for school. As courts ignore crying pleas of appellant in these matters, that now **teen still remains in danger** in these court matters and home abuse from the parents known as the step-mother, and other parent.

Appellant's case, Court of Appeals No. 76377-6-I, appellant still awaits a court of competent jurisdiction of "any " state giving appellant return of child as the natural custodial parent as of May 05, 2016.

April 04, 2019 Appellant provided those "**valid**" **legal** records request of the DSHS/DVR face to face appointment gone awry, WAC 388-14A-3370. (appellant, must establish that:

(a) A court of competent jurisdiction of any state, tribe or country has entered an order giving legal and physical custody of the child to the NCP;

(b) The custody order has not been modified, superseded, or dismissed;)

exhibit 1. attached here as Judgment Order to Pay

exhibit 2. attached here as , No. 76377-6 - I , MANDATE

exhibit 3. attached here as , Cagliostro v. Collins, Case No. C18-425RSM , Order to Show Cause and Statement of Damages

exhibit 4. attached here as , State of Oregon Disciplinary Board No. 14-072

exhibit 5 , attached here as , DSHS letter April 05, 2019, request for Order 50% or more custody of this child

exhibit 6, attached here as , Child Support (WAC 388-14A-3370 (b)), Multnomah, OR Case No. 0903-62138.

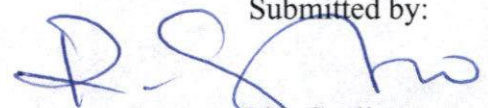
exhibit 7, attached here as , Hearing Request DCYF, Washington, Board of Appeals (4/4/2019).

exhibit 8 , attached here as , Vocational Rehabilitation letter September 25, 2013.

exhibit 9 , attached here as, UW School of Law, Federal Tax Clinic, November 18, 2016.

Dated: *November 17, 2021*

Submitted by:

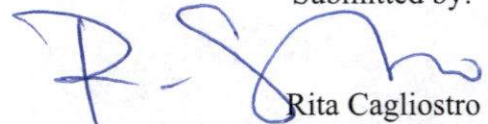


Rita Cagliostro
212 Alaskan Way S 205
Seattle, WA 98104
503-960-6345

CERTIFICATE OF SERVICE

Appellant does here affirm that a copy of this MOTION FOR RECONSIDERATION is served upon Joshua Waldek Campbell, Attorney General of Washington.

Submitted by:



Rita Cagliostro
212 Alaskan Way S 205
Seattle, WA 98104
503-960-6345

RECEIVED
DEC 08 2021

CERTIFICATE OF COMPLIANCE

Washington State
Supreme Court

PURSUANT TO: (8) Motions to reconsider a decision terminating review and answers and replies thereto (RAP 12.4): 6,000 words (word processing software) or 25 pages (typewriter or handwritten).

Appellant here does submit the MOTION FOR RECONSIDERATION in compliance with the RAP 18.17.

Dated: *NOVEMBER 17, 2021*

Submitted by:



Rita Cagliostro

212 Alaskan Way S 205

Seattle, WA 98104

503-960-6345

November 18, 2021

Exhibits

IRS Exhibits

Appellant filed this case
81266-I with the IRS
and the enclosed related
cases hereinwith as
Identity Theft (Frauds upon
the Court).

There are 11 pages to go
with the #1A and #1B
sets.



SCHOOL OF LAW
UNIVERSITY of WASHINGTON
Federal Tax Clinic

William H. Gates Hall, Suite 265
University of Washington
PO Box 85110
Seattle, WA 98145-1110
Phone 206.685.6805 Fax 206.685.2388

TERMINATION OF OUR REPRESENTATION

November 18, 2016

Rita Cagliostro
212 Alaskan Way S #205
Seattle, WA 98104

Dear Ms. Cagliostro:

As I informed you earlier, pursuant to the terms of our engagement letter, neither I nor the Clinic will be able to represent you in your tax controversy any further. In terminating our representation we have taken the following actions:

1. We have terminated our Power of Attorney (Form 2848) in this matter.
2. We have notified the I.R.S. that we are no longer representing you in this matter.

During our discussion on November 4th, 2016, I informed you that we have reviewed the IRS tax transcripts pertaining to the taxable years of 2013, 2014, and 2015. For the tax years 2014 and 2015, you were to receive refunds from the IRS but these refunds were directed to other debts that you owed to the Department of Education, and to the State of Oregon Department of Justice - Division of Child Support.

More specifically, for tax year 2014 your refund of \$2,899 was split into two payments. One payment of \$1,193 was sent to the State of Oregon Department of Justice - Division of Child Support, and the second payment of \$1,706 was sent to the U.S. Department of Education.

For tax year 2015, your entire refund amount of \$3,275 was sent to the State of Oregon Department of Justice - Division of Child Support.

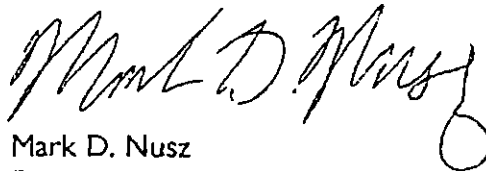
As we discussed, these payments have been sent outside of the IRS and there is nothing that we can do for you to recover these refunds. We are a Federal Tax Clinic and only represent clients with IRS matters. Any claims to these amounts of money should be taken up with the agencies where the payments have been sent, and/or the courts with jurisdiction in these matters.

As the matter stands right now, you do not owe anything to the IRS and thus do not have any ability to take this matter to U.S. Tax Court. However, if the IRS rejects your claimed child exemption and head of household deduction, you may be able to dispute this with the IRS and if necessary, the U.S. Tax Court. Should the IRS take any action pertaining to your claimed exemptions and deductions which causes you to owe the IRS back taxes, please call the Clinic as we may be able to assist you.

We also discussed your 2013 tax return as it has not been filed yet. You have been working toward getting this filed, and I advise you to get this in before April 15th, 2017 so that any refund due to you can be applied toward your other debts. If you delay the filing of this return beyond April 15th, 2017, you will likely lose the ability to claim any refund due and apply it to your other debts.

If you have any additional questions feel free to contact me.

Sincerely,



Mark D. Nusz
Federal Tax Clinic
UW School of Law

IRS Exhibits
re. Page 1 of 17

recvd response secure mail from DVR RE: dshs for Angel review

Mandy Cagliostro
Thu 3/31/2016 10:28 AM
To: Mandy Cagliostro <ritacagliostro@live.com>
Received: Mar 31, 2016 10:03 AM
Expires: Apr 30, 2016 10:03 AM
From: lopezje@dshs.wa.gov
To: ritacagliostro@live.com
Cc:
Subject: RE: dshs for Angel review

Filed it
at IRS

Hi Rita,

Our appointment is April 6th at 10:00am. We are packing and moving the week of April 25th-29th, we are not having appointments with clients that week. Appointments will be had at the new office after that.

With reference to legal issues, DVR is not charged with helping with family issues, the legal help has been basically information and referral to legal clinics for things like getting a criminal record expunged or problems related to identity theft. In my 24 years here, I have never hired a lawyer for someone, just referred people to clinics or had conversations with lawyers already hired and paid by the client for worker's compensation issues.

I am not quite sure what you mean by financial reports, the only financial report we have is a financial statement that is completed when a vocational plan is written. If someone is on SSDI, detailed financial reporting isn't required, so this would be a concern for you.

I hope that this clarifies things for you.

I look forward to seeing you on April 6th.

Take care

Joan

From: ritacagliostro@live.com
To: lopezje@dshs.wa.gov
Subject: FW: dshs for Angel review

pg 10
000146

URGENT Served DSHS 42Mil Fw: DVR Letter 2 Fw: letter Fw: DVR hearing on July 29th

Mandy Cagliostro

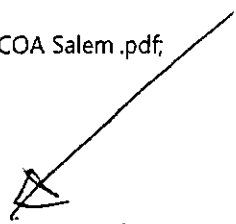
Thu 3/1/2019 5:18 PM

To: Katie Scott <kscott@solid-ground.org>; John-Paul.Sharp@Sound.Health <John-Paul.Sharp@Sound.Health>; Aimee McFarlane <Aimee.McFarlane@Sound.Health>

8 attachments (713 KB)

DVR Letter 2.pdf; WAC max income.pdf; scratch sheet idea.pdf; Statement of Damages.pdf; Pract hours Brief ext COA Salem .pdf; Proposed Settlement 9th Circuit.pdf; DVR SSD 1099.pdf; Rita served DSHS .pdf;

Hello Katie, (the two above witnesses are my clinicians on my communication with you)



This is what I would like to focus on and make sure that you meet my needs on the TANF (practicum hours, cash earnings unaccounted) (DVR) issue at hand for hearing next week and the \$42,000,000 I am expecting you to cite as amount I am seeking for pain and suffering. This situation has gone on too long, especially cite the IRS questionnaire was met on child kidnapped, and November 23, 2016 final order of Judge Rietschel " child resides with mother" On the agencies failure to act to address this, is the years of me trying to come out of this, going on 6 years repeatedly addressing over and over and over and over and over ...you get my point, through the mental triggers associated to no life with my kidnapped child and my own mother's used birthday for the improper services had that day October 24, 2013, after denying phone attendance, from being ejection, eviction from the land/home in Oregon, we left to safety, as stated right from the Judges manual. Citation "

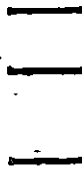
"a victim may have fled to a safe haven where family members can offer secure shelter, child care, or employment opportunities".3 page 13 source:

(<http://www.ncjfcj.org/sites/default/files/UCCJEAGuideCourtPersonnelJudgesFinal.pdf>)"

as reason for denying " temporary emergency custody" when no danger existed. Judge Hehn of Multnomah county had denied the first attempt 72 hours after child and I moved giving reasonable notice to the Multnomah Court, we moved on September 13, 2013, and on September 19, 2013, Judge Hehn denied order that first attempt. It was Judge Svetkey who went into violations stemming at ORS 12.040(4), on October 24, 2013, denying me attendance and holding a secret ex parte to grant an emergency temporary custody of my child, breaking the Pro Hac Vice NRS Rule 16...sanctions for not complying

Back to the number email below left off at #5. on the issues of where in lays the crooks of the situation.

6. I will scan you the work place connection of Charles Alec Winton, where I served him in my jurisdiction (Vancouver, WA) (plus child was meeting with me at Innovative Services NW, in Vancouver, WA for parental visits during my serving in my jurisdiction Superior Court Case No. _____ on September 22, 2016) after finding mental PTSD control from DSHS themselves directing to Disability) as his contact with the state of Washington, in addition to the jurisdiction followed me, due being the original petitioner in the Child Support Case No. DR04100567, BUT FOR the fraud upon the court and violations ORS 12.040 (4) stemming from Multnomah County and furthering in Washington State.



BELTOWN CSO
PO BOX 11699
TACOMA WA 98411-6699



Washington State
Department of Social
& Health Services

Phone#
TTY/IDD # 800-209-5446
Toll Free # 877-501-2233

Client ID # 052435672

04/05/19

RITA CAGLIOSTRO
212 ALASKAN WAY S APT 205
SEATTLE WA 98104-3464

Dear RITA CAGLIOSTRO

We need the following information for these people in your household so that we can find out if you can receive or keep receiving the following: () Cash (X) Food () Health Care Coverage () Long Term Care () Working Family Support

We cannot determine your eligibility for our Temporary Assistance For Needy Families Program until we receive additional information:

Rita faxed these

Please provide current information showing you are the custodial parent of Angel. This can be in the form of documents from the Division of Child Support or Court Order showing 50% or more custody of this child.

Faxed by Rita

If we don't receive this information by 04/15/19 your benefits may stop or be denied.

You can:

- * Apply for benefits, submit a review, or report changes at www.washingtonconnection.org.
- * Fax information to us at 888-338-7410.

Write your client ID on all copies you send us. Your client ID is 052435672:

Tell us if we ask for anything that will cost you money. We will get the information and pay for it.

Please call 877-501-2233 if you have questions about this letter.

Call 877-501-2233 to process an application or review, report changes, or ask questions.

Attachment(s): 14-113 Client Rights and Responsibilities
14-520 Your DSHS Cash or Food Assistance Benefits

Insert(s): Postage Paid Return Envelope - CSD

pg 145 000281

Case 18-35738

Case No. C18-425 RSM

P. 8

THE STATE OF OREGON
Child Support Program, Department Of Justice

State of Oregon,
Child Support Program Administrator,

and

Rita V Cagliostro,
aka Rita V Cagliastro and Rita V
Cagliostri,
Obligor,

and

Charles A Winton,
aka Charles Alec Winton,
Obligee.

Multnomah County Circuit Court

Case No. 0903-62138

CSP Case No.: 051AAAX09441

Order Modifying Support Order

ORS 25.287; ORS 41B.400 to 41B.465

This Order Modifying Support Order is for the following children:

Child's Name	Age	Most Overnights with:
Angel	42	Charles A Winton

Dates of birth are provided under UTCR 2.130.

Based on the findings set forth below, IT IS HEREBY ORDERED that the existing order is modified as follows:

Child Support

OAR 137-050-0700 to 137-050-0765

Rita V Cagliostro must pay \$0.00 cash child support per month for Angel

If a child qualifies as a "Child Attending School" his or her portion of the support payments may be disbursed directly to the child. [ORS 107.108]

Medical Support

ORS 25.323; OAR 137-055-4620

Rita V Cagliostro must provide appropriate private health care coverage for all the children if it becomes available at no cost unless the other parent is already providing coverage. Double coverage is not required. Private health care coverage may be provided through an employer or any other source, including a spouse, domestic partner, or other family member. Rita V Cagliostro has income at or below Oregon minimum wage and cannot be ordered to provide cash medical support.

Charles A Winton must provide appropriate private health care coverage for all the children if it becomes available at a cost of no more than \$133.00 per month unless the other parent is already providing coverage. Double coverage is not required. Private health care coverage may be provided through an employer or any other source, including a spouse, domestic partner, or other family member.

Charles A Winton must apply to enroll the children in public health care whenever appropriate private health care coverage is not available.

PS 155
000291

RE: Hearing Request Fw: Pre Hearing OAH

BOA (DCYF) <dcyf.boa@dcyf.wa.gov>

Wed 4/3/2019 9:21 AM

To: Mandy Cagliostro <ritacagliostro@live.com>

Ms. Cagliostro:

Please send any future correspondence directly to the Office of Administrative Hearings in Seattle. If you have any questions, please contact Janio Moller at 425-412-2780.

From: Mandy Cagliostro <ritacagliostro@live.com>

Sent: Tuesday, April 2, 2019 12:47 PM

To: BOA (DCYF) <dcyf.boa@dcyf.wa.gov>

Subject: Hearing Request Fw: Pre Hearing OAH

The Department of Children, Youth, and Families (DCYF)

Board of Appeals

Mailing Address:

P.O. Box 40982
Olympia, WA 98504

Physical Location:

1115 Washington Street S.E.
Olympia, WA 98501
Phone: (360) 902-0278
Facsimile: (360)902-7951

REGARDING: Request for a pre-hearing
Person making request: Rita Cagliostro (DSHS Client ID 52435672)

Hello,

My name is Rita Cagliostro I am a tan white American disabled 47 year woman. I am asking for an application be sent to me via email for a pre-hearing with the Department of Children, Youth, and Families (DCYF). Your response is needed.

Submitted By: Rita Cagliostro
212 Alaskan Way S205
Seattle, WA 98104
503-960-6345

PS162
000298

merit to = evidence

The bullshit never ending run around. (RCA)

client ID 052435672

RE: Hearing Request Fw: Pre Hearing OAH

BOA (DCYF) <dcyf.boa@dcyf.wa.gov>

Wed 4/3/2019 9:21 AM

To: Mandy Cagliostro <ritacagliostro@live.com>

Ms. Cagliostro:

Please send any future correspondence directly to the Office of Administrative Hearings in Seattle. If you have any questions, please contact Janio Molieri at 425-412-2780.

From: Mandy Cagliostro <ritacagliostro@live.com>

Sent: Tuesday, April 2, 2019 12:47 PM

To: BOA (DCYF) <dcyf.boa@dcyf.wa.gov>

Subject: Hearing Request Fw: Pre Hearing OAH

Description
See affidavit
By
Rita

The Department of Children, Youth, and Families (DCYF)

Board of Appeals

Mailing Address:

P.O. Box 40982
Olympia, WA 98504

Physical Location:

1115 Washington Street S.E.
Olympia, WA 98501
Phone: (360) 902-0278
Facsimile: (360)902-7951

REGARDING: Request for a pre-hearing
Person making request: Rita Cagliostro (DSHS Client ID 52435672)

Hello,

My name is Rita Cagliostro I am a tan white American disabled 47 year woman. I am asking for an application be sent to me via email for a pre-hearing with the Department of Children, Youth, and Families (DCYF). Your response is needed.

Submitted By: Rita Cagliostro
212 Alaskan Way S205
Seattle, WA 98104
503-960-6345

IN THE SUPREME COURT OF THE STATE OF OREGON

In the Matter of Appointments to the
DISCIPLINARY BOARD)

No. 14-072

) APPOINTING STATE CHAIR;
) REGIONAL CHAIRS AND
) BOARD MEMBERS

Upon the recommendation of the Board of Governors of the Oregon State Bar and pursuant to Rule of Procedure 2.4, the Supreme Court considered the appointment of members to the Disciplinary Board at its public meeting on December 16, 2015 and ORDERS as follows:

1. Nancy Cooper is appointed as State Chair for a term of one year, beginning January 1, 2015 and expiring December 31, 2015.
2. Robert A. Miller is appointed as State Chair-Elect for a term of one year, beginning January 1, 2015 and expiring December 31, 2015.
3. The following persons are appointed or reappointed as Regional Chairs for a term of one year, beginning January 1, 2015 and expiring December 31, 2015:

- Region 1: Carl Hopp Jr.
- Region 2: Robert A. Miller
- Region 3: John E. "Jack" Davis
- Region 4: Kathy Proctor
- Region 5: Ronald Atwood
- Region 6: James Edmonds
- Region 7: Kelly Harpster

4. The following persons are reappointed to the Disciplinary Board for a term of three years, beginning January 1, 2015 and expiring December 31, 2017:

- Region 1: Paul Heatherman
John Laherty
Ronald Roome
Steven Bjerke (Public Member)
- Region 2: Chas Horner
Debra Velure
- Region 3: Thomas Pyle (Public Member)

CASE No. 04-2019-PA-16798
RE-2
Appendix E-105
R

RECEIVED
NOV 05 2019
OAH SEATTLE

Case No.

Judge Weber

Region 5 Disciplinary Board

(Multnomah County)

Case No. C18-425RSM
P. 2

Case 18-35738

Bar No.	Name, Position & End Date	Address	Contact Information
781270	Ronald W Atwood Chairperson 12/31/2015	Ronald W Atwood PC 333 SW 5th Ste 200 Portland, OR 97204	Phone 503 525-0963 Fax 503 525-0966 Email ratwood@ronaldwatwood.com
781270	Ronald W Atwood Member 12/31/2016	Ronald W Atwood PC 333 SW 5th Ste 200 Portland, OR 97204	Phone 503 525-0963 Fax 503 525-0966 Email ratwood@ronaldwatwood.com
073408	Bryan D Beel Member 12/31/2015	Perkins Coie LLP 1120 NW Couch 10th Flr Portland, OR 97209	Phone 503 727-2116 Fax 503 727-2222 Email bbeel@perkinscoie.com
825077	Duane A Bosworth Member 12/31/2017	Davis Wright Tremaine LLP 1300 SW 5th Ave Ste 2400 Portland, OR 97201	Phone 503 778-5224 Fax 503 778-5299 Email duanebosworth@dwt.com
913683	Lisanne M Butterfield Member 12/31/2015	Carr Butterfield LLC 5285 Meadows Rd Ste 199 Lake Oswego, OR 97035	Phone 503 635-5244 Fax 503 635-2955 Email lbutterfield@carrbutterfield.com
4257041	Rita Cagliostro Public Member 12/31/2017	12004 SE Foster Rd Portland, OR 97266	Phone 503 960-6345 Fax Email ritacagliostro@live.com
950372	Lisa M Caldwell Member 12/31/2017	Klarquist Sparkman LLP 121 SW Salmon St Ste 1600 Portland, OR 97204	Phone 503 595-5300 Fax 503 595 5301 Email lisa.caldwell@klarquist.com
012256	Dylan M Cernitz Member 12/31/2016	Gevurtz Menashe et al 115 NW First Ave Ste 400 Portland, OR 97209	Phone 503 227-1515 Fax 503 243-2038 Email dcernitz@gevurtzmenashe.com

my internship Damage

Pg 25
000161

September 25, 2013

Rita Cagliostro
12004 SE Foster Rd.
Portland, OR 97266

Dear Rita:

I am closing your file with the Office of Vocational Rehabilitation Services because you have moved out of state.

If you apply to Vocational Rehabilitation they can contact us and we can send them information from you file if you sign a Release of Information. I wish you well, Rita.

Sincerely,

Sandy A. Gooch MS
Vocational Rehabilitation Counselor

Enclosure(s): Notice of Dispute Resolution Procedures Available to OVRS Clients

** my second attempt to Rehab on my 3rd now (RC)*

~~ATTN~~
For short term memory issues RC

Case No. C18-425 RSM P. 8

~~188~~
188

This was continued treatment from other treatments of Auto accident. PG 48

November 18, 2021

Exhibits

Procedural Law

#1A

You need to look read
through all 5 pages
and understand the Law,

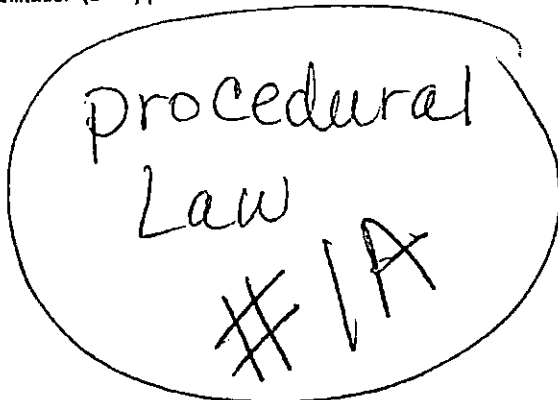
to my appellant's request
for Reconsideration.

Case: 81266-1

Economic Services Administration

About ESA | Find an ESA Office | Frequently Asked Questions

Alert: Updated information on COVID-19 [Learn More](#)



Home > Social Services Manual > Division of Vocational Rehabilitation (DVR)

Division of Vocational Rehabilitation (DVR)

Revised on June 1, 2017

Purpose

The Community Services Division (CSD) and DVR collaborate to improve employment outcomes for mutual clients and reduce poverty statewide. We work toward these goals by striving to provide seamless and consistent service delivery statewide to mutual clients.

The Warm Handoff

CSD social services and WorkFirst staff use the processes and procedures outlined in the CSD Procedures Handbook when referring CSD cash assistance clients to DVR.

DVR Referral Guidelines

To refer to DVR, the client must:

1. Want to work;
2. Have a permanent physical, sensory, or mental disability that constitutes a significant barrier to their employment;
3. Require vocational rehabilitation services to eliminate or reduce their disability-related barrier(s) to employment; and
4. Agree to the referral and, if determined eligible by DVR, be available and willing to participate fully in DVR's Individualized Plan for Employment (IPE).

Before making a referral to DVR, CSD social services or WorkFirst staff provides the client with information and a brief orientation regarding DVR services. CSD staff can access client orientation materials on the CSD DVR Partnership SharePoint site and DVR's website.

- Considering if DVR is the Choice for You: Employ Your Abilities
- What Services are Available to Me?
- Frequently Asked Questions

Google

Community Services Division seattle, wa



Rating ▾

Hours ▾

Seattle Human Services

Department

1.0 (4) · City governm...

700 5th Ave #5800 · In the Seattle...

(206) 386-1001



WEBSITE

DIRECTIONS

Community Service Office

5.0

(2) · Social services organization

3600 S Graham St · In DSHS

Closed · Opens 8AM Fri · (206) 760-2000

DIRECTIONS

Home and Community

Services - DSHS

No reviews · Social services orga...

1737 S Holgate St

Closed · Opens 8AM Fri · (206) 34...



WEBSITE

DIRECTIONS

Department of Social & Health Services, DSHS

2.8 (37) · Social servi...

2106 2nd Ave #100

Closed · Opens 8AM Fri · (206) 23...



WEBSITE

DIRECTIONS

White Center Community

Services Office

4.0 (2) · Social service...

9650 15th Ave SW #200

Temporarily closed · (206) 341-74...



WEBSITE

DIRECTIONS

Washington State Department

of Social and Health Services -

Capitol Hill CSO

3.9 (25) · Department ...

1700 E Cherry St Suite 100

Closed · Opens 8AM Fri · (206) 56...



WEBSITE

DIRECTIONS

DSHS

3.8

(178) · Social serv...

3600 S Graham St

Closed · Opens 8AM Fri · (877) 50...



WEBSITE

DIRECTIONS

Youth Service Department Probation

No reviews · Social services organization

1211 E Alder St

(206) 296-1507

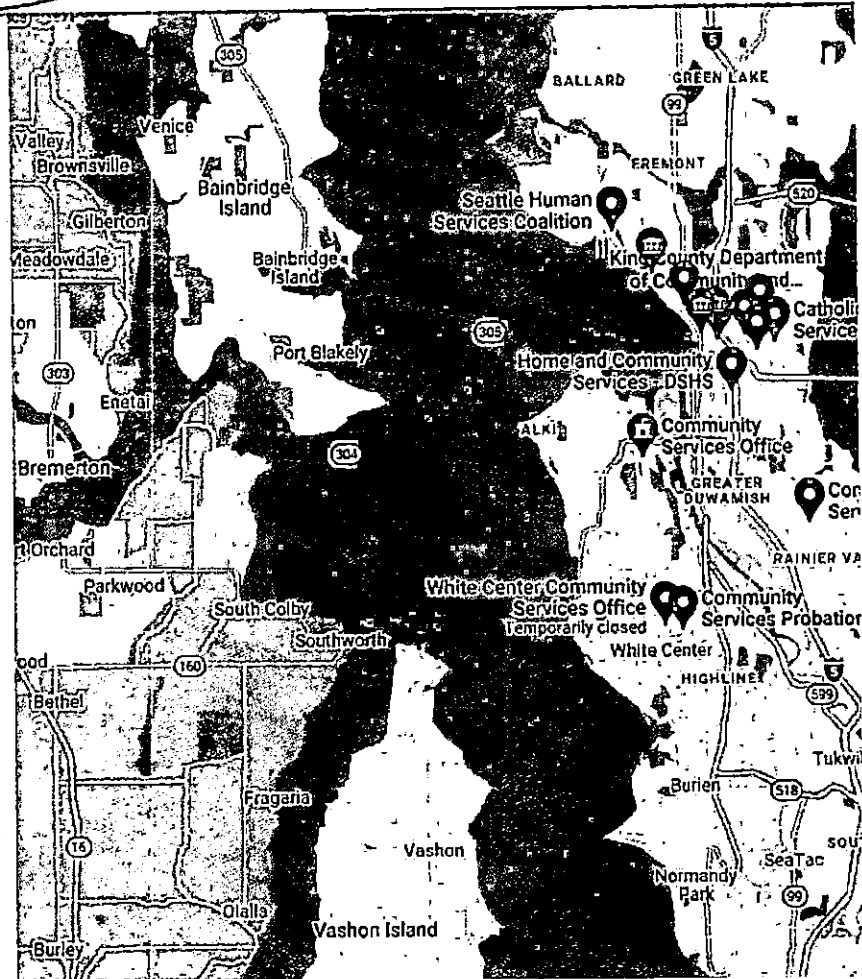
DIRECTIONS

Catholic Community Services

4.3

(187) · Social serv...

100 22nd Ave




Alert: Updated information on COVID-19 [Learn More](#)

Home > Belltown Community Services Office

< [Return to Results](#)

Belltown Community Services Office

2106 2nd Ave
Seattle, WA 98121

[Get directions](#) 

Contact Us

Primary Phone: (877) 501-2233
TTY: (800) 833-6384
Fax: (888) 338-7410

Service Hours:

Monday: 8:00am - 5:00pm
Tuesday: 8:00am - 5:00pm
Wednesday: 8:00am - 5:00pm
Thursday: 8:00am - 5:00pm
Friday: 8:00am - 5:00pm

Location Services:

In order to provide a safe environment for customers and staff, we require everyone to self-screen against COVID symptoms, sign in, practice social distancing and wear a mask.

All services are available by phone at 877-501-2233. Please note that lobbies are open for the following limited services:

- Pick up an **Electronic Benefit Transfer** card, authorized bus passes and gas cards between 10 a.m. - 2 p.m.

OCT 02 2019
Department of Social & Health Services
SEATTLE

DVR Request for Fair Hearing

TODAY'S DATE
April 04, 2019

CUSTOMER'S NAME Rita Cagliostro		TELEPHONE NUMBER (AND AREA CODE) 503-960-6345	
ADDRESS 212 Alaskan Way 3205	CITY Seattle	STATE WA	ZIP CODE 98104
DVR OFFICE WHERE YOU RECEIVE SERVICES 2106 2nd Ave., Seattle, WA 98121		DVR COUNSELOR'S NAME Joan Lopez-Stuit	

What is the decision you disagree with?

TANF/SFA

For (Trained on The Bench) Practicum hours credits due, for Masters of Law Degree, Bachelors in Legal Studies/Research completed.

What are the reasons you disagree with the decision?

Family Leave Act, to handle family issues affecting work, Section 501 and 505 of the Vocational Rehabilitation Act 1973 for "Remedies and Attorney Fees" Sec 794a. [Section 505] any necessary work place accomodation, and the availability... equitable ... (b) reasonable attorneys fees as part of the cost. Requesting an attorney again.

COMPLETED BY Rita Cagliostro	TELEPHONE NUMBER (AND AREA CODE) 503-960-6345
---------------------------------	--------------------------------------------------

* If completed by DVR staff send copy to: Fair Hearing Representative, PO Box 45340, Olympia WA 98504-5340

Mail or FAX form to: Office of Administrative Hearings

P.O. Box 42489
Olympia, WA 98504-2489
1.800.583.8271
FAX 360.586.6563

One Union Square
600 University St.,
Ste. 1500
Seattle, WA 98101-1129
1 (800) 845-8830
FAX (206) 587-5135

16201 East Indiana Ave, Ste. 5600
Spokane, WA 99216
1 (800) 366-0955
FAX (509) 456-3997

32 North 3rd St., Ste. 320
Yakima, WA 98901-2730
1 (800) 843-8490
FAX (509) 454-7281

page 2 of 4

Attn Chea Notice of Denial

Mandy Cagliostro

Fri 4/5/2019 5:37 PM

To: njp@nwjustice.org <njp@nwjustice.org>

1 attachments (1 MB)

NW Justice Project .pdf;

Northwest Justice Project

401 2nd Avenue South, Suite 407

Seattle, WA 98104

(206) 464-1519

1-888-201-1012

Fax: (206) 624-7501

e-mail: njp@nwjustice.org

Rita Cagliostro

212 Alaskan Way S205

Seattle, WA 98104

503-960-6345

REGARDING: **Notice of Denial** (Hearing Coordinator name is Janio A. Molieri) of the Office of Administrative Hearings

Hello,

I went to the Department of Social and Health Services today located at 2106 2nd Ave., Seattle, WA 98121 and filled out an application again to submit and an interviewer required that I add information to the application for some reason? Then another interviewer denied submitting my application, based on the attachments submitted to you enclosed in this email.

A hearing was held on April 02, 2019 at 9 a.m. regarding my denied benefits and those details I faxed to you earlier from WorkSource. Worksource says that I should not disclose that I am disabled for the purpose of employment?

Submitted By: Rita Cagliostro

503-960-6345

000023

November 18, 2021

Exhibits

Procedural Law

#1B

Has 10 pages for you to read and understand I am repetitively explaining the Fraud upon the court issues, included Washington.

I am in the correct jurisdiction
— RC

Case 81266-1

procedural Law #1B

Exhibit: F-11
date: 7-11-2017

Sec. Exhibit
B-22

2017 ORS 12.040¹
Limitations of suits generally

- land patent suits
- defense of possession by equitable title
- suit on new promise, fraud or mistake

- (1) A suit shall only be commenced within the time limited to commence an action as provided in this chapter; and a suit for the determination of any right or claim to or interest in real property shall be deemed within the limitations provided for actions for the recovery of the possession of real property.
- (2) No suit shall be maintained to set aside, cancel, annul or otherwise affect a patent to lands issued by the United States or this state, or to compel any person claiming or holding under such patent to convey the lands described therein, or any portion of them, to the plaintiff in such suit, or to hold the same in trust for, or to the use and benefit of such plaintiff, or on account of any matter, thing or transaction which was had, done, suffered or transpired prior to the date of such patent, unless such suit is commenced within 10 years from the date of such patent.
- (3) This section shall not bar an equitable owner in possession of real property from defending possession by means of the equitable title; and in any action for the recovery of any real property, or the possession thereof, by any person or persons claiming or holding the legal title to the same under such patent against any person or persons in possession of such real property under any equitable title, or having in equity the right to the possession thereof as against the plaintiff in such action, such equitable right of possession may be pleaded by answer in such action, or set up by bill in equity to enjoin such action or execution upon any judgment rendered therein; and the right of such equitable owner to defend possession in such action, or by bill for injunction, shall not be barred by lapse of time while an action for the possession of such real property is not barred.
- (4) In a suit upon a new promise, fraud or mistake, the limitation shall only be deemed to commence from the making of the new promise or the discovery of the fraud or mistake.

¹ Legislative Counsel Committee, CHAPTER 12—Limitations of Actions and Suits, https://www.oregonlegislature.gov/bills_laws/ors/ors012.html (2017) (last accessed Mar. 30, 2018).

pg 154
1000290

Fraud upon the court...
No statute of limitations

PLA

Read - S MF (P)

Appendix A

2020 AUG 31 PM 12: 10
COURT OF APPEALS
STATE OF WASHINGTON

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION I

CHARLES ALEC WINTON,)	No. 76377-6-1
Respondent,)	
v.)	MANDATE
RITA CAGLIOSTRO,)	King County
Appellant,)	Superior Court No. 16-3-05790-3 SEA

THE STATE OF WASHINGTON TO: The Superior Court of the State of Washington In and for King County

This is to certify that the opinion of the Court of Appeals of the State of Washington, Division I, filed on July 16, 2018, became the decision terminating review of this court in the above entitled case on July 12, 2019. An order denying a motion for reconsideration was entered on August 14, 2018. An order denying a petition for review was entered in the Supreme Court on June 5, 2019. This case is mandated to the Superior Court from which the appeal was taken for further proceedings in accordance with the attached true copy of the decision.



c: Rita Cagliostro
Charles Winton
Hon. Tanya Thorp



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Seattle, this 12th day of July, 2019.

[Signature]
RICHARD D. JOHNSON
Court Administrator/Clerk of the Court of Appeals,
State of Washington, Division I.

No pro hac
in vice
in WA

2:18-cv-00425-RSM

1
2
3
4
5
6
7
8
9
10
11
12
13

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

In the Matter of the Marriage of:
CHARLES A WINTON,
Petitioner,
And
RITA V CAGLIOSTRO,
Respondent.

No. 090362138

NOTICE OF TERMINATION OF
ATTORNEY-CLIENT RELATIONSHIP
DUE TO CONCLUSION OF PENDING
MATTERS

14 Counsel, Forrest R. Collins, attorney for Petitioner Charles Alec Winton, represents that
15 the above-entitled matter has been brought to its conclusion and as such the attorney-client

16 relationship regarding this matter has been terminated. Please take notice that effective this date,
17 any further communications regarding this matter should be sent directly to: Charles Winton,

18
19
20
21
22
23
24
25
26

DATED this 11 day of April, 2017.

Forrest R. Collins, OSB No. 062999
Attorney for Petitioner
1211 SW 5th Ave., Ste. 2850
Portland, OR 97204
Tel: (503) 222-2926
Fax: (866) 399-3093
forrest@mediatingattorney.com

Page 1 NOTICE OF TERMINATION OF ATTORNEY-CLIENT
RELATIONSHIP DUE TO CONCLUSION OF PENDING
MATTERS

FORREST COLLINS, P.C.
MEDIATOR AND ATTORNEY AT LAW
3202 SW HAWTHORNE ROAD, SUITE 250 - PORTLAND, OR 97201
TEL: (503) 722-7828 - FAX: (503) 228-7332
www.forrestcollins.com

pg 95 237

Case 18-35738

Case disposition was never final (RS)

6.120 DISPOSITION OF EXHIBITS

- (1) Unless otherwise ordered or except as otherwise provided in ORS 133.707, all exhibits shall be returned to the custody of counsel for the submitting parties upon conclusion of the trial or hearing. Such counsel must sign an acknowledgment of receipt for the exhibits returned. Counsel to whom any exhibits have been returned must retain custody and control until final disposition of the case unless the exhibits are returned to the trial court pursuant to subsections (2) or (3) of this rule. Both documentary and nondocumentary exhibits submitted by parties not represented by counsel shall be retained by the trial court, subject to subsection (4) of this rule.
- (2) Upon the filing of a notice of appeal by any party, the trial court administrator promptly shall notify all counsel that they are required to return all documentary exhibits in their custody to the trial court within 21 days of receipt of the trial court's request. All counsel are required to comply with the notice. The trial court promptly will transmit the documentary exhibits to the appellate court, when requested to do so by the appellate court, under ORAP 3.25.
- (3) Upon request by an appellate court for transmission of nondocumentary exhibits, under ORAP 3.25, the trial court shall notify the party in whose custody the nondocumentary exhibits have been placed. The party must resubmit the designated exhibits to the custody of the trial court for transmittal to the appellate court.
- (4) Exhibits not returned to the parties shall be processed as follows:
 - (a) Such exhibits shall be retained by the trial court until the appeal period has elapsed and there is a final disposition of the case.
 - (b) After final disposition of the case, a notice shall be sent to the parties of record that, unless they withdraw their respective exhibits within 30 days, the exhibits will be disposed of by the court.
- (5) Nothing contained in this rule shall prevent parties to any matter before the court from seeking the release or return of exhibits before the times specified in this rule.
- (6) Exhibits in the court's custody shall not be removed from the trial court administrator's control except by stipulation or by order of the court.
- (7) For purposes of this rule, "documentary exhibits" include text documents, photos and maps, if not oversized, and audio and video tapes. An oversized document is one larger than standard letter size or legal size.

Because the exhibits were admitted by petitioner, the respondent in this case did not get a notice (because petitioner only had exhibits admitted to the court). Please see below.

(See attached file 0903-62138 Notice of Exhibit Purge.pdf)

In accordance with the provisions of the Oregon Revised Statutes (ORS 133.707) and the Rules of the Court (UTCR 6.120); a notice was sent 10/02/14 and was destroyed 12/4/14 due to Multnomah County's need to get a Presiding Judge Order to have a clear-running record in disposition of exhibits.

Robin Kyle Lee
Judicial Services Specialist III

pg 137 276

Mail - ritacagliostro@live.com

Case 18-00425 RSM
Case No- 18-35738

Page 1 of 7

Re: Fw: DOCUMENTS REQUESTED 0903-62138

Robin.K.LEE@ojd.state.or.us

Mon 1/23/2017 9:06 AM

: Mandy Cagliostro <ritacagliostro@live.com>; Melinda.M.Firestone-White@ojd.state.or.us <Melinda.M.Firestone-White@ojd.state.or.us>:

1 attachments (20 KB)

0903-62138 Notice of Exhibit Purge.pdf

Please read The Uniform Trial Court Rules (UTC) 6.120 on the disposition of exhibits for the Oregon Courts below.:

This is going on
right now at
King County
Superior Court
Records Due

~~October 02, 2018~~
November 18, 2021

cc

pa188275

<https://outlook.live.com/owa/?path=/mail/inbox/tp>

9/28/2018
Ex. A, p. 139 of 246

Attorney(s) appearing for the Case
Rita Cagliostro, Plaintiff, pro se.

ORDER RE: ORDER TO SHOW CAUSE

RICARDO S. MARTINEZ, Chief District Judge.

The instant matter comes before the Court *sua sponte* on the Court's Order to Show Cause, Dkt. #13. *Pro se* Plaintiff Rita Cagliostro has been granted leave to proceed *in forma pauperis* in this matter. Dkt. #2. Summons has not yet been issued, Defendant Forrest R. Collins has not appeared.

Ms. Cagliostro's original Complaint was posted on the docket on March 27, 2018. Dkt. #3. That same day the Court issued an Order directing Ms. Cagliostro to file an amended complaint. Dkt. #4. On April 10, 2018, Ms. Cagliostro filed an improper Motion to Amend her Complaint with attachments. Dkts. #5 and #6. On April 11, 2018, the Court issued an Order directing Ms. Cagliostro to file a new Amended Complaint. Dkt. #9.

On April 23, 2018, Ms. Cagliostro filed the Amended Complaint at issue. Dkt. #11. Ms. Cagliostro lists claims for violation of the Fifth Amendment's due process clause, for discrimination in violation of the Fourteenth Amendment, under certain other regulations and statutes, and for violation of the American Bar Association's rules of professional conduct. *See* Dkt. #11 at 3-4. However, these claims are only mentioned in name, and under a section titled "Cause of Action," Ms. Cagliostro only pleads one cause of action, negligence. *See* Dkt. #11 at 6-14. The events giving rise to this cause of action appear to have occurred solely in the fall of 2013. *See, e.g., id.* at 6 ("On (date) October, 24, 2013 at (place) Multnomah County Court, the defendant(s): (1) performed acts that a person of ordinary prudence in the same or similar circumstances would not have done; or (2) failed to perform acts that a person of ordinary prudence would have done under the same or similar circumstances . . .") (parentheticals in original). Events occurring more recently in the Amended Complaint appear to relate solely to Ms. Cagliostro's claims of ongoing damages, not new actions of the Defendant. Ms. Cagliostro's request for relief indicates that she is seeking hundreds of thousands if not millions of dollars in damages related to her legal studies bachelor of science degree being placed on discharge status, as well as \$500,000 in punitive damages, \$1,000,000 in compensatory damages, and "\$3,800,000 for pain and suffering of defamation, triggers of estrangement with my child and mother and loss of years building a real life with both of them." Dkt. #11 at 15 (emphasis omitted). In her relief section, Ms. Cagliostro again reiterates that this relief is based on a claim of negligence. *See id.*

Given the above, on April 24, 2018, the Court issued an Order to Show Cause stating that it appeared Ms. Cagliostro's claim was untimely and that her requested damages "do not appear to be proximately caused by the actions of Defendant." Dkt. #13 at 3. The Court directed Plaintiff to write a short and plain statement telling the Court "(1) why her negligence claim is timely, and (2) why this case should not be dismissed as frivolous." *Id.* at 3-4. The Court stated "[t]his Response may not exceed four double-spaced (4) pages" and that attachments were not permitted. *Id.* at 4 (emphasis in original).

On May 9, 2018, Ms. Cagliostro filed a 10-page document. The first page is a single-spaced "Summary." Dkt. 14 at 1. There is also a caption page, "Cover Letter," four page brief, signature page, and two pages of attachments. Although the Court appreciates Ms. Cagliostro's efforts to limit her briefing to four pages, the Court finds that she has included unique arguments in her Summary and Cover Letter, and filed attachments. In sum, Ms. Cagliostro violated the Court's Order to Show Cause by exceeding the page limit in her Response.

Nevertheless, the Court has reviewed Ms. Cagliostro's substantive arguments. With regard to the Court's first question, Ms. Cagliostro argues her negligence claim is timely given Or. Rev. Stat. § 12.160, which tolls the applicable statute of limitation if, "at the time the cause of action accrues the person has a disabling mental condition that bars the person from comprehending rights that the person is otherwise bound to know," such tolling not to exceed five years. *See* Dkt. #14 at 3. She also appears to argue that the discovery rule may apply to her claim, such that she has two years from when she discovered or reasonably should have discovered that she was harmed. *See* Dkt. #14 at 4. Ms. Cagliostro makes frequent reference to her mental health and receiving treatment, stating at one point that she should be "considered disabled due to the complexity of explaining the anomalies of this case injuries." *Id.* at 7. The Court finds that, although her briefing is extremely difficult to follow, she has adequately responded to the Court's first question.

The Court's second question asked Ms. Cagliostro to explain why this case should not be dismissed as frivolous. Ms. Cagliostro's Response does not address the Court's concern in a clear manner. At one point, she states "[p]ain and suffering triggers caused proximately from the actions caused by Mr. Collins are clearly recorded with my many clinicians since September 20, 2014 and Social Security Office award specific to triggers and PTSD that I now receive treatment for." *Id.* at 7. She goes on to state, "Mr. Collins proximate causes [sic] in injuries I have been ongoing to treatments for Mondays, Tues, Wednesdays, Thurs and Saturdays in WA and OR every week for Four [sic] and a half years on kidnapping of my child October 29, 2013." *Id.* The Court has re-examined the Amended Complaint after reviewing this Response, and believes that Ms. Cagliostro is asserting a negligence claim against former opposing counsel in a court matter that separated Ms. Cagliostro from her child. ²

Given all of the above, the Court finds that Ms. Cagliostro has sufficiently pled her claim of negligence for Defendant Collins to be able to respond, and that the standard for dismissal under 28 U.S.C. § 1915(e)(2)(B) has not been met. Accordingly, the Court DIRECTS the Clerk to issue summons in this case. The Clerk shall send a copy of this Order to Plaintiff at 212 ALASKAN WAY S. #205 SEATTLE, WA 98104.

FootNotes

1. For example, Ms. Cagliostro states "My rights cannot be determined unless candor exist. (Trump, Sessions verses [sic] McCabe, News, 2018) Conclusion of the law is satisfied after both/all parties including me have been given opportunity to be heard (Fifth/Fourteenth Amendments)." Dkt. #14 at 5. As another example, Ms. Cagliostro states "Article III assures plaintiff that a federal court hears claims of a crime that is a violation of federal law for kidnapping conspiracy 18 U.S.C. ss 1201 or other kidnapping appropriate law, linking federal and states." *Id.* at 7.

IT WAS ARGUED - VIKTORI GRIWITS

STATEMENT OF DAMAGES

CASE NO. 18 - 3573 8

CAUSE NO. 2:18-cv-00425-RSM

Rita Cagliostro (Appellant/Plaintiff)

1. Pain and Suffering, loss of time with kidnapped child, ongoing pain and suffering \$1,500,000
2. 12004 SE Foster Road, Portland, OR 97266 (Loss of time to appeal Case No. 1208 09935)
= \$478,569
3. Pain and suffering, due to triggers on mom's birthday October 24, therapies on PTSD, triggers,
= \$1,500,000
4. Loss of income, loss of time for employment, 3 estimates A.) National Research Group
\$160/hour, B.) King County Research laws cost \$100/hour, C.) Research Project Manager Salary
\$57,870 / year.
= \$302,387 Income loss and growing
5. Hours performed in research since onset October 24, 2013, @ \$160/hour
= \$322,560
6. Travel Costs to and from Sandy, Oregon dealing with confinement of child now teenager.
= \$
7. Court Fees King County Superior Court Child Custody—Contempt of Court
8. Court Fees Court of Appeals Division One Child Custody—Contempt of Court
9. Court Fees Supreme Court of Washington Child Custody—Contempt of Court
10. Court Fees Western District of Washington Intentional Negligence
11. Court Fees U.S. Court of Appeals For Ninth Circuit Intentional Negligence
12. Court Fees Multnomah Circuit Court Contempt of Court
13. Court Fees Clackamas County Circuit Court Contempt of Court
14. Disability Life style set back, @ tax lease apartment, utilities average \$400/monthly, Normal
average costs on a 2 bedroom \$1,700/monthly
=\$48,000
15. Loss of Education, time for payment back to U.S. Department of Education
= \$85,000 plus any and all interest accruing.
16. Child turned teenager, loss of time, events, school—time events, NW Childrens Theater acting
membership, Christmas, Holidays, her pain and suffering.
= \$1,000,000
17. Unwarranted garnished Treasury Offset Program child support \$7,644.92 and \$10,292
18. Internal Revenue Service; Purchased Bonds affected by the Treasury Offset Program, for the
years 2014, 2015, ongoing child tax credit loss.

Total Asking Damages Estimate Amount = \$ 5,200,000

000280

P144

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

RITA CAGLIOSTRO)
)
 PLAINTIFF/APPELLANT,) CASE NO. 19-35613
)
 V.) CAUSE NO. 2:19-cv-00623RAJ
)
)
 United States Government; State of Oregon;)
)
 STATE OF WASHINGTON; Dept. of Vocational) NOTIFICATION
)
 Rehabilitation; Department of Social and Health) (Clerks action required)
)
 Services; Forrest R. Collins, et al) JUDGMENT ORDER TO PAY
)
)
 DEFENDANTS/APPELLEES.) RCW 6.27.265

United States Government; STATE OF Defendant
WASHINGTON; State of Oregon; Department
of Social and Health Services; Vocational
Rehabilitation Services; Forrest R. Collins et al

United States Department of Education Garnishee
Internal Revenue Service Garnishee

Judgment Summary

Judgment Creditor Rita
Cagliostro

COURT OF APPEALS
STATE OF WASHINGTON
2020 AUG 31 PM 12:11

Garnishment Judgment Debtor

United States Government; STATE OF WASHINGTON; State of Oregon; (DSHS) Department of Social and Health Services; Department of Vocational Rehabilitation Services; Forrest R. Collins et al.

Garnishment Judgment Amount

\$42,000,000 in total, therefore; \$25,800,000 from the governed employees (name list separate) for failure to act and cessation of duties to address sanctions and the amounts of garnishment judgement against the Multnomah Circuit Court judicial officer and Forrest R. Collins et al (Fourteenth Amendment Due Process Clause Violation causing injury) (WA Supreme No. 96387 8). Department of Social and Health Services Appeals, OAH on WA - DCYF, on kidnapped child status, mal treatment; Vocational Rehabilitation Act 1973.

Of \$11,000,000 from Multnomah Circuit Court Case No. 0903-62138 (A169717, OR Supreme S067295) (15 USC ss 1677 effect on state laws) against (Susan M. Svetkey bar #773694, judicial Officer) (31 CFR 285.11, 31 USC 3720 d, 20 CFR ss 422.833, ORS 165)

Of \$5,200,000 from Forrest R. Collins bar #062999, defendant et al (ORS 165, ORS 12.115 for personal injury to Rita Cagliostro) within 10 years statute.

Costs Judgment Debtor

All Court Fees Due

Costs Judgment Amount

Fixed amount

Judgments to bear interest at

4%

Attorney for Judgment Creditor

Solid Ground (Katie Scott)
1501 N 45th St, Seattle, WA 98103
last known attorney

ADA Coordinator Johnette Sullivan (judge)
still searching for a new attorney since Katie
Scott moved from Solid Ground.

IT APPEARING THAT garnishee was indebted by defendants in the nonexempt amount of \$ *Tax Refund Offset taken* that at the time the writ of garnishment was issued defendant was employed by or maintained a financial institution account with garnishee, *and \$ 85,000 plus interest Federal Student Loan* or garnishee had in its possession or control funds, personal property, or effects of defendant; and that plaintiff has incurred recoverable costs and attorney fees of \$ (fixed amount); now, therefore, it is hereby

ORDERED, ADJUDGED, AND DECREED that plaintiff is awarded judgment against garnishee in the amount of \$ 42,000,000; that plaintiff is awarded judgment against defendants in the amount of \$ 42,000,000 for recoverable costs; that, if this is a superior court order, garnishee shall pay its judgment amount to plaintiff [or to plaintiff's attorney] through the registry of the court, and the clerk of the court shall note receipt thereof and forthwith disburse such payment to plaintiff [or to plaintiff's attorney]; that, if this is a district court order, garnishee shall pay its judgment amount to plaintiff directly [or to plaintiff's attorney], and if any payment is received by the clerk of the court, the clerk shall forthwith disburse such payment to plaintiff [or to plaintiff's attorney]. Garnishee is advised that the failure to pay its judgment amount may result in execution of the judgment, including garnishment.

DONE IN OPEN COURT this _____ day of _____, 2020.

Judge/Court Commissioner

Presented by: Plaintiff's attorney

Attorney for Plaintiff:

Plaintiff is a disabled person and Katie Scott; moved; the ADA Coordinator is presently addressing the Grievance of representation submitted by Plaintiff and the escalated Grievance.

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

RITA CAGLIOSTRO,)	No. 81266-1-I
)	
Appellant,)	
)	DIVISION ONE
v.)	
)	
WASHINGTON STATE)	
DEPARTMENT OF SOCIAL AND)	
HEALTH SERVICES,)	UNPUBLISHED OPINION
)	
Respondent.)	
_____)	

MANN, C.J. — Rita Cagliostro appeals the King County Superior Court’s order dismissing her petition for judicial review of an Administrative Law Judge’s (ALJ) dismissal of her request for an administrative hearing. The order found that Cagliostro failed to state a claim for which relief could be granted based on the ALJ’s determination that her request for an administrative hearing was untimely. We affirm.

FACTS

In 2016, Cagliostro applied to receive employment services from the Department of Social and Health Services’ Division of Vocational Rehabilitation (DVR). On May 5,

No. 81266-1-I/2

2016, DVR closed Cagliostro's case file after she requested it do so. DVR sent notice of its action to Cagliostro to the address in her file. Cagliostro denies receiving the notice.

Almost three years later, on April 15, 2019, the Office of Administrative Hearings received Cagliostro's request for an administrative proceeding, including retroactive benefits, to contest DVR's decision to close her case. DVR moved to dismiss Cagliostro's hearing request because it was untimely. On October 9, 2019, the ALJ dismissed Cagliostro's request after finding that Cagliostro's request was filed after the 45-day deadline (ALJ order).

On November 14, 2019, Cagliostro filed a petition for judicial review in King County Superior Court challenging the ALJ order. Cagliostro e-mailed a copy of the petition to DVR's customer relations manager, and then later mailed a partial copy to the Washington State Attorney General's Office. DVR moved to dismiss Cagliostro's petition for judicial review based on failure to state a claim for which relief could be granted and insufficient service of process. In March 2020, the superior court granted DVR's motion to dismiss finding that Cagliostro failed to state a claim for which relief could be granted based on the ALJ's determination that her hearing request was untimely. The court declined to address the Department's argument regarding service of process.

Cagliostro appeals.

ANALYSIS

We review de novo an order of dismissal under CR 12(b). Ricketts v. Washington State Bd. of Accountancy, 111 Wn. App. 113, 116, 43 P.3d 548 (2002).

With limited exceptions, the Administrative Procedure Act (APA), ch. 34.05 RCW, establishes the exclusive means of judicial review of agency actions. RCW 34.05.510. The petitioner bears the burden of demonstrating the invalidity of an agency action. RCW 34.05.570(a). A reviewing court may only grant relief from an agency order in an adjudicative proceeding if the petitioner demonstrates that one of nine statutory requirements are met. RCW 34.05.570(3).

The APA mandates that applications to begin an adjudicative proceeding, including the hearing requested by Cagliostro, be timely filed. The “[f]ailure of a party to file an application for an adjudicative proceeding within the time limit or limits established by statute or agency rule constitutes a default and results in the loss of that party’s right to an adjudicative proceeding.” RCW 34.05.440(1). The Department of Social and Health Services requires a party request an administrative hearing within 45 days of DVR’s decision. WAC 388-891A-0255(2).

DVR closed Cagliostro’s case on May 5, 2016. DVR mailed the notice to Cagliostro’s address on file, the same address on file at the time of the ALJ’s final order. Cagliostro did not appeal this decision until 2019, nearly three years later. The ALJ properly found that Cagliostro untimely submitted her hearing request past the 45-day deadline and concluded that the Office of Administrative Hearings lacked jurisdiction to hold a hearing on the merits. Cagliostro failed to assert a claim upon which relief can be granted.¹

¹ DVR also argues that the superior court should have dismissed Cagliostro’s petition because she failed to invoke the superior court’s appellate jurisdiction to review DVR’s agency action when she served her petition for judicial review by email rather than service consistent with agency rule. Because we affirm the superior court’s order dismissing the petition, we decline to address this claim.

No. 81266-1-1/4

Affirmed.

Mann, C.J.

WE CONCUR:

Coburn, J.

Dryden, J.



PRIORITY[®] MAIL

FROM:

Rita Cagliostro
212 Alaskan Way #205
Seattle, WA 98104

UNITED STATES
POSTAL SERVICE.

Retail

US POSTAGE PAID

\$8.70

Origin: 98101
12/07/21
5476310020-01

Insurance (restrictions apply).
International destinations.

Form is required.

Items exclusions see the

Policy and limitations of coverage.

PRIORITY MAIL 1-DAY[®]

0 Lb 7.40 Oz

1005

TO:

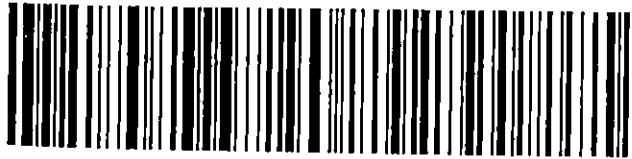
The Supreme Court of WA
PO BOX 40929

Olympia, WA 98504-0929

EXPECTED DELIVERY DAY: 12/08/21

ZIP
OLYMPIA WA 98504

USPS TRACKING[®] #



9505 5162 0650 1341 5825 03

F300001000014

OD: 12 1/2 x 9 1/2

To schedule free Package Pickup,
scan the QR code.



USPS.COM/PICKUP