

FROM THE DESK OF

J. GARRETT SMITH, P.E.

9.16.22

in re Supreme Court No. 101014-1 / CoA No. 55531-0-II

RECEIVED

SEP 21 2022

Washington State  
Supreme Court

"Smith v. Golik"  
• Public Records Act Abdication •

Dear Deputy Clerk Pendleton:

Thank you for your clarifying 9.12.22 letter and for accepting my sincere apology for not fully understanding the tenets of RAP 13.4(d).

Rather than spin deeper into "Answers to your Motion to Strike my Reply", let us pivot to the enclosed "MOTION TO AMEND" my Petition.

Here's why this makes sense:

(a) The purpose is simply to make it perfectly clear that I DID already follow the CoA-II's directive to RCW 42.56.550 - to "bring an action to compel production" (reference EXH. A1&A2, enclosed again).

Indeed, my very grounds for the timing of this instant Petition are that, over 3 months later since 6.6.22, Golik & Clark County continue to make sport of their patent defiance of the Public Records Act, and

(b) this mailing, again, triggers 18 USC § 384 duties to remedy patently obvious criminal acts by State officials.

Thank you for doing the next right thing.

Sincerely,





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SEP 21 2022

Washington State  
Supreme Court

No. 101014-1

WASHINGTON STATE SUPREME COURT

in re 'Smith v. Golik'

PUBLIC RECORDS ACT ABDICATION.

MOTION TO AMEND PETITION

"1st Amendment Right to Redress"

IN GOOD FAITH, Comes New Petitioner Smith, Moving  
the Court for leave to Amend with this brief Motion.

A. GROUNDS

Smith's aim is short & simple: to plainly clarify and  
confirm that he HAS, in fact, already fully heeded the  
CoA-II's 5.17.22 Order in #55531-0-II to "bring  
action to compel production" via RCW 42.56.550.

Exhibits A1 & A2 include copies of these actions  
filed duly by Smith on 6.6.22, that still remain lawlessly  
ignored over 3 months later.

B. ARGUMENT

Of course, this latest example of making sport of  
Defendant's patent fraud and its cover-up, are lawless.  
These abdications fully trip all 4 levers of RAP 13.4(b).  
Therefore, Smith reasonably Moves this Court to  
simply Amend his 6.22.22 Petition for Review

MOTION TO AMEND

1/3

No. 101014-1

with this re-notification of recurring refusal to simply obey the simple mandates of the Public Records Act (RCW 42.56).

### C. SYNOPSIS

Anthony Golik and the Clark County Superior Court can resort to bellicose name-calling and diversions in their fusillades of negatory gamesmanship.

However, uncontested and irrefutable facts in evidence prove that they lied in 2013 and are still lying today.

Ironically, verifying that evidence is real is a germane construct of the Public Records Act: either the recording ~~in~~ Smith's Oregon-corporate iPhone actually exists, or it does not. Redundant acoustic forensic experts testify that it does not. Simply, RCW 42.56 provides the litmus test.

To date, including in Smith's duly-filed 6.6.22 actions to compel, pursuant to the CoA-II's 5.17.22 directive, Golik & Vancouver & Clark County have completely refused to obey that Law.

There is no tenable defense for this persistent abdication, that is criminally pernicious.



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It is far past time to rationally & lawfully enforce One of only Two legally-viable rulings:

1/ Play The Real Voice Mail,

OR

2/ Free Garrett Smith Now.

Because it is never legally or morally acceptable to use fake evidence to steal any person's Liberty, this Supreme Court should not compound abdication with abdication any longer.

Sincerely submitted under penalty of perjury

on this 16<sup>th</sup> Day of September, 2022:



J. Garrett Smith, P.E.

EXH. A1

**WASHINGTON STATE SUPERIOR COURT**

IN AND FOR CLARK COUNTY

in re: Case No. 13-1-01035-6

**JOHN GARRETT SMITH, Plaintiff v. ANTHONY GOLIK, Defendant**

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**MOTION FOR DE JURE DISCLOSURE**

(RCW 42.56.550)

IN FORM OF

**NOTIFICATION OF FELONIES**

(18 USCS §§ 3 & 4)

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**1. INTRODUCTION**

Comes Now Plaintiff, John Garrett Smith, having been denied an opportunity to inspect a Public Record by Defendant, Anthony Golik, and his agency, the Office of Prosecuting Attorney, timely and duly filing this Motion per RCW 42.56.550 and, as directed by the Court of Appeals on 5.17.22 (reference Appendix A).

This call for Judicial Review specifically challenges Defendant's dubious disregard of RCW 42.56.080, -.120, -.510, and -.010(3)(4).

Succinctly, Mr. Smith seeks reasonable injunction by the State Superior Court regarding his multi-year long attempts for (1) lawful compulsory disclosure of a simple Public Record that is well-defined by RCW 42.56.010(3)(4), and (2) lawful response from the State Judiciary to his Notices of Felony Acts (falsification of a Public Record, RCW 9A.72.020, 40.16.010, -.020, -.030) that axiomatically trigger 18 USCS §§ 3 & 4 responsibilities and duties.



**2. IDENTIFICATION OF MOVER**

Smith hereby files, seeking injunction by the Court.

Per RCW 42.56.550(3), this action is de novo.

**3. STATEMENT OF CASE**

For nine (9) years, the Defendant has continually ignored or suppressed dozens of proper request for compulsory disclosure of a simple Public Record.

Appendices BI and BII contain uncontested and therefore averred (per CR 37(a)(3)) proof of criminal (felony) fabrication of Defendant's solitary evidence sustaining Smith's incarceration under J&S #13-1-01035-6: 'State v. Smith', 196 Wn.App 238-39 (2016). This fact triggers both prongs of ER 1003.

Appendix C shows an original Petition for Writ of Mandamus intervention against Defendant's legerdemain. This Writ has been deferred to this Motion – again, reference Appendix A.

Appendix D cites 18 USCS §§ 3 & 4 duties pursuant to Notices (including this instant one to the Superior Court of Washington) of felony acts in violation of RCW 9A.72.020 and 40.16.010, -.020, -.030 / *Falsification of a Public Record*.

Appendix E cites 18 USCS §§ 3 & 4 duties pursuant to Notices (including this instant one) of felony acts in violation of RCW 9A.72.020 and 40.16.010, -.020, .030 / *Falsification of a Public Record*.

Appendix F contains recent examples of Smith's reasonable attempts to achieve lawful response from Defendant / Clark County Prosecutor's Office, to no avail but the banal ignoring and obfuscation of a simple, reasonable, and well-crafted Request.

**4. ISSUE FOR REVIEW**

i. Is it lawful for public officials to ignore ubiquitous laws for mandatory disclosure ('Brady v. Maryland' (1963), Public Records Act (RCW 42.56), Freedom of Information Act)?

ii. Is it lawful to use fabricated fake Public Records as evidence (RCW 9A.72 and 40.16) to purchase and sustain a criminal conviction ('State v. Smith', 196 Wn.App 238-39 (2016))?

iii. Is it lawful for State courts to enable and sustain the proven criminal acts of (i) and (ii) (18 USCS §§ 3 & 4)?

5. ARGUMENT

This cause remains axiomatic – it is self-evident that Defendant is disregarding simple law because the State judiciary is allowing him to.

Do 18 USCS §§ 3 & 4 include exemptions whenever diversionary protocols exist? Of course not.

Defendant continues to purposefully break ubiquitous disclosure laws, and State courts continue to purposefully violate 18 USCS §§ 3 & 4. The result not only enables Defendant's aiding and abetting of felonies, but also sustains the denial of Smith's highly protected personal substantive Due Process right to security against fabricated evidence (US Constitution, Amend. 14 for States, §1).

Citing RCW 42.56.550(3):

*“Courts shall take into account the policy of this Chapter that free and open examination of Public Records is in the public interest, even though such examination may cause inconvenience or embarrassment to public officials or to others.”*

6. CONCLUSION

This State Court should finally stop the buck here.

Lawful Resolution remains extraordinarily efficient, simple and compulsory:  
“Play The Real Voice Mail – It's The Law”.

Respectfully submitted under penalty of perjury on this 6<sup>th</sup> Day of June, 2022 by:



J. Garrett Smith, PE  
Movant



EXH. AZ

**WASHINGTON STATE SUPERIOR COURT**

IN AND FOR CLARK COUNTY

in re: Case No. 13-1-01035-6

**JOHN GARRETT SMITH, Plaintiff**

**v.**

**VANCOUVER POLICE DEPARTMENT, Defendant**

---

**MOTION FOR DE JURE DISCLOSURE**

(RCW 42.56.550)

IN FORM OF

**NOTIFICATION OF FELONIES**

(18 USCS §§ 3 & 4)

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**1. INTRODUCTION**

Comes Now Plaintiff, John Garrett Smith, having been denied an opportunity to inspect a Public Record by multiple members of the Vancouver Police Department, an agency of the City of Vancouver under the State of Washington, timely and duly filing this Motion per RCW 42.56.550.

This call for Judicial Review specifically challenges Defendant's dubious interpretations of RCW 42.56.080, -.120, -.510, and -.010(3)(4).

Succinctly, Mr. Smith seeks reasonable injunction by the State Superior Court regarding his multi-year long attempts for (1) lawful compulsory disclosure of a simple Public Record well-defined by RCW 42.56.010(3)(4), and (2) lawful response from the State Judiciary to his Notices of Felony Acts (falsification of a Public Record, RCW 9A.72.020, 40.16.010, -.020, -.030) that axiomatically trigger 18 USCS §§ 3 & 4 responsibilities and duties.



**2. IDENTIFICATION OF MOVER**

Smith hereby files, seeking injunction by the Court.

Per RCW 42.56.550(3), this action is de novo.

**3. STATEMENT OF CASE**

For nine (9) years, the Defendant has continually ignored or suppressed dozens of proper request for compulsory disclosure of a simple Public Record.

Appendices BI and BII contain uncontested and therefore averred (per CR 37(a)(3)) proof of Defendant's criminal (felony) fabrication of State's solitary evidence sustaining Smith's incarceration under J&S #13-1-01035-6: 'State v. Smith', 196 Wn.App 238-39 (2016). This fact triggers both prongs of ER 1003.

Appendix C contains recent examples of Smith's reasonable attempts to achieve lawful response from Defendant / City of Vancouver-VPD, to no avail but the banal ignoring and obfuscation of a simple, reasonable, and well-crafted Request.

**IN FACT, THE VPD'S ELUSIVE ASSESSMENT THAT THE VOICE RECORDING IS NOT AN IDENTIFIABLE PUBLIC RECORD IS NUGATORY, ABSURD AND UNLAWFULLY WRONG AS THEY SITE THE VERY CODE (RCW 42.56.010(3)(4)) THAT REFUTES THEIR WILLFUL MISREPRESENTATION OF IT. THIS LEGERDEMAIN IS PATENT.**

**4. ISSUE FOR REVIEW**

i. Is it lawful for public officials to ignore ubiquitous laws for mandatory disclosure ('Brady v. Maryland' (1963), Public Records Act (RCW 42.56), Freedom of Information Act)?

ii. Is it lawful to fabricate a fake Public Record as evidence (RCW 9A.72 and 40.16) to purchase and sustain a criminal conviction ('State v. Smith', 196 Wn.App 238-39 (2016))?

iii. Is it lawful for State courts to enable and sustain the proven criminal acts of (i) and (ii) (18 USCS §§ 3 & 4)?

**5. ARGUMENT**

This cause remains axiomatic – it is self-evident that the VPD is disregarding simple law because the State judiciary is allowing the agency to.

Do 18 USCS §§ 3 & 4 include exemptions whenever diversionary protocols exist? Of course not.

VPD officer Sandra Aldridge, the key perpetrator of the acoustic fabrication, has been found to have a rather extensive history of professional misconduct in more than one State, including acts of audio evidence fabrication and dishonesty.

Defendant continues to purposefully break ubiquitous disclosure laws, and State courts continue to purposefully violate 18 USCS §§ 3 & 4. The result not only conceals Defendant's felony acts, but also sustains the denial of Smith's highly protected personal substantive Due Process right to security against fabricated evidence (US Constitution, Amend. 14 for States, §1).

Citing RCW 42.56.550(3):

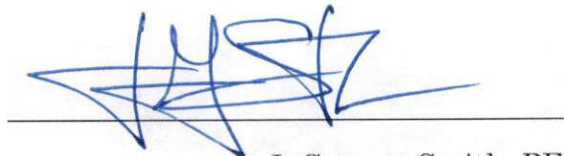
*“Courts shall take into account the policy of this Chapter that free and open examination of Public Records is in the public interest, even though such examination may cause inconvenience or embarrassment to public officials or to others.”*

6. CONCLUSION

This State Court should finally stop the buck here.

Lawful Resolution remains extraordinarily efficient, simple and compulsory:  
“Play The Real Voice Mail – It's The Law”.

Respectfully submitted under penalty of perjury on this 6<sup>th</sup> Day of June, 2022 by:



J. Garrett Smith, PE  
Movant




# Certificate of Service

I do hereby certify GR 3.1 service of the foregoing 'MOTION TO AMEND' in No. 101014-1 to the following via US Mail:

- Temple of Justice  
415 12th Ave. SW  
Olympia, WA 98504-0929
- CoA-DIV II  
909 A St., Ste. 2000  
Tacoma, WA 98402
- Clark County Prosecutor  
PO BOX 5000  
Vancouver, WA 98666

DATE: 9.16.22

SIGNED:   
John Garrett Smith  
#351176

Garrett Smith  
351176  
pic Unit #C11  
Creek Camp  
Bordeaux Rd.  
ock, WA 98556



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Ms. Sarah Pendleton  
Supreme Court Deputy Clerk  
TEMPLE OF JUSTICE  
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Olympia, WA

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*Johnson*