

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
11/6/2023 8:00 AM  
BY ERIN L. LENNON  
CLERK

1

102504-1

**Appellant: Jesse Price**

**Case Number 848046**

**v**

**Petition for Review**

**Respondent: Lori Price**

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### **Identity of the Petitioner**

My name is Jesse Price, and I was the appellant in Case # 848046. I was also the respondent in case number 21-3-000-37.

**Citation to Court of Appeals**

This petition for review is in reference to the Court of Appeals Unpublished Opinion filed October 2, 2023 in the matter of the marriage of Lori Susan Price, Respondent, and Jesse Eldon Price, Appellant. Our case number was 848046.

### **Issues Presented for Review**

1) The first issue presented for review is the courts' continued decisions to allow my daughter live in unsafe, abusive, and unhealthy conditions with her mother. This is certainly a question of law under the Constitution of the State of Washington, as the law purports to have the "best interests of the child" in mind (RCW 26.09.002).

2) The second issue presented for review is the court's bias against men in their continued ignorance of my claims of physical abuse toward me and toward our daughter by her mother. This is a matter of substantial public interest, as this is a nationally recognized problem.

3) The third issue presented for review is the court's assertion that my statements and evidence are "hearsay" when the courts made the majority of their decisions for my ex-wife based almost entirely on her "hearsay". This is a matter of public interest.

4) The fourth issue presented for review is the court's continued insistence that all matters be presented precisely according to form, protocol, and exclusive court verbiage while simultaneously neglecting the administration of actual justice. This is without a doubt a matter of substantial public interest.

### **Statement of the Case**

Lori asked me for a legal separation in October of 2020. I refused, because to do so under Lori's terms would have required me to sign away parental rights and responsibilities, which I will never, ever do, as that would be a sin against my daughter. I will never abdicate the responsibility to be her dad. Ever.

Lori filed for legal separation. This is on page 4-14 of the Clerk's Papers, Index Number 4. I gave my Response, stating that I wanted a divorce, not a legal separation. This is on pages 71-75 of the Clerk's Papers, Index Number 20.

We then both completed our online Divorce Training Workshops. This is on pages 311-313 of the Clerk's Papers, Index Numbers 60 and 61.

A Guardian Ad Litem was appointed. This is on pages 356-361 of the Clerk's Papers, Index Number 81.

We both attended the required Settlement Conference in June of 2022. This is on pages 373-374, 393-395 of the Clerk's Papers, Index Numbers 87, 88, 93, 94,

We went to court on July 12-14 of 2022. This is on pages 347-349, 700-704 of the Clerk's Papers, Index Numbers 76, 77, 89, and 104.1. I called three witnesses: my stepmom, Anne Price, my friend, Jeffery Beatty, and my friend Bruce Burke. Lori called one witness, her Mom. This is on pages 401-402 of the Clerk's Papers, Index Number 97.

In September of 2022, the court handed down its ruling. This is on pages 757-764, 799-823, Index Numbers 116, 125, 126, and 127. Judge Jones approved the majority of Lori's parenting plan. Judge Jones did grant us joint decision making for education and day care.

I refused to sign the Judge's orders, because to do so would be an abdication of the responsibility to be a Dad to my daughter, which



I will never, EVER do. So we were required to attend another hearing in October of 2022. During this hearing, Judge Jones signed his orders.

In December of 2022, I filed an appeal. This is found on pages 827-835 of the Clerk's Papers, Index Number 129.

On October 2, 2023, the Court of Appeals affirmed the trial court's decision.

## **Argument**

The Constitution of the State of Washington states, in Section 10, "Administration of Justice," that "Justice, in all cases, shall be administered openly and without unnecessary delay." Justice is defined as "The maintenance or administration of what is just especially by the impartial adjustment of conflicting claims or the assignment of merited rewards or punishments," (Merriam Webster). I have been clearly denied justice, as has my daughter, throughout the proceedings of the case with my ex wife in regards to the parenting plan for our daughter, Hadassah Isabella Price. The decisions of the judges have not been just, the actions and statements of my ex wife and her lawyer have not been just, and the functions of the court system itself have not been just.

As well, their actions and decisions have been partial, being very biased against myself as a man, and biased toward my ex wife as a woman. This, while not only a question of law under the

Constitution of the State of Washington, is a great matter of substantial public interest. This is because it is well known in North America that most judges, courts, and other public authorities are biased against men and toward women.

Therefore, review of the lower courts' decisions must be granted.

I have repeatedly been denied justice in several ways. First, I have reported physical abuse against myself and against my daughter on the part of my ex wife to the courts, and none of them care to even acknowledge it, or to investigate it, or to impose any consequences on my ex wife for it. This, in light of the fact that if the tables were turned, and she had reported abuse against herself or against my daughter on my part, I would without a doubt have lost most of my parental rights, been harshly punished with jail time and fines, and/or been directed to attend anger management classes.

As well, the courts have used a double standard when making their decisions in our case. They claim that my introduction of evidence is “hearsay” when it is in the form of a written note provided my by our daughter, and yet they made the majority of their decisions in favor of my ex wife based upon her original petitions and subsequent declarations which were filled with not only hearsay, but flat out lies. This is not impartial at all, and is therefore a denial of justice.

The Appellate Court's judges classification of the note that I received from my daughter detailing the physical abuse received at the hands of her mother as a “hearsay statement” is clearly incorrect. The first definition of hearsay is this— “unverified information heard or received from another; rumor.” The note I received from my daughter is certainly not that, as she wrote it to me and I have it; it can easily be verified. It is the court's failure to acknowledge it that is at question.

The one to suffer because of this injustice has been my

daughter. She has had to live with open sores, bleeding, and scarring on her face as a result of her mothers' poor health care decisions. She has become overweight as a result of her mother's poor health care decisions. She has been administered a highly risky and unnecessary drug as a result of her mother's poor health care decisions. And, she is currently living in an unsafe house because of her mother's refusal to acknowledge the problems occurring in it.

I am being denied my “basic and fundamental rights” afforded me in the Constitution of the State of Washington (Section 35, Victims of Crimes—Rights). I am being denied the right to make the decisions that I need to make for the well being of my daughter, and God is going to hold the courts, my ex wife, and her lawyer all responsible for that. They may not take that seriously, but they put themselves at risk by not doing so.

The judgments of God, as well as my decisions to litigate

against the courts and against the judges responsible, now include the judges of the Supreme Court. Will they too refuse to act with true justice, and choose to continue with the lower courts' decisions to cause harm to my daughter because of their decision to show partiality to my ex wife and to ignore my legitimate claims of abuse?

The Appellate Court claimed that my arguments are “unsupported by proper references to the record...” (Appellate Court's Unpublished Opinion, page 3). This is simply not true, as I rewrote my entire Appellant's Brief specifically in order to conform to the proper format and in order to properly reference the record. My case worker, Ms. Nakamichi, sent back my original submission, telling me that I needed to reference my arguments, which I did. As well, I paid over \$3,000.00 dollars for the Report of Proceedings so that I would be able to do just that. This is wrong for the judges of the Appellate Court to say. They gladly hold me to the same standard as attorneys,

(Appellate Court's Unpublished Opinion, p.3), but refuse to acknowledge RAP 1.2 which states that “These rules will be liberally interpreted to promote justice and facilitate the decision of the cases on the merits.” That is pretty clear that true justice and the merits of the case are more important than a person's minor failures when attempting to navigate a complex and unfamiliar system comprised of decades worth of legislation on the part of the system's administrators.

If they are offended by minutiae in any lack of adherence to proper form, then this simply highlights my assertion that the courts are more concerned with the minutiae of proper form and procedure than they are with justice, and this at taxpayer expense and at the expense of children and those suffering injustice statewide. This in itself is a matter of substantial public interest, seeing as how thousands of litigants and defendants statewide suffer under this refusal of justice masquerading as a requirement to conform to proper form and procedure.

The justice system operates largely as a “closed system” that

serves primarily itself—judges, lawyers, and administrators. They insulate themselves from the public whom they claim to serve by their insistence that we are “held to the same standard as attorneys and are bound by the same rules of procedure and substantive law,” (Appellate Court's Unpublished Opinion, p.3). This makes the purported justice available to the common man inaccessible unless he has an extra \$20,000.00 with which to hire a lawyer. And all this they do while being supported financially by the public whom they claim to serve. Perhaps the courts' insistence on conformity to form and procedure is simply an “out” that they use to excuse themselves from having to do the real work of thinking deeply and administering justice?

Judges of the Appellate Court ought to be required to be honest and be held accountable for their decisions just like the rest of us. I am sure that they think that we're all ignorant of their ineffective, taxpayer funded charade, but we're not. Abusing the very people that



pay their salaries while looking down their noses at them is not nice at all.

And so, I say this to all of you, whether you take it seriously or not—as you should as public servants who purport to provide justice to the people—if anything more harmful happens to my daughter because of your refusal to think and act beyond your shallow, cowardly, gender biased ideas of what justice is, then I will be coming after every one of you to the fullest extent of the law, guaranteed. I will go after your assets, I will go after your jobs, and I will go after your reputations. I am not afraid of any human being or of any human institution, no matter how over bloated and self important they are, and no matter how much they wield their “authority” against me. I am not fooled nor intimidated by any of it.

As I mentioned in my brief to the Appellate Court, (Appellant's Brief, p. 11), I will hold all of the judges and the entire system accountable for all of this. And I will continue to seek justice through litigation against each and every one of them due to their

injustice and their bias.

The more you people abuse me and cause my daughter to suffer, the deeper you dig yourselves into your own hole. And it will become ever more difficult to dig yourselves out of that hole.

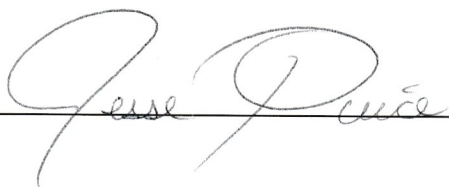
### **Conclusion**

I am, once again, asking the courts to give me full custody of my daughter. When I have this custody, I will in no way harm or interfere with the relationship between my daughter and her mother. But I will make much better decisions for my daughter and for her well-being.

### **Word Count**

This document contains 2,214 words.

**Signature**

Petitioner's Signature 

Date 10/31/2023

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Division I  
State of Washington

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

In the Matter of the Marriage of:

LORI SUSAN PRICE,

Respondent,

and

JESSE ELDON PRICE,

Appellant.

No. 84804-6-I

DIVISION ONE

UNPUBLISHED OPINION

HAZELRIGG, A.C.J. — Jesse Price challenges provisions of a parenting plan that provide for the care of his daughter. The challenged decisions were within the trial court’s discretion and there has been no showing that the court abused its discretion. We affirm.

FACTS

Jesse Price and Lori Price are the parents of H.<sup>1</sup> In January 2021, Lori petitioned for legal separation and sought entry of a parenting plan for then 5-year old, H. While the petition was pending, the court entered two successive restraining orders that required Jesse to refrain from interfering with H’s school

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<sup>1</sup> Because the parties share the same last name, we refer to them by their first names for clarity. No disrespect is intended.

attendance and with “reasonable efforts to protect her from COVID-19<sup>[2]</sup> transmission.”

The parties later agreed to convert the petition for legal separation to a petition for dissolution. They resolved all property and support issues by agreement and the issues before the court during the three-day trial in July 2022 only concerned the provisions of a parenting plan. Lori was represented by counsel at trial, while Jesse represented himself.

After considering the testimony of seven witnesses, including the parties and a guardian ad litem, as well as over 35 exhibits, the trial court entered a ruling and expressly found that Jesse has a “long-term emotional or physical impairment that interferes with the performance of parenting functions.” This finding was incorporated into a parenting plan that requires Jesse to obtain a neuropsychological evaluation and comply with the resulting treatment recommendations. The parenting plan also gives Lori sole decision-making authority with respect to H’s health care.<sup>3</sup> Additionally, the parenting plan sets forth a residential schedule that establishes that H is to live with Lori the majority of the time, but provides for residential time with Jesse every other weekend and two weekday afternoons each week.

Jesse timely appealed.

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<sup>2</sup> 2019 novel coronavirus infection disease.

<sup>3</sup> The parenting plan provides for joint decision-making with regard to education and daycare, subject to the limitation that Jesse may not remove H from school or daycare “without Lori Price’s prior consent” and may not “interfere with reasonable school-imposed conditions for the health and safety” of H.

Lori seeks correction of a typo that appears in the court’s written ruling that sets forth this limitation, but as the parenting plan incorporates a corrected version of the limitation, it is unnecessary to remand for correction of the written ruling.



## ANALYSIS

At the outset, we note that, as he did below, Jesse represents himself on appeal. Pro se litigants are held to the same standard as attorneys and are bound by the same rules of procedure and substantive law. In re Marriage of Olson, 69 Wn. App. 621, 626, 850 P.2d 527 (1993). To comply with the Rules of Appellate Procedure (RAP), an appellant's brief must contain "argument in support of the issues presented for review, together with citations to legal authority and references to relevant parts of the record." RAP 10.3(a)(6). Here, with few exceptions, Jesse's arguments are unsupported by proper references to the record on appeal or legal authority. Jesse relies on authorities and articles that were apparently not presented to the trial court and appear to be outside the appellate court record, and fails to provide argument in support of each assignment of error. We decline to consider any arguments or authorities not before the trial court.<sup>4</sup> RAP 2.5(a). Critically, Jesse fails to apply, much less identify, the relevant standard of review, and largely fails to address the applicable legal standards. Notwithstanding these limitations, to the extent we are able to discern Jesse's challenges to aspects of the parenting plan, we endeavor to review the merits of his claims on appeal.

### I. Standard of Review and Legal Principles

In Washington, "the best interests of the child shall be the standard by which the court determines and allocates the parties' parental responsibilities." RCW

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<sup>4</sup> To the extent that Lori also cites authorities in her responsive briefing that were not presented at trial and are not a part of the appellate record, we likewise do not consider them.

26.09.002. In structuring a permanent parenting plan, the court exercises broad discretion. In re Marriage of Katare, 175 Wn.2d 23, 35, 283 P.3d 546 (2012) (citing In re Marriage of Kovacs, 121 Wn.2d 795, 801, 854 P.2d 629 (1993) (discussing various aspects of RCW 26.09.187)). The court's discretion is guided by several specific statutory provisions: RCW 26.09.002, which declares the policy of the Parenting Act of 1987; RCW 26.09.184, which sets forth the objectives of the permanent parenting plan and its required provisions; RCW 26.09.187(3), which enumerates the factors to be considered in making residential provisions in a parenting plan; and RCW 26.09.191, which sets forth factors that require or permit limitations on a parent's involvement with the child. Id. at 35-36.

We review the parenting plan ultimately adopted by the court for abuse of discretion. In re Marriage of Littlefield, 133 Wn.2d 39, 46, 940 P.2d 1362 (1997). A trial court abuses its discretion when "its decision is manifestly unreasonable or based on untenable grounds" or reasons. Id. at 46-47.

## II. Residential Schedule

Jesse claims that the residential schedule, which provides for H to live primarily with Lori, is contrary to the child's best interests because of an incident he characterizes as abuse. To support this allegation, Jesse relies on a hearsay statement dated April 2023 that he concedes was neither before the trial court during the proceedings in July 2022, nor does it appear in the appellate court record. Jesse cannot establish an abuse of the trial court's discretion, or any basis for appellate review in the absence of evidence in the record which substantiates

his claim. See State v. McFarland, 127 Wn.2d 322, 337-38, 899 P.2d 1251 (1995) (appellate court will not consider matters outside the record).

Jesse also contends that because H spends the majority of time in Lori's household under the parenting plan, it ignores the "importance of a father's role in a child's development" and is not in her best interests. In fashioning residential provisions, the trial court must consider the factors enumerated in RCW 26.09.187(3)(a), including the "relative strength, nature, and stability of the child's relationship with each parent," "past and potential for future performance of parenting functions as defined in RCW 26.09.004(3)," and "the emotional needs and developmental level of the child." RCW 26.09.187(3)(a)(i), (iii), (iv). Here, the court's ruling reflects its consideration of each of the statutory factors and its specific consideration of the importance of each parent's role in H's life. The court expressly found that "each parent brings unique and important influences on their daughter that are positive and necessary for her successful upbringing." Jesse's assertion that the court disregarded the value of his involvement is not only unsupported by the record but directly contradicted by it.<sup>5</sup>

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<sup>5</sup> Jesse also argues that the residential schedule is not in H's best interest because Lori lacks suitable housing. He claims that structural defects in decking attached to Lori's house raise "serious concerns" about the "stability" of the structure. However, while Jesse admitted below that he lacked suitable housing for his daughter to reside with him, there was no admissible evidence before the trial court to suggest that Lori's housing is inadequate or unsafe.

Further, Jesse asserts throughout briefing that he "will not abdicate [his] responsibilities for [his] daughter," that he will "continue to be her father," and makes other similar comments regarding his role as her parent. There is nothing in the record before us to indicate that Lori or any other party sought to terminate his parental rights and the court issued no such order.

Finally, throughout his opening and reply briefs, Jesse repeatedly refers to pursuing additional litigation based on the outcome of this appeal, against the trial and appellate courts and various other entities. The Rules of Appellate Procedure constrain our review to whether the trial court abused its discretion in its orders set out in the parenting plan and we decline to consider other litigation, particularly that which has not yet been initiated.

III. Decision-Making Provisions

Jesse challenges the allocation of decision-making authority with regard to health care. The parenting plan provides for Lori to have “sole authority to engage the child with treating doctors as might be necessary at her discretion.”

Citing RCW 26.09.004(2), which defines “parenting functions” to include “[e]xercising appropriate judgment regarding the child’s welfare, consistent with the child’s developmental level and the family’s social and economic circumstances,” Jesse claims that health care decision-making should not have been allocated to Lori because H is “now suffering from poor physical health.” He points to Lori’s failure to pursue a mask exemption for H and his concerns about his daughter’s nutrition. But, the issue of whether it was appropriate to comply with the mask mandate then in effect was fully litigated at trial and Jesse fails to address our deferential standard of review. And again, his claim is, at least in part, based on the alleged current conditions rather than evidence that was before the trial court and is now before us in the appellate record.

Jesse also appears to appeal the aspect of the decision-making provision that orders him to “not interfere with the administration of medication” prescribed for H. Jesse claims that, as a result of this provision, he has no power to protect his daughter against “very risky and unnecessary” prescribed medication. Jesse argues the medication at issue has not been subject to appropriate testing, has a variety of potentially harmful side effects, and that there are safer ways to address H’s underlying health issues. But here too, both parties presented evidence regarding this issue at trial and had the opportunity to fully express their viewpoints

about the necessity and efficacy of medication prescribed for H. Contrary to Jesse's apparent belief, our court does not find facts, resolve conflicts in the evidence, or reweigh the evidence to determine if we would reach a different conclusion from the trial court. See In re Marriage of McNaught, 189 Wn. App. 545, 561, 359 P.3d 811 (2015). The trial court was entitled to credit the evidence presented by Lori.

Finally, Jesse maintains that, in several instances, he demonstrated that Lori lied under penalty of perjury. He further argues that the trial court erred by not imposing sanctions or other consequences on Lori for this conduct and in crafting provisions consistent with her proposals. But, Jesse does no more than show that he disagreed with some of the assertions made by Lori's lawyer and had a basis to challenge some aspects of Lori's testimony. He asserts that Lori committed perjury, but fails to provide any authority which would suggest that this court could make such a determination, or provide any evidence to establish perjury beyond his conclusory statements. Moreover, Jesse fails to appreciate that the trial court's role in this case was not to mediate factual disputes between the parents. Rather, the court's primary purpose and responsibility in establishing a parenting plan, is to provide for the child's physical care, ensure the child's emotional stability, and further the child's best interests. See RCW 26.09.184(1)(a), (b), (g).

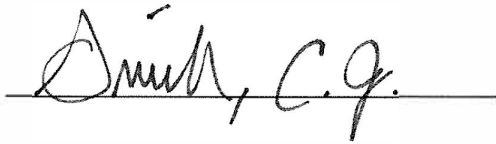
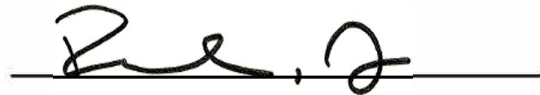
We find no error or abuse of discretion by the trial court in its allocation of residential time and decision-making authority in the parenting plan. Lori requests

an award of costs. Because she substantially prevails on appeal, Lori is entitled to statutory costs under RAP 14.2.<sup>6</sup>

Affirmed.

A handwritten signature in black ink, appearing to read "Hylleberg", written over a horizontal line.

WE CONCUR:

A handwritten signature in black ink, appearing to read "Smith, C.J.", written over a horizontal line.A handwritten signature in black ink, appearing to read "Reed", written over a horizontal line.

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<sup>6</sup> In response to Jesse's appeal, Lori also requests "protection" from further "frivolous proceedings." But, it is unclear exactly what relief Lori seeks and she fails to provide legal authority that supports her request. Accordingly, it is denied.

In addition, Lori asks for affirmative relief with respect to several aspects of the parenting plan. But, because Lori has not filed a cross appeal, we decline to consider her requests for relief. See RAP 2.4(a) (appellate court will grant affirmative relief to a respondent by modifying the decision subject to review only if the respondent also files a timely notice of appeal or such relief is "demanded by the necessities of the case.").

**JESSE PRICE - FILING PRO SE**

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Jesse Price Pro Se  
P.O. Box 61  
Lynden, WA 98264

Reference Number: Price v. Price

Case Number: WHATCOM 848046

APPELLANT:  
JESSE PRICE

RESPONDENT:  
LORI PRICE

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To be served on: LORI PRICE

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<b>TOTAL CHARGED:</b>			<b>\$130.00</b>
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IN AND FOR THE COUNTY OF WHATCOM**

Case Number: 848046

APPELLANT: **JESSE PRICE**

vs.

RESPONDENT: **LORI PRICE**

Service Documents:

**PETITION FOR REVIEW**

Received by LICKETY SPLIT PROCESS SERVICE to be served on **LORI PRICE, 400 5TH ST, LYNDEN, WA 98264.**

I, ALAINA HAMILTON, do hereby affirm that on the **1st day of November, 2023 at 3:55 pm, I:**

**Personally** served the above named person(s) LORI PRICE, with ONE (1) true copy(ies) of this **PETITION FOR REVIEW**.

**Description** of Person Served: Age: 40s, Sex: F, Race/Skin Color: CAUCASIAN, Height: 5'9", Weight: 150, Hair: BLONDE, Glasses: N

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. I am now, and at all times herein mentioned, a citizen of the United States and a resident of the State of Washington. I am over the age of eighteen years, not a party to or interested in the action and competent to be a witness therein.



ALAINA HAMILTON  
REG# 360-3723

*11/2/2023*

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**Comments:**

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**Note: The Filing Id is 20231105192351SC833140**