

STATE OF Washington  
Court of Appeals  
Division II

89833-2  
SUMMER 10  
STATE OF WASHINGTON  
COURT OF APPEALS  
DIVISION II

State of Washington  
Respondent  
✓  
Thomas Reid Floyd  
1211-10-0107  
900 Tacoma Ave So  
Tacoma WA 98402

43021-5-11  
CAUSE # 42396-I-11  
CLEAR AND CONVINCING ERROR  
Motion Pursuant to Rule 60(b)(1)  
Supplement to Discretionary  
Review Petition

This matter comes on regularly to Appeal  
Action Innocence which depends on whether  
the Alleged constitutional ERRORS UNDERMINE  
the ACCURACY of the guilt or sentence de-  
TERMINATION. A MANIFEST INJUSTICE NECESSITATES  
that the courts look through the TIME BAR of  
[RCW 10.73.090(1)] to prevent a forfeiture of  
LIBERTY [172 WN 2d 930] INNOCENT of the crime  
and INNOCENT of the AGGRAVATING factors leading  
to sentencing ["MURRAY" 477 US at 496] [Sawyer 505  
US at 348] Smith v MURRAY 477 US 527, 538-39.  
Constitutional error undermines the accuracy  
of guilt or sentence determination [263 P.3d 1249]

The immediate petitioner has filed numer-  
ous petitions and motions to the court of  
competent jurisdiction, just to have them il-  
legally suppressed, dismissed or denied due to  
court clerks separate emails and separate  
communication with State Actors Stephanie  
Cunningham Attorney, Appointed on Appeal and the

Deficient performance of State Actor ARRON TALNEY Public defender on defendant's TRIALS.

Trial court ERRED By Not ALLOWING this petitioner to REMOVE ARRON TALNEY from the defendant's proceedings long before the TRIALS.

Court of Appeal ERRORED By forcing STEPHANIE CUNNINGHAM on the petitioner after petitioner HAD HER BRIEF REMOVED AND HER to WITHDRAW from Appeal ATTORNEY.

Both unwanted ATTORNEYS RUINED ANY of the petitioner's opportunity to PRESENT A MEANINGFUL APPLICATION to the courts. Both ATTORNEYS were APPRIEZED by the petitioner that due process violations caused the ACCUSED to BE found guilty only BECAUSE of the deficient performance they both entertained through PREJUDICE, BIAS and their personal determination to BLOCK, SUPPRESS, WITHHOLD, HAMPER, FURTHER, OBSTRUCT the EQUAL ACCESS provisions concerning EXHIBITS, DOCUMENTATION, BRIEFS, EVIDENCE, TRANSCRIPTS and MOTIONS before the courts of competent Jurisdiction... "Carter" is CORRECT that a sentence without Authority is "fatally defective" and open to COLLATERAL ATTACK. [IN RE PERSONAL RESTRAINT of Goodwin] 461 U.S. 861 Quoting [Gossard v Smith] 34 Wn2d 220 THE FEDERAL COURT is to provide the disadvantaged with A WIDE RANGE of INFORMAL PAPERS Relief - Act of

2-17-14  
Date:

1892-27 Stat. 252 (Cruz v Houch 404 US 9, Smith

v Brown H 365 US 708, 815 S. 895 Burns v Ohio

300 US 252, 79 S. 1164 [ex parte 411] 312 US 549

State Actors denied this privilege the

Constitutional Right to a "meaningful op-

portunity to present a complete de-

finite California v Trombetta 467 US 479

page 2533 Access to the court cannot be

denied or obstructed for the purpose

of presenting complaints by those -

litigants [Harris v Cooper 511 + impairment]

Access to the courts (transcripts) 850,

850 Neither Aaron Tainy or Strainis

Cunningham would raise a finger to file the

defendants "clear and convincing" in

fact the court record reflects the same

disregard for duty to uphold the standard

rights as well as his explicit remarks to

the discussion declaring that they both

don't feel the court should take any action

in the deficiencies obvious complaints of

accumulated errors depriving equal access

due process guarantees. Such prejudice and

bias maintains them, but for their deficient

performance the jury would have not found the

accused guilty and the court of appeals would

have reversed the convictions on the grounds

submitted with this petition. See attached

Tru-fony knowledge ~~Smiley/Thomas Floyd INFOSSE~~