

Jun 29, 2016, 3:55 pm

RECEIVED ELECTRONICALLY

**SUPREME COURT NO. 93141-1
COURT OF APPEALS NO. 47462-0-II**

**SUPREME COURT
OF THE STATE OF WASHINGTON**

**ANGEL GARCIA-TITLA, individually, and LETICIA SARMIENTO
FLORES, individually and the marital community composed thereof**

Appellants,

v.

SFC HOMES, LLC, a Washington Corporation,

Respondent.

**RESPONDENT SFC HOMES, LLC'S
MOTION TO STRIKE REPLY TO PETITION**

**PAMELA M. ANDREWS, WSBA #14248
KRISTEN DORRITY, WSBA #23674
ANDREWS • SKINNER, P.S.
645 Elliott Avenue West, Suite 350
Seattle, WA 98119
206-223-9248/ Fax: 206-623-9050**

Attorneys for Respondent

 **ORIGINAL**

MOTION

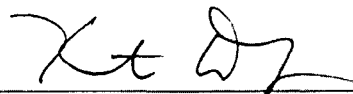
Respondent SFC Homes, LLC (“SFC Homes”) respectfully requests that this Court strike the “Strict Reply of Appellant” which was filed on June 24, 2016 in regard to Appellant’s Petition for Review. Pursuant to the Rules applicable to petitions for review, a petitioner may file a reply only if the answering party seeks review of an issue not raised in the Petition:

(d) Answer and Reply. A party may file an answer to a petition for review. If the party wants to seek review of any issue that is not raised in the petition for review, including any issues that were raised but not decided in the Court of Appeals, the party must raise those new issues in an answer. A party may file a reply to an answer only if the answering party seeks review of issues not raised in the petition for review. A reply to an answer should be limited to addressing only the new issues raised in the answer....

RAP 13.4(d) (emphasis added). Here, Respondent did not seek review. The Reply should be stricken.

RESPECTFULLY SUBMITTED this 29th day of June, 2016.

ANDREWS • SKINNER, P.S.

By 
PAMELA M. ANDREWS, WSBA #14248
KRISTEN DORRITY, WSBA #23674
645 Elliott Avenue West, Suite 350
Seattle, WA 98119
206-223-9248/ Fax: 206-623-9050
Attorneys for Respondent

DECLARATION OF SERVICE

I, Sally Gannett, hereby declare as follows:

1. I am a citizen of the United States and of the State of Washington, living and residing in King County, in said State, I am over the age of eighteen years, not a party to the above-entitled action, and competent to be a witness therein.

2. On the 29th day of June, 2016, I caused a copy of the foregoing Respondent SFC Homes, LLC's Answer to Petition for Review to be sent for service upon the following in the manner indicated:

Betsy Rodriguez / Dwayne L. Christopher
Betsy Rodriguez, P.S.
PO Box 11245
Tacoma, WA 98411-0245
betsy@brodriguezattorneys.com;
Dwayne@brodriguezattorneys.com;
cristina@brodriguezattorneys.com
Via Email and US Mail

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 29th day of June, 2016, at Seattle, Washington.



Sally Gannett, Legal Assistant

OFFICE RECEPTIONIST, CLERK

From: OFFICE RECEPTIONIST, CLERK
Sent: Wednesday, June 29, 2016 3:56 PM
To: 'Sally Gannett'
Cc: 'betsy@brodriguezattorneys.com'; 'Dwayne@brodriguezattorneys.com';
cristina@brodriguezattorneys.com; Pamela Andrews; Kristen Dorrity; Jane Johnson
Subject: RE: Angel Garcia-Titla and Leticia Sarmiento Flores, Appellants, v. SFC Homes, LLC,
Respondent, Supreme Court Case No. 93141-1

Received 6/29/2016.

Supreme Court Clerk's Office

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Sally Gannett [mailto:sally.gannett@andrews-skinner.com]
Sent: Wednesday, June 29, 2016 3:41 PM
To: OFFICE RECEPTIONIST, CLERK <SUPREME@COURTS.WA.GOV>
Cc: 'betsy@brodriguezattorneys.com' <betsy@brodriguezattorneys.com>; 'Dwayne@brodriguezattorneys.com' <Dwayne@brodriguezattorneys.com>; cristina@brodriguezattorneys.com; Pamela Andrews <pamela.andrews@andrews-skinner.com>; Kristen Dorrity <kristen.dorrity@andrews-skinner.com>; Jane Johnson <jane.johnson@andrews-skinner.com>
Subject: Angel Garcia-Titla and Leticia Sarmiento Flores, Appellants, v. SFC Homes, LLC, Respondent, Supreme Court Case No. 93141-1

Attached please find Respondent SFC Homes, LLC's Motion to Strike Reply to Petition for filing in the above referenced case.

Thank you.

Sally Gannett
Legal Assistant to Kristen Dorrity,
Mary DePaolo Haddad and Karleen J. Scharer
Andrews Skinner, P.S.
645 Elliott Ave. W., Ste. 350
Seattle, WA 98119
Tel: 206-223-9248
Email: sally.gannett@andrews-skinner.com