

FILED
SUPREME COURT
STATE OF WASHINGTON
6/8/2020 2:34 PM
BY SUSAN L. CARLSON
CLERK

No: 983755

IN THE SUPREME COURT OF
THE STATE OF WASHINGTON

ANNE BLOCK,

Petitioner,

v.

SNOHOMISH COUNTY, at el.

Respondent.

NOTICE OF DISQUALIFICATION AND
PETITION FOR REVIEW

Anne K. Block, *Pro Se*
313 Shelby St
Gold Bar, WA 98251
Tele: 206-326-9933
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Lifeisgood357@comcast.net

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I. IDENTITY OF PETITIONER

Comes now Anne Block and respectfully moves for a Motion to Disqualify and Granting Petition for Review of Court of Appeals Division One's March 5, 2020, Order Dismissing Appeal after payment was issued.

II. CITATION TO COURT OF APPEALS DECISIONS

Court of Appeals Division One, Order Dismissing Appeal *after* Block issued two appeal payments, of \$290.00 each, in Block v Duvall Court of Appeals Division One Case No. 80340-9-I. (appended as Exhibit I) issued March 5, 2020.

III. ISSUES PRESENTED FOR REVIEW

1. Whether the Court of Appeals Division One must Docket an appeal after payment was made?
2. Whether a court commissioner and/or a clerk have discretion not to process an Appellant's payment on an appeal?
3. Whether or not Washington State Supreme Court should hear any cases involving Block, since Block sued the Washington State Bar Association for racketeering and the Washington State Supreme Court?
4. Whether or not Washington State Supreme Court Justice Barbara Madsen should be disqualified from participating in this Petition since Block sued for Barbara Madsen for racketeering, and violations of her civil rights pursuant to USC 42. 1983?
5. Whether or not Washington State Supreme Court Judges should be

disqualified as members of Association of Washington Cities, who is, according to Gold Bar's Mayor William Clem, paying Defendants legal bill in this case?

6. Whether or not Supreme Court Justice Barbara Madsen should participate in this Petition since Defendants counsel, a Special Assistant Attorney General, a Special Assistant Prosecutor, and an Association of Washington Cities contractor, known as Keating, Buckling, and McCormack Inc., Pacifica Law Group, Madrona Law Group PLLC, and Kenyon Disend, were writing Justice Barbara Madsen and the Supreme Court's Clerk Ron Carpenter's responsive brief in Block v WSBA et al and being paid by the Washington State Attorney General's Office with the assistance of the Defendants counsel in this appeal.
7. Whether or not Appearance of Fairness Doctrine s violated by allowing the current Washington State Supreme Court decide this Petition while at the same time Block is suing Justice Madsen and Clerk Ron Carpenter, and the Washington Supreme Court's Bar Association otherwise known as the Washington State Bar Association?

D. STATEMENT OF THE CASE

This case reflects corruption at the highest level in our Courts, including, but not limited to, King County Superior Court Judges Beth Andrus (now on Court of Appeals Division One) and Michael Scott, the Washington State Court of Appeals, and the Washington State Supreme Court Justice Barbara Madsen.

Block brought a complaint for access to public records against Snohomish County, City of Duvall, and City of Gold Bar, separately, paying \$240.00 per case in King County Superior Court only after being notified by a Gold Bar employee that the Washington State Bar Association, an alleged

private association managed jointly by the Washington State Attorney General's Office and the Washington State Supreme Court, stole and disseminated Block's Washington State Bar application files to the City of Gold Bar's law firm, Weed, Gaafstra and Benson.

The Washington State Superior Court, and Court of Appeals Division One Judge, Judge Beth Andrus Sua Sponte consolidated three public records cases against three separate agencies into one case, Block v Snohomish County et al, KCSC Case No: 17-2-00682-3.

At the time of the above appeals, Block did not know that King County Superior Court Judge Michael Scott was a Washington State Special assistant Attorney General, a Special Assistant Prosecutor s for many counties including Defendant Snohomish County, a member and contractor for Association of Washington Cities, a member of the WSBA Rules Committee, and was represented by Defendant's counsel, Keating Buckling and McCormack Inc, and Kenyon Disend while employed with the City of Bainbridge Island. Judge Michael Scott never disclosed his pecuniary interest with the Defendants counsel.

Block appealed several exparte orders issued by King County Superior Court Judge Michael Scott, dated June 2018, July 2018, August 2018, September 2018, and October 2018, and June 2019, July 2019, and September 2019. Since the first appeal in 2018 was all the same case and controversy, Block filed a Notice of Amended Appeal and Defendants did not

file an objection.

In January 2020 to Block's surprise, Washington Court of Appeals Division One Commissioner Richard Johnson issued an Order to pay a second appeal payment of \$290.00, and if not paid, Block's appeal would be dismissed (Appendix II).

In late January 2020, Block appeared in person with Lori Shavlik at Washington Court of Appeals Division One located at One Union Place in Seattle to make a second payment of \$290.00 in this appeal. The Washington Court of Appeals Division One's Court clerk Jaqueline Harvey refused to accept payment and ordered Block to issue payment through the King County E file portal. On February 11, 2020, Block issued a second appeal payment of \$290.00 through the King County E file system. Block made the second payment and further filed a Declaration with the Court Of Appeals (Appendix II) stating this fact. This should have made the Commissioner's January 2020 Order "moot" but instead the Court of Appeals Division refused to process Block's appeal payment and dismissed her appeal.

Washington State's Const. as well as the 14th Amendment mandates due process of law. This includes Block's right to have impartial judicial officers hearing and deciding cases. As such, Block requests an unbiased Supreme Court examine the following issues: (1) whether or not a Clerk has discretion not process an Appellant's payment for appeal; (2) whether Appellant's fundamental due process rights have been violated when the

Washington Court of Appeals Division One refused to process Appellant's appeal payment; (3) Whether or not a Supreme Court Justice must disqualify themselves under the Appearance of Fairness Doctrine because Petitioner has sued the Washington State Supreme Court and the Washington State Bar Association; (4) Whether or not Defendants counsel, who is also paid to defend the Washington State Bar Association in Block v WSBA et al, a branch of the Washington State Supreme Court, therefore, the entire Washington State Supreme Court should be disqualified for hearing and deciding this Petition?

IV. LEGAL ARGUMENT WHY MUST BE GRANTED

This case involves three basic due process issues.

First, does a court clerk have discretion not to process and docket Appellant's appeal after payment is made.

Secondly, and perhaps the most important issue is whether the entire Supreme Court is disqualified under the appearance of fairness doctrine since Block sued the Washington State Supreme Court's Bar Association (WSBA) in Block v WSBA et al and Block v WSBA et al (2)?

Finally, since Defendants Counsel, Kenyon Disend (Michael Kenyon even bragged on his website that the WSBA is one of his clients. In addition. Keating, Buckling, and McCormack Inc, and Pacifica Law Group, are Special Assistant Attorney Generals, contractors and members of Association of Washington Cities, and Special Assistant Prosecutors, are being paid to write

and legally defend Washington Supreme Court Justice Barbara's Madsen and the Washington State Supreme Court's Bar Association, in *Block v WSBA et al* (2015, 2018, the 14th Amendment's Due Process is being violated by not having impartial judicial officers participating in this Petition.

This case violates due process under the state and federal constitution because “[a] fair trial in a fair tribunal is a basic requirement of due process.” *In re Murchison*, 349U.S. 133, 136, 75 S Ct. 623, 99 L. Ed. 942 (1955); *accord State ex rel. McFerran v. Justice Court of Evangelical Starr*, 32 Wn. 2d 544, 549-50, 202 P.2d 927 (1949). Due process requires the absence of an unconstitutional “risk of bias.” *Rippo v. Baker*, 137 S. Ct. 905, 907, 197 L. Ed. 2d 167 (2017). The United States Supreme Court has explained that the federal Due Process Clause has been implemented by objective standards that do not require proof of actual bias, just as the rich such as bias. *Williams v. Pennsylvania*, 136 S. Ct. 1899, 1905, 195 L. Ed. 2d 132 (2016). The inquiry requires that “[t]he Court asks not whether a judge harbors an actual, subject bias, but instead whether, as an objective matter, the average judge in his position is likely to be neutral, or whether there is an unconstitutional potential for bias.” *Id.* (internal citations omitted) (emphasis omitted). The Supreme Court has made clear that due process may be violated even if a judge is not actually biased. *Aetna Life Ins. Co. v. Lavole*, 475 U.S. 813, 825 106 S. Ct. 1580, 89 L. Ed. 2d 823 (1986).

“Due process, the appearance of fairness, and Canon 3(D)(1) of the Code of the Judicial Conduct required disqualification of a judge who is biased against a party or whose impartiality may be reasonably questioned.” *Smith v. Behr Process Corp.*, 113 Wn. App. 306, 340, 54 P.3d 665 (2002) (citing) *Wolfkill Feed & Fertilizer Corp. v. Martin*, 103 Wn. App. 836, 840, 14 P. 3d 877 (2000)). The doctrine covers actual and potential bias. *See State v. Madry*, 8 Wn. App. 61, 70, 504 P.2d. 1156 (1972) (“The law goes farther than required an impartial judge; it also requires that the judge appear to be impartial.”). “Under the appearance of fairness doctrine, a judicial proceeding is valid only if a reasonably prudent and disinterested observer would conclude that all parties obtained a fair, impartial, and neutral hearing.” *State v. Ladenburg*, 67 Wn. App. 749, 754-55, 840 P.2d 228 (1992).

The Washington Court of Appeals Division One provided clear instruction on recusal as in *Valerie Ann Gonzales v. State of Washington Dept. of Children, Youth, and Families*, 172 Wn. 2d (March 23, 2020). “The appearance of fairness doctrine provides greater protection. It permits litigants to make fair trial claims based on violations of the Code of Judicial

Conduct . . . regardless of whether those claims implicate due process.” State v. Blizzard, 195Wn. App. 717,725,381 P.3d 1241 (2016).

Last month, Block received email communication from the Washington State Attorney General Leslie Seffern documenting that the AG’s Office did not write any of the responsive briefs in Block v WSBA et al., Defendants counsel did. This means, Justice Barbara Madsen, the WSBA, are being represented by the same firms representing the Defendants in this case as well as the King County Superior Court Judge Michael Scott who issued the exparte orders subject to this appeal.

In addition, public records received by the Washington State Attorney General’s Office, documents that Kenyon Disend, Keating, Buckling, and McCormack Inc, Pacifica Law Group and King County Superior Court Judge Michael Scott (who issued exparte orders on appeal in this matter) are working for the State of Washington Attorney General’s Office, being paid with taxpayer monies, and the Washington State Supreme Court has entered into a contract with the Washington State Attorney General’s Office. Besides the violation of the Separation of Powers Doctrine having our Judiciary enter into agreements with the Executive Branch, this means the same attorney general’s office that is representing parties in this Appeal/Petition are also representing the Washington State Supreme Court’s Bar Association and Justice Madsen and Supreme Court Clerk Ron Carpenter in Block v WSBA et al and King County judge Michael Scott who issued exparte orders in this

case. Therefore, the entire Washington State Supreme Court's impartiality, and appearance of fairness is therefore reasonably established.

VI. CONCLUSION

This petition involves violations of due process of Petitioner on several fronts. First, refusing to process the appellant's payment is not discretionary and should be determined by an unbiased Supreme Court. The decision of the Appeals Court is in conflict with the 14th Amendment and previous US Supreme Court Decisions cited herein.

The Court should accept review, grant Petitioner's Motion to Disqualify the Washington State Supreme Court for reasons stated herein, seek a temporary appointment with no prior relationships with the Washington State Attorney General's Office, the Washington State Supreme Court, Washington Association of Cities (who is in jointly paying the legal with the Attorney General in this case), and reverse the decision of the Court of Appeals case No. 80340-9-1 and issue an ORDER to process Petitioner's appeal payment and set a schedule for appeal.

Based on the foregoing arguments, Block respectfully request the Supreme Court disqualify themselves, assign unbiased Justices, and accept review of this case because it meets the criteria for review set forth in RAP 13.4.

APPENDIX I

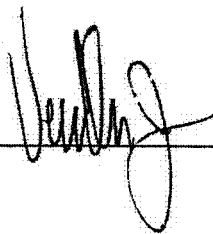
THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

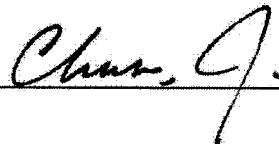
ANNE BLOCK,)	
)	No. 80340-9-1
Petitioner,)	
)	
v.)	ORDER DENYING
)	MOTION TO MODIFY
CITY OF GOLD BAR, and CITY OF)	
DUVALL,)	
)	
Respondents.)	
_____)	

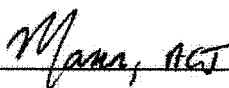
Petitioner Anne Block moves to modify the commissioner's January 9, 2020 ruling dismissing this appeal for noncompliance with an order directing her to pay the filing fee. Respondents have not filed a response. We have considered the motion and Block's February 11, 2020 "Declaration of Petitioner and Notice of 2nd Payment for Appeal" under RAP 17.7 and have determined that the motion should be denied.

Now, therefore, it is hereby

ORDERED that the motion to modify is denied.







APPENDIX II

No. 784463-1

No: 803409

COURT OF APPEALS, DIVISION I
OF THE STATE OF WASHINGTON

Anne Block, Petitioner,

v.

Gold Bar, City of
Duvall, Respondent,

DECLARATION OF PETITIONER AND NOTICE 2ND PAYMENT FOR APPEAL

Anne Block, pro se

Mailing/service address for this appeal only:
115 ¾ West Main Street, Suite 204
Monroe WA. 98272
Tele: 206-326-9933

Anne Block avers the following facts:

1. I paid for appeal in this case in July 2018. I filed Notices of Amended Appeals for which Defendants did not file a single response.
2. Several Court of Appeals Clerks with pecuniary interests to Defendants (represented by Association of Washington Cites in this case) as well Special Assistant Attorney Generals (SAAGs) have made several attempts to sabotage my appeal. In each instance when Defendants did not respond, Washington Court of Appeals Clerk's filed Defendants briefing.
3. Last week, I was told to pay an additional \$290 after being threatened with dismissal.
4. I filed a declaration filed in King County Superior Court that I am attaching hereto at Appendix A.
5. This case should be transferred to a Division that has not engaged in gross Cannon violations against me. Apparently, the Judges believe its ok to have Chief Justice Robert Leach presiding over appeals after his wife Vicki Norris sued both Lori Shavlik and I to block access to her records at that the Snohomish County Public Defenders Association, and after I sued Robert Leach's friend and his and his wife's law partner G. Geoffrey Gibbs for racketeering.
6. I reported on Court of Appeals Justice Marlin Appelwick, G. Geoffrey Gibbs, and now terminated Snohomish County Director of Emergency Management John Edward Pennington Jr are guilty of human trafficking little girls from Oregon to Olympia from 1992 to 1997. Strangely, Geoffrey Gibbs recently recused himself from hearing cases involving me, but Robert Leach and Marlin Appelwick have not.
7. After being threatened by Court of Appeals Division One with unlawful dismissal after paid for the appeal in this case, I paying yet another \$290 to simply with Judges who were or are still receiving legal representation from the same lawyers representing the Agencies in this appeal.
8. Enclose is yet my 2nd appeal payment in this case. Total payment I have made in this appeal now amounts to \$580, twice the legal amount.
9. I have attached a declaration filed for disqualification that is relevant.

Done on 11th day of February 2020.

I certify under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

Dated this 11th day of February 2020 at West Palm Beach, Florida.



Anne Block, Pro Se Petitioner

Petitioner Anne Block has been uploaded to Defendants Counsel of records via Washington Court of Appeals Portal to Special Assistant Attorney Generals and Association of Washington Cities (AWC) attorneys at KBM Lawyers, in this appeal. All WA State attorney are mandated to use WA Court of Appeals Portal and all parties are registered.

Dated this 11th day of February 2020 at West Palm Beach, Florida.



Anne Block, Pro Se Petitioner

EXHIBIT ONE PAYMENT FOR APPEAL Block v Duvall, Gold Bar

EXHIBIT TWO, DECLARATION OF ANNE BLOCK, Block v Duvall, Gold Bar

Gold Bar Reporter

From: AB <lifeisgood357@comcast.net>
Sent: Sunday, March 29, 2020 10:15 AM
To: Info
Subject: Fwd: COURT OF APPEALS 80340-9-I Anne Block, Petitioner v. City of Duvall & City of Gold Bar, Respondents
Attachments: image001.jpg; Untitled attachment 00322.html; mime-attachment (5.11 KB); Untitled attachment 00328.html

Sent from my iPhone

Begin forwarded message:

From: AB <lifeisgood357@comcast.net>
Date: 7 March 2020, 11:58:00 PST
To: "Harvey, JacQualine" <JacQualine.Harvey@courts.wa.gov>
Cc: richard.johnson@courts.wa.gov
Subject: RE: COURT OF APPEALS 80340-9-I Anne Block, Petitioner v. City of Duvall & City of Gold Bar, Respondents

Please correct your records and note that I made the Commissioner order moot as the fee was paid on 2/11/2020.

Please send me a scheduling order.

Anne

From: Harvey, JacQualine [<mailto:JacQualine.Harvey@courts.wa.gov>]
Sent: Thursday, March 5, 2020 3:45 PM
To: sragonesi@kbmlawyers.com; abutler@kbmlawyers.com; lifeisgood357@comcast.net
Subject: COURT OF APPEALS 80340-9-I Anne Block, Petitioner v. City of Duvall & City of Gold Bar, Respondents
Importance: High

Gold Bar Reporter

From: King County eFiling <payment@kingcounty.gov>
Sent: Tuesday, February 11, 2020 5:51 AM
To: Anne, Block
Subject: eFiling payment confirmation

Dear Anne Block,

Thank you for using the King County Superior Court Clerk's eFiling application.

Your eCommerce transaction reference number from Point & Pay is 71011894.

The following items were paid for on 02/11/2020 5:51:22 AM The total amount of the purchase, including a \$2.49 convenience fee, was \$292.49.

Product Id	Description
EFI6096401	EFiling, CASE - 17-2-00682-3 BLOCK VS SNOHOMISH COUNTY

Please retain this transaction receipt for your records.

If you have questions about your online submission, please contact the Clerk's Office during normal business hours, Monday through Friday, 9:00 a.m. - 12:15 p.m. and 1:15 - 4:30 p.m.

eServices: 206-477-3000; eservices@kingcounty.gov
eWorking Copies Kent: 206-477-3021; eWorkingcopies@kingcounty.gov
eWorking Copies Seattle: 206-477-0840; eWorkingcopies@kingcounty.gov
ExParte Via the Clerk (EPVC) Kent: 206-477-3047
ExParte Via the Clerk (EPVC) Seattle: 206-477-0848

Please do not reply to this email.

Regards,

King County Superior Court Clerk's Office
www.kingcounty.gov/courts/clerk

SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR
THE COUNTY OF KING

BLOCK

vs.

SNOHOMISH COUNTY

Case No.: 17-2-00682-3 SEA

CERTIFICATE OF E-SERVICE

(AFSR)

I, Anne Block, certify that I initiated electronic service of the following document(s) on the parties listed below who have consented to accept electronic service via the King County eFiling Application. Service was initiated on February 11, 2020 at 05:52:01 AM.

Document(s):

1. NOTICE OF APPEAL TO COURT OF APPEALS

Parties:

1. Shannon Ragonesi, Attorney for Respondent/Defendant
email: sragonesi@kbmlawyers.com

Executed this 11th day of February, 2020.

s/ Anne Block
WSBA #:
313 Shelby St
Gold Bar, WA 98251
20632699333

GOLD BAR REPORTER

June 08, 2020 - 2:34 PM

Filing Petition for Review

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: Case Initiation
Appellate Court Case Title: Anne Block, Petitioner v. City of Duvall & City of Gold Bar, Respondents
(803409)

The following documents have been uploaded:

- PRV_Petition_for_Review_20200608143413SC474686_1796.pdf
This File Contains:
Petition for Review
The Original File Name was Block v Sno Co Petition.pdf

A copy of the uploaded files will be sent to:

- abutler@kbmlawyers.com
- lifeisgood357@comcast.net
- sragonesi@kbmlawyers.com

Comments:

Sender Name: ANNE BLOCK - Email: goldbarreporter@comcast.net

Address:

115 West Main St

204

monroe, WA, 98272

Phone: (206) 326-9933

Note: The Filing Id is 20200608143413SC474686