



JOSEPH A. BRUSIC
Prosecuting Attorney

Yakima County Prosecuting Attorney's Office
128 North Second Street, Room 329
Yakima, WA 98901
Phone: (509) 574-1210 Fax: (509) 574-1211
Web Site: <http://co.yakima.wa.us/pa/>

August 26, 2020

TO: Susan Carlson – Supreme Court Clerk
Washington State Supreme Court
P.O. Box 40929, Olympia, WA 98504-0929

RE: State v. Yallup, Supreme Court No. 98693-2 - COA# 36631-6-III

Ms. Carlson:

This is to inform the court that the State of Washington, by and through, the Yakima County Prosecutor's Office objects to any motion which would allow this Appellant to avoid the rules of this court. Specifically allowing this litigant to file "FTR" recordings in lieu of a verbatim report of proceedings.

The State was served by this court with a copy of a Motion wherein Appellant requests this court to allow him to "Submit Evidence." Yallup's motion contains numerous false statements and is predicated on a claim that the State has somehow prevented this litigant from obtaining the verbatim report of proceedings which he claims are necessary to address his allegations.

As this court can see from the attached letter from Ms. Moore, the certified court reporter whom Yallup contracted to produce these VRP's, Ms. Moore's determination to cease work on this case was based on the actions, the threats, the harassment that has come directly from this litigant. The State has also attached copies of correspondence sent to Ms. Moore those letters increased in harassing statements, baseless claims of conspiracy and outright threats until Ms. Moore determined she could no longer complete this job and returned Yallup's funds and the disc containing the record.

This court has rules for a reason and any litigant whether a licensed attorney or a pro se, as is Yallup, are required to adhere to those rules. Yallup's harassment of this Yakima County employee is unacceptable and will not be tolerated by my office.

Nor should these actions be tolerated or furthered by this court. Yallup should not be allowed to benefit from his own unreasonable actions, the result which was his inability to meet the deadlines of this court.

The State is informing this court of its position by this letter so that before a final determination as to whether to grant this waiver of the rules the State can file a formal objection if needed.

The rules are there for a reason. Yallup's self-inflicted problem is not grounds for waiver of any rule. If anything should occur in this case it is that sanctions should be imposed against Yallup so this pro se litigant realizes that deadlines are just that and claims of conspiracies by the State to hinder his case, harassment, and out-right threats will not be tolerated.

Respectfully submitted this 26th day of August 2020,

s/ David B. Trefry
David B. Trefry WSBA #16050
Senior Deputy Prosecuting Attorney
Attorney for Respondent
Telephone: (509)426-0235
P.O. Box 4846, Spokane, WA 99220
David.Trefry@co.yakima.wa.us

Superior Court of the State of Washington
For the County of Yakima

SUPERIOR COURT JUDGES

Judge Kevin S. Naught
Judge Elisabeth M. Tutsch
Judge Douglas L. Federspiel
Judge Blaine G. Gibson
Judge David A. Elofson
Judge Ruth F. Reukauf
Judge Gayle M. Harthcock
Judge Richard H. Bartheld

Yakima County Courthouse
128 North Second St.
Yakima, Washington 98901

SUPERIOR COURT COMMISSIONERS

Susan Arb
Shane M. Silverthorn

Phone:(509) 574-2710
Fax:(509) 574-2701

August 12, 2020

Dear Mr. Yallup,

In light of your several accusations, which are all false, I believe it would be unethical for me to continue to try to transcribe the proceedings provided on the disk you sent me. I have communicated with no one regarding your case. I am extremely busy as there are 8 judges, 2 commissioners and 1 court reporter (me) at the Yakima County Courthouse, which means I'm not in my office very often.

I apologize for any delay you feel this may have caused your case, but I don't feel comfortable continuing to try to transcribe these proceedings on the disk that was sent to me since you feel that I'm somehow stalling or trying to hinder your case.

I feel it would be best for you to contact a certified court reporter who does not work for Yakima County since you have such strong feelings about certain personnel who work here, including me.

I am returning the \$350 money order to you along with the disk that was sent to me.

Sincerely,



Jori L. Moore
Official Court Reporter
Yakima County Superior Court



UNITED STATES
POSTAL SERVICE

POSTAL MONEY ORDER

Serial Number

26718622571

Year, Month, Day
2020-07-24

Post Office
989510

U.S. Dollars and Cents

\$350.00

Amount

Three Hundred Fifty Dollars and 00/100 *****

Pay to

Jori Moore

Clerk

03

Address

128 N. 2nd St
Tacoma, WA 98901

From

Richard Gallup

Address

Clam Bay Crest Way
Clallam, WA 98326

Memo

© 2008 United States Postal Service. All Rights Reserved.

⑆00000800⑆

SEE REVERSE WARNING • NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

26718622571⑆

Yakima County Court Reporter
Jori Moore

in re: Case No. 13-1-01530-2

All orders for indigency available here, retain to orders for appellate proceedings.

Please include statement at 10:20:56 on October 9th 2015 in court...

Past officials have said these statements are inaudible, but Judge Micheal McCarthy is heard scheduling the Friday 10-23-15 hearing...

Please include statements after 10:08:40 on October 30th 2015 in court...

When you are finished making the transcripts, send the cost for the transcripts, and the cost for postage, to phone # 509-759-1388, she will then relay the costs to me, and I will arrange for payment to be sent directly to you.

the mailing address for ^{the} transcripts
will be:

"Richard Yallups #313822
H-B-6
Clallam Bay Corrections Center
1830 Eagle Crest Way
Clallam Bay, Wa. 98326"

Richard E. Yallups Jr
Richard E. Yallups Jr

6-21-20

Yakima County Court Reporter
Jori Moore

in re: 13-1-01530-2

Why are you stalling the transcripts?
who directed you to do this?

I want answers because now it appears your interfering on the state's behalf, to delay those records needed for a legal proceeding, to prevent me from submitting those records for review...

I want a transcript of ~~the~~ all the hearings on that FTR CD, "including" the statements at 10:20:56 on October 9th 2015, and "including" the Judge Micheal McCarthy's and Public Defender Charles Dold's statements after 10:08:40 on October 23rd 2015...

These statements are audible because I heard and listened to that CD

myself repeatedly in law library at
Clallam Bay Corrections Center.

I want answer's!

I'm sending you \$350⁰⁰ dollars
to pay for the transcripts and postage
fee's for the transcripts and FTR CD.
Any left over monies, send back to
"P.O. Box 254
Wapato, Wa. 98951"

Mailing address for the transcripts
and FTR CD

"Richard Yallups #313822
Clallam Bay Corrections Center
1830 Eagle Crest Way
Clallam Bay, Wa. 98326"

Richard E. Yallups Jr
Richard E. Yallups Jr

Dated & Sent 7-23-2020

Yakima County Court Reporter's Office

in re: Case No. 13-1-01530-2

Hello, I'm Richard E. Yallups Jr, I sent a 'FTR CD' in June 2020 to the audio records of my court hearings transcribed.

I was told by Jori Moore it would not take long to have those hearings transcribed, that was the second week of July 2020...

No attempt was ever made by Jori to contact the person she could leave a message with, I called multiple times, I had people call multiple times because I needed those transcripts by August 10th 2020 with no success by anyone, why?

Now I have reason to believe Jori Moore was told by Yakima County Court Officials who were involved with the above cause number to stall those records/transcripts in an attempt to hinder those transcripts availability in Washington State Supreme Court Case No. 98693-2

to fatally damage my case & argument
in her official capacity, done with the
intent of doing so.

I need answers immediately because
your choosing to interfere with an
official proceeding to protect wrongful
acts.

Payment has been sent to cover the
cost of the transcripts, and costs for
postage fees for the transcripts and FTR
CD. The mailing address for the transcripts and
FTR CD also has been submitted.

Richard E. Yallup Jr
Richard E. Yallup Jr

Dated & Sent 7-29-2020

Yakima County Court Reporter's Office, Jori Moore

in re: FTR CD with audio records submitted
in June 2020 to be transcribed.

Hello, I'm Richard E. Yallups Jr, I'm writing to ask
~~how many if any~~ if a audio record was
submitted to you in July 2020 for transcription,
and if that transcription was returned to the
submitting party in July 2020.
"Submitting Party" is some other entity, ~~other~~
not me personally.

I ask, because I submitted a record I
wanted transcribed in June 2020.

I ask because of what you said on a recorded
phone call with me in early July 2020.

I submitted a pre-addressed pre-franked
envelope for you, to submit your response
to my questions and sign, print and date
your response.

The reason for your response, to prepare and

file a grievance/complaint and/or take legal action against you.

In that phone call, you stated you would have those transcripts to me by a August 10th 2020 deadline you knew/had knowledge of, but you stalled those transcripts to prevent there availability for a legal proceeding you knew they were needed for.

You intentionally lied and willfully stalled the transcripts to prevent there availability for Supreme Court review, why?

Did someone from Yakima County Superior Court (Judge's) or Yakima County Prosecutor's Office or The Dept of Assigned Counsel direct you to stall these transcripts and prevent there availability for an ongoing legal proceeding?

If so, who?

August 10th 2020 deadline with the Washington State Supreme Court was known to you.

All calls from me were ignored, all messages and letters ignored, messages from other's ignored, except for one, where she cites you stating that the transcripts will be finished at the end of

the week, that was the week of July 31st 2020 when I received the message.

You made sure I would miss the ~~deadline~~ then deadline so I couldn't address issues of misconduct and corruption, why?

The transcripts are ~~going to be~~ ^{going to be} used for a Washington State Supreme Court proceeding to address issues involving Judge David Elafson and Michael McCarthy, Deputy Prosecutor L. Joshua Camp, and Public Defender's Randy Cahn and Charles Dold, and the 2015/2016 Yakima County Clerks office. Did any of these persons direct you to stall these transcripts, or did someone ask/direct you to stall these transcripts on ~~your~~ their behalf?

If my assertions are wrong about the course of conduct you've chosen, please explain how and why? please ~~sign, print and sign~~ your name, print your name, and date response. Please send a copy of all letters received from me.

Richard E. Yallup Jr
Richard E. Yallup Jr

dated 8-9-2020

DECLARATION OF SERVICE

I, David B. Trefry, state that on August 26, 2020, I mailed a copy of this letter, to;

Richard Eugene Yallup, Jr. #313822
Clallam Bay Corrections Center
1830 Eagle Crest Way
Clallam Bay, WA 98326

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 26th day of August, 2020 at Spokane, Washington,

s/ David B. Trefry
DAVID B. TREFRY, WSBA #16050
Senior Deputy Prosecuting Attorney
Yakima County, Washington
P.O. Box 4846, Spokane WA 99220
Telephone: (509) 534-3505
Fax: (509) 426-0235
David.Trefry@co.wa.yakima.us

YAKIMA COUNTY PROSECUTORS OFFICE

August 26, 2020 - 2:26 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 98693-2
Appellate Court Case Title: State of Washington v. Richard Eugene Yallup Jr.
Superior Court Case Number: 13-1-01530-2

The following documents have been uploaded:

- 986932_Letters_Memos_20200826142338SC986777_6274.pdf
This File Contains:
Letters/Memos - Other
The Original File Name was Yallup 986932 Letter Re Evidence.pdf

A copy of the uploaded files will be sent to:

- Jori.Moore@co.yakima.wa.us
- joseph.brusic@co.yakima.wa.us

Comments:

Sender Name: David Trefry - Email: David.Trefry@co.yakima.wa.us
Address:
PO BOX 4846
SPOKANE, WA, 99220-0846
Phone: 509-426-0235

Note: The Filing Id is 20200826142338SC986777