

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
8/13/2020 4:07 PM  
BY SUSAN L. CARLSON  
CLERK

Supreme Court No. 98702-5

---

THE SUPREME COURT OF THE STATE OF WASHINGTON

---

JULIET S. SARIOL,

Petitioner,

v.

THE PAUL G. ALLEN FAMILY FOUNDATION,

Respondent.

---

On Petition for Review from a Decision Terminating Review  
Division 1, Court of Appeals, Case No. 79807-3-I, on appeal from  
King County Superior Court, Case No. 18-2-26694-7 SEA

---

**RESPONSE OF THE PAUL G. ALLEN FAMILY FOUNDATION  
TO PETITIONER JULIET SARIOL'S (1) UNTIMELY PETITION  
FOR DISCRETIONARY REVIEW AND (2) MOTION FOR  
EXTENSION OF TIME**

---

Tim J. Filer, WSBA #16285  
Kelly A. Mennemeier, #51838  
FOSTER GARVEY PC  
1111 Third Avenue, Suite 3000  
Seattle, Washington 98101-3292  
Telephone: (206) 447-4400  
Facsimile: (206) 447-9700  
Email: tim.filer@foster.com  
kelly.mennemeier@foster.com  
Attorneys for Respondent,  
Paul G. Allen Family Foundation

**TABLE OF CONTENTS**

	<i>Page</i>
I. INTRODUCTION .....	1
II. STATEMENT OF THE CASE.....	2
III. ARGUMENT .....	4
A. Ms. Sariol’s Motion for an Extension of Time Should Be Denied. ....	4
B. Ms. Sariol’s Petition for Review Raises No Grounds that Merit This Court’s Review. ....	6
IV. CONCLUSION.....	9

**TABLE OF AUTHORITIES**

<b>CASES</b>	<b>Page(s)</b>
<i>Becker v. Cmty. Health Sys., Inc.</i> , 182 Wn. App. 935, 332 P.3d 1085 (2014).....	7
<i>Cutler v. Phillips Petroleum Co.</i> , 124 Wn.2d 749, 881 P.2d 216 (1994) .....	7
<i>Dewey v. Tacoma Sch. Dist. No. 10</i> , 95 Wn. App. 18, 974 P.2d 847 (1999) .....	7
<i>Estate of Dormaier v. Columbia Basin Anesthesia, PLLC</i> , 177 Wn. App. 828, 313 P.3d 431 (2013).....	7
<i>Schaefco, Inc. v. Columbia River Gorge Comm'n</i> , 121 Wn.2d 366, 849 P.2d 1225 (1993) .....	5

**OTHER AUTHORITIES**

CR 5(b)(2) .....	6
CR 8(a)(1) .....	2
CR 12(b)(6) .....	2, 7
RAP 13.4.....	1, 5, 7, 9
RAP 18.5.....	6
RAP 18.8(b) .....	5
RAP 18.9.....	1, 6

## I. INTRODUCTION

Petitioner Juliet Sariol has shown no extraordinary circumstances to excuse her untimely submission of her Petition for Review. Accordingly, her after-the-fact Motion for an Extension of Time should be denied and this proceeding terminated under Rule of Appellate Procedure (RAP) 18.9. Further, her Petition for Review neither presents nor discusses any of the factors identified in RAP 13.4 as necessary to obtain this Court's review. The Petition should be denied on this separate and independent ground, putting an end to the extensive consumption of judicial resources caused by Ms. Sariol's many improper filings.

Ms. Sariol is a repeat *pro se* litigant whose papers in this case are rife with fantastical conspiracy theories, efforts to seek relief in unrelated cases, and allegations against parties other than Respondent, the Paul G. Allen Family Foundation ("Foundation"). None of Ms. Sariol's filings with the superior court, appellate court, or, now, this Court, supply a discernible basis for relief against the Foundation. Her multitudinous filings before the courts below and this Court also fail to comply with important court procedural rules. The Court of Appeals therefore properly affirmed the trial court's dismissal of Ms. Sariol's case with prejudice, and its decision should be final.

## II. STATEMENT OF THE CASE

The superior court dismissed this case with prejudice upon the Foundation's CR 12(b)(6) motion after carefully considering the five different "notices," "motions," and "memoranda" that Ms. Sariol filed and after hearing from Ms. Sariol at oral argument. (*See* CP 22-29, 30-31, 32-33, 78-84, 92-97.) Through these documents and at oral argument, Ms. Sariol presented a jumble of factual allegations mostly consisting of conspiracy theories involving the military, technology companies, radio broadcasts, medical procedures, and immigration issues. None of these allegations was directed at the Foundation.

Interspersed throughout these allegations, Ms. Sariol recited numerous legal terms, cases, rules, and statutes. Rather than shedding light on any legitimate theory of a case against the Foundation, these references instead served only to further illustrate the absence of "a short and plain statement of the claim showing that the pleader is entitled to relief" as required by CR 8(a)(1). Ms. Sariol cited to nonexistent rules and cases, legal issues for which Washington courts lack subject matter jurisdiction, and legal concepts that are inapplicable to a party like the Foundation.

Ultimately, none of Ms. Sariol's filings constituted a complaint or a summons, and, as the superior court correctly concluded, none of them stated a discernible claim for relief. (CP 103-104.)

Ms. Sariol appealed the dismissal, and immediately began a flurry of new filings with the Court of Appeals, raising both similar and new fantastical theories. Some of these were denied by the court administrator or otherwise recognized as inapposite to the appeal. Others, such as Ms. Sariol's statement of arrangements, narrative report of proceedings, and her first attempt at an appellant's brief, were rejected for failure to adhere with court rules. Ms. Sariol was instructed to resubmit filings that complied with the Rules of Appellate Procedure. Though she missed her court-ordered deadline for doing so, the Court nonetheless accepted her late-submitted opening brief. (*See* Appendix A (Court of Appeals Docket, reflecting acceptance of 08-29-19 brief).)

Ms. Sariol subsequently submitted at least seven additional inapposite filings alongside her reply brief. Some of these filings were ultimately denied; others were placed into the file without action after a conclusion that they sought no relief associated with the appeal; the Court of Appeals declined to address still others as improper under the applicable procedural rules. All told, Ms. Sariol submitted more than twenty different filings, not a single one of which coherently articulated (a) a basis for seeking relief from the Foundation or (b) any error made by the superior court in dismissing the case. (*See* Appendix A.)

On April 27, 2020, the Court of Appeals affirmed the trial court’s dismissal of Ms. Sariol’s case. (Appendix B.) The appellate court observed that a pro se litigant is bound by the same rules of procedure and substantive law as an attorney, and explained that Ms. Sariol failed to identify any error in the trial court’s decision to dismiss her case given her inability to articulate any causes of action she has against the Foundation.

Ms. Sariol’s motion for reconsideration—styled as a “Motion to Vacate and Retain on Separated Issues Court of Appeals De Novo Affirmance Pursuant to CR 59(7)” —was denied on May 20, 2020.

Ms. Sariol subsequently petitioned this Court for discretionary review.

### **III. ARGUMENT**

In her effort to seek review by this Court, Ms. Sariol continues her pattern of interweaving irrelevant and incredible factual assertions with incoherent legal jargon through filings that fail to comply with court rules. Her Petition for Review should be denied, both because Ms. Sariol did not comply with the Court’s filing rules and because this case raises no novel, controversial, or important issue worthy of this Court’s consideration.

#### **A. Ms. Sariol’s Motion for an Extension of Time Should Be Denied.**

Ms. Sariol’s untimely submission of her Petition for Discretionary Review is emblematic of her general failure, throughout the history of this

case, to comply with court procedure and rules. Her belated Motion for an Extension of Time fails to articulate any meritorious reason for her delay, and should therefore be denied.

Ms. Sariol's petition for review was due, per RAP 13.4(a), on June 19, 2020. Counsel for the Foundation did not receive a copy of her petition until June 25, and the Court did not receive the petition until June 30—11 days after the filing deadline. The Supreme Court Clerk nonetheless granted Ms. Sariol an opportunity to submit a motion for an extension and an affidavit "establishing good cause for the delay in filing." Yet in her "Motion for Extension of Time," Ms. Sariol fails to establish good cause for her delay, much less demonstrate the kind of "extraordinary circumstances" required before this Court will grant an extension of time pursuant to RAP 18.8(b). *See Schaefco, Inc. v. Columbia River Gorge Comm'n*, 121 Wn.2d 366, 368, 849 P.2d 1225 (1993) ("The appellate court will only in extraordinary circumstances and to prevent a gross miscarriage of justice extend the time within which a party must file a notice of appeal. . . ." (quoting RAP 18.8(b))). Instead, Ms. Sariol expressly acknowledges the June 19 deadline, then concedes that she did not mail the Petition to the Court until Wednesday, June 25.

Where service is made by mail, the service is deemed complete on the third day following the day upon which the filing is placed in the mail,



unless the third day falls on a weekend or legal holiday, in which case service is deemed complete on the first day following the third day that is not a weekend or holiday. RAP 18.5; CR 5(b)(2). Based on when Ms. Sariol claims to have postmarked her petition, Ms. Sariol did not effect service until June 29, 2020.

Ms. Sariol makes no effort to explain the reason for her late filing. Instead, she incorrectly asserts that because June 19th was a Friday, the filing deadline extended across the following weekend. She further claims, without rationale, that the following Monday and Tuesday were “covered under the extended time” associated with the weekend. Yet June 19, 2020, was not a legal holiday, nor were June 22nd or 23rd. Ms. Sariol’s argument offers no insight into *why* she did not, or could not, submit her petition on or before June 19th.

When a party fails to timely file a petition for review, the review proceeding should be dismissed. RAP 18.9. Here, dismissal is warranted, given Ms. Sariol’s failure to show any reason for the tardy submission.

**B. Ms. Sariol’s Petition for Review Raises No Grounds that Merit This Court’s Review.**

If the Court grants Ms. Sariol’s Motion for an Extension of Time, the Court should deny Ms. Sariol’s Petition for Discretionary Review, as

her petition does not raise any questions or issues that justify consideration by this Court under Rule of Appellate Procedure 13.4(b).

Under RAP 13.4(b), a petition for review will be accepted by the Supreme Court only if one of the following is true: (1) the decision of the Court of Appeals is in conflict with a decision of the Supreme Court; (2) the decision of the Court of Appeals is in conflict with a published decision of the Court of Appeals; (3) a significant question of law under the state or U.S. Constitution is involved; or (4) the petition involves an issue of substantial public interest.

This case meets none of those criteria. The appellate court's decision—that a complaint may be dismissed under CR 12(b)(6) if it fails to supply a short and plain statement of a claim showing that the pleader is entitled to relief—aligns with ample Washington court precedent. *See, e.g., Cutler v. Phillips Petroleum Co.*, 124 Wn.2d 749, 755, 881 P.2d 216 (1994) (dismissing claims on which the court could grant no relief); *Becker v. Cmtv. Health Svs., Inc.*, 182 Wn. App. 935, 941, 332 P.3d 1085 (2014) (evaluating CR 12(b)(6) dismissal); *see also In re Estate of Dormaier v. Columbia Basin Anesthesia, P.L.L.C.*, 177 Wn. App. 828, 854, 313 P.3d 431 (2013) (“While a complaint may contain inexperienced pleading, it may not contain insufficient pleading.”); *Dewey v. Tacoma Sch. Dist. No. 10*, 95 Wn. App. 18, 23-24, 974 P.2d 847 (1999) (“A

pleading is insufficient when it does not give the opposing party fair notice of what the claim is and the ground upon which it rests.”). Where the defendant, the trial court, and the Court of Appeals were all unable to decipher in Ms. Sariol’s filings any claim for relief against the Foundation, there can be no question that the filings fail to raise significant substantive issues that warrant this Court’s attention.

Instead, this case is simple and procedural. Ms. Sariol brought suit against the Foundation, but failed to state a claim for relief against the Foundation. Her many filings since her original “Notice of Petition to Restrain Assets” failed to shed light on any claim Ms. Sariol might have against the Foundation. She identified numerous other alleged malefactors in these filings, and made repeated attempts to draw in unrelated suits and actions involving different parties, but none of her assertions about other parties or other cases give reason to sustain this case against the Foundation. Under Washington law, the Foundation should not have to continue to jump through hoops to defend against unknown claims based entirely on the alleged actions of others. Accordingly, the superior court made the unremarkable and entirely correct decision to dismiss the case with prejudice, a decision which the appellate court easily affirmed.

#### IV. CONCLUSION

The superior court and the Court of Appeals unanimously agreed that Ms. Sariol's case warranted dismissal with prejudice for her failure to articulate any claim against the Foundation. Ms. Sariol failed to petition this Court for review in a timely way and has proffered no explanation as to why she could not have done so, which is reason enough to deny her Petition. Moreover, this case does not meet any of the mandatory RAP 13.4 criteria for acceptance of review by this Court, and Ms. Sariol's untimely Petition for Review should therefore be denied on that basis as well.

RESPECTFULLY SUBMITTED this 13th day of August, 2020.

*s/Tim J. Filer*

---

Tim J. Filer, WSBA #16285

*s/ Kelly A. Mennemeier*

---

Kelly A. Mennemeier, WSBA #51838

FOSTER GARVEY PC

1111 Third Avenue, Suite 3000

Seattle, Washington 98101-3292

Telephone: (206) 447-4400

Facsimile: (206) 447-9700

Email: tim.filer@foster.com

kelly.mennemeier@foster.com

Attorneys for Respondent,

Paul G. Allen Family Foundation

**CERTIFICATE OF SERVICE**

The undersigned certifies under penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served in the manner noted copies of the foregoing document upon the designated party as shown below:

**Pro Se Appellant**

Juliet S. Sariol  
977 Discovery Heights Circle NE, Apt. #302  
Issaquah, WA 98029  
T: 425-996-2016

- Via U.S. Mail
- Via Certified Mail
- Via Messenger
- Via Email
- Via E-Service / ECF

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

Executed on August 13<sup>th</sup>, 2020 at Seattle, Washington.

/S/McKenna Filler  
McKenna Filler

# APPENDIX A


[Courts Home](#) | [Search Case Records](#)
[Search](#) | [Site Map](#) | [eService Center](#)
[Home](#) | [Summary Data & Reports](#) | [Resources & Links](#) | [Get Help](#)

## Appellate Court Case Summary

**Case Number:** 798073  
**Filing Date:** 04-04-2019  
**Coa, Division I**

Event Date	Event Description	Action
04-04-19	Notice of Appeal	Filed
04-12-19	Case Received and Pending	Status Changed
04-19-19	Court's Mot to Dismiss for Fail to file	Filed
04-19-19	Court's Mot to Dismiss for Fail to file	Filed
04-19-19	Motion to Dismiss (fail to Pay Filg fee)	Filed
04-29-19	Motion to Extend Time to File	Filed
04-29-19	Motion for Discretionary Review-C/a	Filed
04-29-19	Motion - Other	Filed
04-29-19	Filing fee	Waived
04-29-19	Affidavit of Service	Filed
04-29-19	Other filing	Filed
05-01-19	Order of Indigency in Superior Court	Filed
05-01-19	Ruling on Motions	Filed
05-02-19	Perfection Letter	Sent by Court
05-09-19	Statement of Arrangements	Filed
05-09-19	Narrative Report of Proceedings	Filed
05-17-19	Supplemental Designation of Clerk's Papers	Filed
05-17-19	Notice of Appearance	Filed
05-17-19	Objection	Filed
05-17-19	Supplemental Statement of Arrangements	Filed
05-20-19	Other Ruling	Filed
06-05-19	Motion to Modify Ruling	Filed
06-07-19	Response	Filed
06-11-19	Other	Filed
06-11-19	Designation of Clerks Papers	Filed
06-13-19	Designation of Clerks Papers	Filed
06-17-19	Reply to Response	Information - not filed
07-09-19	Clerk's Papers	Filed
07-11-19	Exhibit	Information - not filed
07-11-19	Order on Motions	Filed
07-12-19	Supplemental Report of Proceedings	Filed
07-12-19	Record Ready	Status Changed
07-17-19	Supplemental Designation of Clerk's Papers	Filed
07-29-19	Supplemental Clerk's Papers	Information - not filed
08-29-19	Appellants brief	Filed
09-24-19	Statement of Additional Grounds for Review	Filed
09-24-19	Motion - Other	Filed
09-30-19	Respondents brief	Filed
09-30-19	Ready	Status Changed

## About Dockets

### About Dockets

You are viewing the case docket or case summary. Each Court level uses different terminology for this information, but for all court levels, it is a list of activities or documents related to the case. District and municipal court dockets tend to include many case details, while superior court dockets limit themselves to official documents and orders related to the case.

If you are viewing a district municipal, or appellate court docket, you may be able to see future court appearances or calendar dates if there are any. Since superior courts generally calendar their caseloads on local systems, this search tool cannot display superior court calendaring information.

### Directions

Coa, Division I  
 600 University St  
 One Union Square  
 Seattle, WA 98101-1176  
[Map & Directions](#)  
 206-464-7750[Clerk's Office]  
 206-389-2613[Clerk's Office  
 Fax]

### Disclaimer

**What is this website?** It is a search engine of cases filed in the municipal, district, superior, and appellate courts of the state of Washington. The search results can point you to the official or complete court record.

### How can I obtain the complete court record?

You can contact the court in which the case was filed to view the court record or to order copies of court records.

### How can I contact the court?

10-01-19	Other Ruling	Filed
10-15-19	Motion for Reconsideration	Filed
10-15-19	Letter	Filed
10-28-19	Supplemental Clerk's Papers	Filed
10-30-19	Appellants Reply brief	Filed
11-13-19	Motion - Other	Filed
11-13-19	Appellants Reply brief	Filed
11-14-19	Ruling on Motions	Filed
12-10-19	Screened	Status Changed
01-09-20	Motion to Modify Ruling	Filed
01-17-20	Letter	Filed
01-23-20	Response to motion	Filed
01-31-20	Reply to Response	Filed
03-10-20	Non-Oral Argument Setting Letter	Sent by Court
03-10-20	Set on a calendar	Status Changed
03-12-20	Order on Motions	Filed
03-23-20	Motion - Other	Filed
04-17-20	Heard and awaiting decision	Status Changed
04-17-20	Non-Oral Argument Hearing	Scheduled
04-27-20	Opinion	Filed
04-27-20	Decision Filed	Status Changed
05-11-20	Motion for Reconsideration	Filed
05-20-20	Order on Motion for Reconsideration	Filed
06-26-20	Notice of Discret Review to Supreme Crt	Filed
07-01-20	Letter	Received by Court
07-10-20	Motion to Extend Time to File	Filed
07-10-20	Motion to Extend Time to File	Filed

Click [here](#) for a court directory with information on how to contact every court in the state.

**Can I find the outcome of a case on this website?**

No. You must consult the local or appeals court record.

**How do I verify the information contained in the search results?**

You must consult the court record to verify all information.

**Can I use the search results to find out someone's criminal record?**

No. The Washington State Patrol (WSP) maintains state criminal history record information. Click [here](#) to order criminal history information.

**Where does the information come from?**

Clerks at the municipal, district, superior, and appellate courts across the state enter information on the cases filed in their courts. The search engine will update approximately twenty-four hours from the time the clerks enter the information. This website is maintained by the Administrative Office of the Court for the State of Washington.

**Do the government agencies that provide the information for this site and maintain this site:**

- ▶ **Guarantee that the information is accurate or complete?**  
NO
- ▶ **Guarantee that the information is in its most current form?**  
NO
- ▶ **Guarantee the identity of any person whose name appears on these pages?**  
NO
- ▶ **Assume any liability resulting from the release or use of the information?**  
NO

[Courts](#) | [Organizations](#) | [News](#) | [Opinions](#) | [Rules](#) | [Forms](#) | [Directory](#) | [Library](#)

[Back to Top](#) | [Privacy and Disclaimer Notices](#)



# APPENDIX B

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

JULIET S. SARIOL,	)	No. 79807-3-I
	)	
Appellant,	)	
	)	DIVISION ONE
v.	)	
	)	
PAUL G. ALLEN FAMILY	)	UNPUBLISHED OPINION
FOUNDATION,	)	
	)	
Respondent.	)	
<hr/>		

MANN, C.J. — Juliet Sariol appeals the trial court’s order dismissing her case with prejudice. On appeal, Sariol fails to substantively argue how the trial court erred. We affirm.

I.

On October 24, 2018, Sariol filed a “Notice of Petition to Restrain Assets” against the Paul G. Allen Family Foundation (the Foundation) in King County Superior Court. After this initial filing, Sariol filed an “Emergency Motion for Joinder and Judgment on Partial Finding” and a “Motion for Intervene and Permanent Injunction” several days later. None of these filings were styled as a complaint or served with a summons.

In her filings, Sariol alleges she was the subject of scientific experimentation without her consent by the government or military and that devices were secretly implanted in her body. Sariol contends she was the victim of stalking, harassment, vandalism, and home invasion. Sariol also discusses suffering from breast cancer and parasites. In all of these filings, the only allegation that even closely resembles an allegation against the Foundation is a reference to Paul Allen, where she alleges “The case’s involvement to secret Hollywood Agenda hinting conveyance are one of the attributions of responsible projects that the late Paul Allen himself invested on to his philanthropic community engagements.” Most of Sariol’s filings are difficult to understand.

In response, the Foundation filed a motion to dismiss for failure to state a claim. The Foundation noted that Sariol did not state an articulable claim, did not allege any specific actions against the Foundation, and disregarded procedural court rules. Sariol then filed a “Motion to Stipulate and Enter Objection on Motion to Dismiss the Case,” which did not respond to the deficiencies identified in her filings by the Foundation.

The trial court heard argument on the Foundation’s motion. The Foundation explained why the documents filed by Sariol did not present a claim for relief and failed to comply with CR 4, 8, and 10. Sariol responded by asking the court to accept all her filings as her “real evidence” and “testimonials.” The trial court clarified that Sariol wanted the court to accept her filings as her pleadings and explained that evidence would not be taken because the hearing was on the Foundation’s motion to dismiss:

We’re—today is a motion to dismiss based on your pleadings, the things that you have filed. I don’t know what is—what you have in front of you, what kind of documentation you have, but today would not be the day to

roll that out anew for the first time for the defendant. That's not how a motion to dismiss works.

Sariol responded that she would limit her argument to the motion to dismiss but argued there were violations of discovery rules. Sariol explained:

I had cited—I have cited the defendant in violation of Rule 26 discovery, Rule 26(b) discovery limits to pattern of interrogations or interrogatory—pattern interrogatory. Which governs in cases where a party has propounded pattern interrogatory (indiscernible) interrogatory in pursuant to LCR 33. And in cases—B, in cases where now court-approved pattern interrogatories [are] not propounded, (indiscernible) limitation of 40 pattern interrogatory.

During the hearing, Sariol never explained her claims against the Foundation. Similarly, Sariol claimed in her “Emergency Strict Reply Memoranda and Objection to Dismiss the Case with Prejudice,”

[t]he Foundation which operations of multi-disciplinary knowledge professions are integrated community from where plaintiff received treatment of her breast cancer, there is reason to believe that, trier of facts find relevance to order of Habeas Corpus from what she believe[s] is illegal detention or potential “insider trade”, Mandatory relief and Emergency Interim financial assistance of replevin and rescission of orders and law pertained to the plaintiff's case.

Again, Sariol's response to the Foundation's motion to dismiss did not address the deficiencies in her filings identified by the Foundation. The trial court dismissed her case with prejudice.

## II.

We review dismissals for failure to state a claim under CR 12(6)(b) de novo. Nissen v. Pierce County, 183 Wn. App. 581, 589, 333 P.3d 557 (2014). We review dismissals for insufficient process under CR 12(b)(4) de novo. Jafar v. Webb, 177 Wn.2d 520, 526, 303 P.3d 1042 (2013).

Under notice pleading standards, a complaint need only contain a short and plain statement of the claim showing that the pleader is entitled to relief and a demand for judgment for relief. CR 8(a). A complaint that does not comply with CR 8(a) may be dismissed for failure to state a claim under CR 12(b)(6). Becker v. Cmty. Health Sys., Inc., 182 Wn. App. 935, 941, 332 P.3d 1085 (2014). We construe a complaint liberally so as to do substantial justice. CR 8(f). “If a complaint states facts entitling the plaintiff to some relief, it is immaterial by what name the action is called.” In re Estate of Dormaier v. Columbia Basin Anesthesia, P.L.L.C., 177 Wn. App. 828, 853, 313 P.3d 431 (2013). “But a complaint should adequately alert the defendant of the claim’s general nature.” Dormaier, 177 Wn. App. at 853-54. “A complaint is insufficient if it does not give the defendant ‘fair notice of what the claim is and the ground upon which it rests.’” Dormaier, 177 Wn. App. at 854.

A pro se litigant is bound by the same rules of procedure and substantive law as an attorney. In re Marriage of Olson, 69 Wn. App. 621, 626, 850 P.2d 527 (1993). If a party fails to support assignments of error with legal arguments, those assignments of error will not be considered on appeal. Schmidt v. Cornerstone Inv., Inc., 115 Wn.2d 148, 160, 895 P.2d 1143 (1990). Further, “[i]t is not the responsibility of this court to attempt to discern what it is appellant may have intended to assert that might somehow have merit.” Port Susan Chapel of the Woods v. Port Susan Camping Club, 50 Wn. App. 176, 188, 746 P.2d 816 (1987).

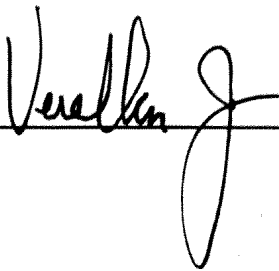
Sariol has assigned error to the trial court’s “[d]ismissal of case for failure to state claim with prejudice,” “[d]ismissal of exhibits including plaintiff’s Emergency Strict reply,” and “[d]efendant’s District court supplemental source for Judicial Notice request; Tim J.

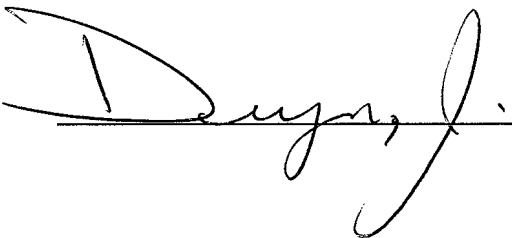
Filer supplemental for 'motion to dismiss.'" In her briefing, Sariol has not explained how the trial court erred in dismissing her case or the causes of action she believes she has against the Foundation. Without a short and plain statement of her claim that shows she is entitled to relief, the Foundation does not have sufficient notice to respond to those claims and the court's dismissal was proper.

We affirm.<sup>1</sup>

  
\_\_\_\_\_

WE CONCUR:

  
\_\_\_\_\_

  
\_\_\_\_\_

---

<sup>1</sup> Sariol also filed a statement of additional grounds pursuant to RAP 10.10. We decline to address her arguments because statements of additional grounds are only permitted in a criminal case on direct appeal. RAP 10.10.

**FOSTER GARVEY P.C.**

**August 13, 2020 - 4:07 PM**

**Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 98702-5  
**Appellate Court Case Title:** Juliet S. Sariol v. Paul G. Allen Family Foundation

**The following documents have been uploaded:**

- 987025\_Briefs\_20200813111125SC179762\_1571.pdf  
This File Contains:  
Briefs - Respondents Reply  
*The Original File Name was Response to Sariol Petition for Discretionary Review and Motion for Extension.pdf*

**A copy of the uploaded files will be sent to:**

- kelly.mennemeier@foster.com
- litdocket@foster.com
- mckenna.filler@foster.com
- tim.filer@foster.com

**Comments:**

Response of the Paul G. Allen Family Foundation to Petitioner Juliet Sariol's (1) Untimely Petition for Discretionary Review and (2) Motion for Extension of Time

---

Sender Name: Kelly Mennemeier - Email: kelly.mennemeier@foster.com

Address:

1111 3RD AVE STE 3000  
SEATTLE, WA, 98101-3296  
Phone: 206-447-4694

**Note: The Filing Id is 20200813111125SC179762**