

70931-3

70931-3
FILED
COURT OF APPEALS DIV I
STATE OF WASHINGTON
2014 JUN 27 AM 11:33

**COURT OF APPEALS,
OF THE STATE OF WASHINGTON
DIVISION I**

**TIMOTHY KEITH
Petitioner,
vs.
AMANDA JAMISON
Respondent.**

**Superior Court No. 12 3 00219 0
Appeal No. 70931-3-1**

Presented by:
Timothy Keith
1469 Rimrock Ave
Richland WA 99352
509-531-1220
tim_keith07@aol.com

No. [70931-3-I]

COURT OF APPEALS, DIVISION I OF THE STATE OF WASHINGTON

TIMOTHY KEITH

Petitioner,

vs.

AMANDA JAMISON

Respondent.

Superior Court No. 12 3 00219 0

**Appellants Brief
RAP 10.3 (a)**

The Petitioner seeks relief of Sanction's brought against him on the 30th day of August 2013, The Respondent filed her motions on August 26th 2013 a Motion to show Cause for Contempt, and set a hearing date for August 30th 2013 four (4) days later.

ASSIGNMENT OF ERROR

Skagit County Local Court Rules clearly State in CR 6 (d) (1): (1) Notes for Motion Calendar. Notes for the Motion Calendar shall be filed with the clerk of the court and served on all parties at least nine (9) court days before the hearing. All Notes for the Motion Calendar must comply with SCLCR 84.

STATEMENT OF THE CASE

As seen in Exhibit "A" (filed in the original appeal motion) is an email from the respondent's attorney dated August 26th 2013 at 2:03 p.m. with the motion and order attached. I was not able to view this email until later that day about 6:00 p.m. due to work and previous commitments.

I'm not sure if the Judge who signed this order didn't pay attention to the date that was requested, that it did not comply with CR 6 (d) (1), also the respondent changed/deleted the wording within the order to show cause, and removed the instructions that are within the language of the order to show cause as in exhibit "B" (as filed in the original Appeal motion).

The Petitioner was up until 4:00 a.m. trying to put together his response which did not contain any proper legal points and or arguments, just his story and or babbling of

**Appellants Brief
RAP 10.3 (a)**

what took place, also the Petitioners wife submitted two (2) declarations, but again no proper legal research and or RCW's could be noted.

As noted in exhibit "C" (as filed in the original Appeal motion) is an email from the respondent's attorney who did receive any and all copies of the Petitioner's response's, which during the August 30th 2013 hearing the respondents attorney said "he had not received anything at all", in regards to contempt issues and or the child support issues. Which in fact he did receive them on the 27th day of August 2013 @ 12:14 p.m.. As noted in exhibit "D" (as filed in the original Appeal motion) shows I did mail and pay for mailing for 2nd day delivery with a scheduled delivery date of August 29th 2013, (with a separate copy of the motion sent and stamped for the judges review, that I was told to send to Mary the Domestic Clerk, and she would personally take it up to the Judge hearing the case for his review).

On August 30th 2013 at the hearing set for 9:30 a.m. when it was my turn to address the issues at hand, I first asked the judge on the record "have you had a chance to review my response to the contempt issues?" Commissioners response "yes I have", in Exhibit "C" (as filed in the original Appeal motion) shows that the Judge did not review my response, he had no way to review my response, therefore he lied.

The delivery of the response documents were out of my control and delayed by the postal service and the hard copies were delivered to the Court and the Respondent's Attorney on August 30th 2012 at 1:29 p.m. after the hearing was completed, therefore proper arguments and or documents could don't be reviewed.

Exhibit "F" is (as filed in the original Appeal motion) the order and sanctions imposed, which I am not arguing the return of my daughter that argument has already been stated in my response, but the excessive attorney fees that I cannot afford, to be removed, and the contempt order and sanctions to be removed from the record and files.

ARGUMENT

As noted on page 7 Line 3-16 of the Court Transcripts, (report of Proceedings Here in known as RP) shows that I did ask the Commissioner if he received my response arguments he then on line 6 "yes I have". As previously presented to this Court in my opening Appeal papers the receipts actually show that the documents we received on the

day of the Court hearing but the documents were received in the afternoon but the court hearing was in the morning, so the question is did the commissioner lie on the stand just to get his way, or to favor the respondent and her attorney since it seems the commissioner has issues with the petitioner, personal issues.

Further on in the RP the commissioner changed the subject so I was not able to further my arguments in regards to how this hearing was not properly filed to abide by local court rules, and did not allow the proper time frame for a response as also noted within clerks papers (herein known as CP).

CONCLUSION

As noted in Skagit County Local Court Rules clearly State in CR 6 (d) (1): (1) Notes for Motion Calendar. Notes for the Motion Calendar shall be filed with the clerk of the court and served on all parties at least nine (9) court days before the hearing. All Notes for the Motion Calendar must comply with SCLCR 84.

I ask this Court to review any and all CP and RP documents and to reverse this contempt case against the Petitioner and sanctions imposed due to the petitioner did not have proper time to respond, the Court date was NOT properly set as noted above.

Dated this 27th day of June 2014

Respectfully submitted,



Timothy E. Keith
Petitioner Pro Se

COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

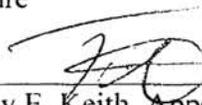
Amanda R. Jamison,)	
Respondent,)	No. 12-3-00219-0
)	No. 70931-3-I
v.)	
)	Certificate of Mailings
Timothy E. Keith)	
Appellant.)	

Timothy E. Keith Pro Se, certify that the Appellants Brief
RAP 10.3 (a), certificate of Mailing has been mailed to the address as follows:

Richard Sybrandy
P.O. Box 175
Mount Vernon, WA, 98273

Dated this 27th day of June 2014

Signature



Timothy E, Keith, Appellant Pro Se,

FAX COVER SHEET

To: Washington State Court of Appeals Div. I
One Union Square
600 University St
Seattle, WA, 98101-4170
Phone: 206-464-7750
Fax: 206-389-2613

From: Timothy E, Keith
1469 Rimrock Ave
Richland, WA, 99352
509-531-1220

Re: Appeals Case No.70931-3-I, Appellants Brief RAP 10.3 (a)

FAX TO: 206-389-2613

No. Pages with cover: 5

Notes:

To the Court clerk, please file the attached documents for review in the above listed case number.

Dated June 27th 2014

Thank you



Tim Keith