

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

TABLE OF AUTHORITIES

I. INTRODUCTION.....1

II. PERJURY, FALSE SWEARING BY ATTORNEYS SALVADOR A. MUNGIA WSBA #14807, CHRISTINE D. SANDERS WSBA #40736 FOR GORDON THOMAS HONEYWELL, DAVID J. WARD WSBA 328707 FOR LEGAL VOICE.....3

III. VEXATIOUS LITIGATION.....7

IV. PRO SE HELD TO STANDARDS OF ATTORNEY, JUDGE STRIKES PRO SE’S FILLINGS AND EVIDENCE IN VIOLATION OF 14TH AMENDMENT AND APPEALS COURT CLERK OBSTRUCTING JUSTICE.....9

V. CONVICTED CRIMINAL, FUGITIVE FROM JUSTICE, MEMBER OF THE VIOLENT, MILITANT COMMUNIST WORKERS PARTY, PIERCE COUNTY SUPERIOR COURT JUDGE FRANK CUTHBERTSON.....11

VI. SEVEN (7) MINUTES AND COURTS VIOLATION OF THE 14TH AMENDMENT.....13

VII. WASHINGTON STATE ANTI-SLAPP STAUTES.....14

VIII. PRO BONO SCAM, PERJURY.....15

IX. CONCLUSION.....19

TABLE OF AUTHORITIES

Cases

1) *Discipline of Huddleston*, 173 Wn. 2d 560, 570 (1999).....5

2) *Forshey v. Principi*, 284 F.3d 1335, 1357 (Fed Cir. 2002).....9

3) *Franklin v. Murphy*, 745 F.2d 1221, 1228, 1230, (9th Cir. 1984).....10

4) *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972).....10

5) *Hughes V. Rowe*, 449 U.S. 5, 15 (1980).....9

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

6) *In Re Discipline of McGough*, 115 Wn.2d 1, 11, 793, P.2d 430 (1990).....6

7) *In the Matter of the Proceedings for the Disbarment of Frank W. Bixby*
31 Wn.2d 620.....6

8) *In the Matter of the Discipline Proceeding Against Robert G Kerr*
86 Wn.2d 655
(1976).....6

OTHER AUTHORITIES

1) ABA Standards for providers of Civil Legal Services to the Poor.....16

2) Consumer guide to Legal Help, Finding Legal Help.....16

3) Standards of Pro Bono Programs, Standards for Programs Providing Civil
Pro Bono Legal Services to Persons of Limited Means, Eligibility
Determinations.....16

4) Washington State Rules of Professional Conduct, Pro Bono Publico
Services RPC 6.1.....16

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I. INTRODUCTION

This case was brought forth by Plaintiff, William D. Webster concerning his false arrest and imprisonment on Jan. 29, 2007. Pro se Plaintiff alleges that Defendants including Somdet Webster Samuel K. Flower and Mrs. Sue Kumlee planned and carried out a conspiracy to have William D. Webster falsely arrested, imprisoned, disgraced, separated from his property, denied his 2nd amendment rights and enjoined from his parental privileges with his son William S. Webster. Further, in this appeal, Appellant William D. Webster alleges that attorneys for the defendants Somdet Webster and Mrs. Sue Kumlee engaged in a “Pro Bono Scam” against Mr. Webster and committed perjury and false swearing under the Revised Code of Washington. William D. Webster also alleges that the seated judge, Pierce County Superior Court Judge Frank Cuthbertson is precluded from being a seated judge in this and other cases as Judge Cuthbertson is a convicted criminal with an arrest warrant out for him from Greensboro, North Carolina, that Frank Cuthbertson was arrested while a member of the violent and subversive Communist Workers Party, that Frank Cuthbertson was arrested while in the company of fellow members of the violent, subversive Communist Workers Party, that Frank Cuthbertson lied,/hid his arrest and membership in the violent, subversive Communist Workers Party so that he could attend Seattle University Law School possibly using state and federal funds, lied on his state bar application, lied to the governor of the state of Washington and lied to the voters of the state of Washington to be elected to office, that Judge Frank Cuthbertson

1
2
3 violated The Revised Code of Washington 9.81.10 to 9.81.110 by being a member
4 of a subversive organization that advocated the overthrow of the American
5 government, that Judge Frank Cuthbertson should have recused himself from the
6 case before court as he was an employee of defendant's attorneys law firm,
7 Gordon Thomas Honeywell. Court records will show that Judge Cuthbertson
8 violated pro se Plaintiff's 14th Amendments rights and was guilty of obstruction
9 of justice by striking all of Plaintiff's evidence of defendants premeditation of Mr.
10 Webster's arrest, refusing to allow Mr. Webster to submit evidence that the
11 defendants were committing crimes in their conspiracy against Mr. Webster and
12 the Appeals Court in the person of clerk Ponzoha was also obstructing justice by
13 refusing to put Mr. Webster's request to submit evidence denied him before an
14 Appeals Court judge. This evidence included, but was not limited to a Kitsap
15 County 911 Call Center tape transcription, Verizon Wireless phone records, a
16 Declaration of Kip D. Webster stating that Somdet Webster had call him the day
17 before Mr. Webster's false arrest and stating that Mr. Webster was going to jail,
18 an arrest/conviction/warrant record for Frank Cutyhbertson, pages from the "Red
19 Tide Rising in the Carolinas" showing Frank Cuthbertson was a member and
20 arrested with fellow members of the Communist Workers Party and a poster from
21 the Communist Workers Party showing an armed CWP member stomping on an
22 FBI agent.
23
24
25
26
27
28

1
2 II. PERJURY, FALSE SWEARING BY ATTORNEYS SALVADOR A.
3 MUNGIA WSBA #14807, CHRISTINE D. SANDERS WSBA # 40736 FOR
4 GORDON THOMAS HONEYWELL, DAVID J. WARD WSBA # 28707 FOR
5 LEGAL VOICE.

6 Attorneys Mungia, Sanders and Ward committed perjury and false swearing in
7 this "Brief of Respondent Somdet Webster."

8 1) On page #6 attorneys state: " On January 26, 2007, Ms. Webster obtained a
9 temporary domestic violence protection order against Mr. Webster in Kitsap
10 County Superior Court, which prohibited Mr. Webster from having any contact
11 with Ms. Webster and from entering the family home in Port Orchard. On January
12 29, 2007, Mr. Webster was arrested for violating the temporary restraining order."

13 No, repeat No temporary restraining order was ever issued on Jan. 26, 2007
14 naming William D. Webster as person to be restrained. It should be noted that
15 because of the false statements to police by the defendants, William D. Webster
16 was arrested on Jan 29, 2007, that the police did not have a copy of the alleged
17 order and that all charges were dropped against William D. Webster. This is an
18 obvious violation by the attorneys of, but not limited too, RCW 9A.72.080,RCW
19 9A.72.040, RCW 9A.72.020, RCW 9A.76.175. and the Rules of Professional
20 Conduct.

21
22 2) On page #6 attorneys state: " During their marriage, Mr. Webster became
23 physically and verbally abusive towards Ms. Webster" There is no evidence and
24 never has been any evidence that William D. Webster was ever verbally and/or
25 physically abusive to Mrs. Webster, other than the perjured testimony in divorce

26
27 *REPLY BRIEF OF APPELLANT-3*
28

1
2
3 court of Somdet Webster (Mrs. Webster). It should be noted that after Mr.
4 Webster showed Det/CSI Martin of the Port Orchard Police Dept. evidence that
5 Somdet Webster had committed perjury, the Port Orchard Police Dept. filed
6 felony perjury charges against Somdet Webster. Kitsap County Prosecutor Kevin
7 Howell refuse to prosecute as Mrs. Webster's attorney Jennifer Brugger of the
8 Northwest Justice Project was a past Kitsap Prosecutor and fellow employee of
9 the County. It should be noted that attorney Brugger had stated that Mrs. Webster
10 could not speak/understand the English language, so the charges would have also
11 been against Ms. Brugger. This is evidence that the "good ol' boy/girl" in the
12 corrupt Kitsap County Courts system works if you are one of the insiders. No
13 evidence in the form of witness's, hospital/doctor records or any proof was ever
14 brought forward and entered into the court records to show that Mr. Webster had
15 ever engaged in physical/verbal abuse of Mrs. Webster. This is another violation
16 by the attorneys of, but not limited to RCW 9A.72.080, RCW 9A.72.040, RCW
17 9A.72.020, RCW 9A.76.175 and the Rules of Professional Conduct.

18
19
20
21 3) On page 7 attorneys state" In making its ruling, the court specifically found
22 that Mr. Webster committed domestic violence....." No where! Repeat, No
23 where in Judge Costello's "Finding of Fact and Conclusions of Law" does it state
24 that William D. Webster committed "Domestic Violence." I believe it was Adolf
25 Hitler that said "If you say a lie often enough, it becomes true." Except for
26 Somdet Webster's perjured testimony, there has never been any evidence that
27
28

1
2
3 William D. Webster ever committed domestic violence against Mrs. Webster. It
4 should be noted that Judge Costello refused to review the perjury of Mrs. Webster
5 and Ms. Brugger in his court and Mr. Webster caught Judge Costello (with
6 pictures) attending, during trial, a fundraiser for attorney Brugger's law firm with
7 Judge Costello accepting gratuities (alcoholic drinks) and/or contributing to Ms.
8 Brugger's law firms political action fund. Soon after the Webster divorce case,
9 Judge Leonard Costello retired halfway through his elected term. Gee, I wonder
10 way? Could this be more corruption in the Kitsap and state judicial system? (with
11 evidence.) Once again we have the attorneys violating, but not limited to, RCW
12 9A.72.080, RCW 9A. 72.040, RCW 9A.72.020, RCW 9A.76.175 and the Rules of
13 Professional Conduct.
14
15

16 4) On page # 16 attorneys state: "For the record, Ms. Webster never committed
17 perjury." It is a matter of record that the Port Orchard Police Dept. in the person
18 of DET/CSI Martin brought felony perjury charges against Somdet Webster, but
19 since her attorney was a past Kitsap Prosecutor, Kitsap Prosecutor Kevin Howell
20 refused to prosecute. Once again the "good ol' boy/girl" corrupt court system
21 proves useful to an attorney and to the detriment of a lowly pro se. Just one more
22 example of the duel court system where attorneys/judge are immune from lying,
23 perjury and receive special privileges when confronted by a non-attorney.
24
25

26 In Discipline of Huddleston, 137 Wn.2d 560, 570 (1999) the court stated " In
27 addition to their duties to their clients, lawyers owe an ethical duty to the legal
28 system. To the legal profession, and to the general public. Lawyers are expected

1
2
3 to exhibit the highest standards of honesty and integrity and not to engage in
4 dishonest, fraudulent or deceitful conduct. (see In Re Discipline of McGough, 115
5 Wn.2d 1, 11, 793 P.2d 430 (1990) The oath requires attorneys to abide by the
6 laws of Washington as well as the laws of the United States. Additionally, by
7 taking the oath, attorneys pledge to abide by the Rules of Professional Conduct.
8 The hearing examiner concluded that Huddleston gave false testimony....” The
9 Court also stated in In The Matter of the Proceedings for the Disbarment of
10 Frank W. Bixby, 31 Wn.2d 620 (1948): “ An attorney or counselor may be
11 disbarred or suspended for any of the following causes arising after his admission
12 to practice: 1. His conviction of a felony or misdemeanor involving moral
13 turpitude, in which case the record of conviction shall be conclusive
14 evidence....6. For the commission of any act involving moral turpitude,
15 dishonesty or corruption, whether the same be committed in the course of his
16 relations as an attorney or counselor at law.....” The Court addressed
17 subornation of perjury in: In the Matter of the Discipline Proceeding Against
18 Robert G. Kerr, 86 Wn.2d 655 (1976) “ The discipline board was therefore
19 justified in concluding that the respondent was a knowing participant in the
20 attempt to suborn perjury. Attempted subornation of perjury is defined in RCW
21 9.72.110..... The respondent’s conduct falls within the probation of those
22 provisions of the Code of Professional Responsibility....”
23
24
25
26
27
28

1
2
3 III. VEXATIOUS LITIGATION
4

5 The defendants have repeatedly called William D. Webster a vexatious litigator.

6 Here again is the duel court system, one for attorneys/judges and one for non-
7 attorneys. If your an attorney and you are not a vexatious litigator, you starve or
8 will be fired from you law firm for not making money. If you are a pro se and
9 seek justice in the court system you are called a vexatious litigator. What is the
10 difference, none except one is in the bar association "club" and one is not, can
11 you guess which one receives special treatment or gets his/her perjury covered
12 up?
13

14 Lets have a look at the "justice" that Mr. Webster has received in his effort to
15 uncover crimes against him.
16

17 * *Webster v. Bronson*. Mr. Webster had a witness, declaration and evidence that
18 Stacy Bronson a Kisap County Juvenile Services screamed at Mr. Webster, did a
19 gender biased report to the court and was in conspiracy with attorney Jennifer
20 Brugger. The case was dismissed by a federal judge who was stoned and high on
21 cocktails of painkillers and was a racial bigot who was past president of an
organization that barred Mr. Webster's membership due to race. (Evidence can be
provided.)

22 * *Webster v. Webster*, Mr. Webster filed to have his marriage declared invalid as
23 he had evidence that was accepted by the United States Department of Justice that
24 Somdet Webster was in fact Somdet Rahothon ,still married to Mr. Somjet
25 Rahothon and that Somdet had abandoned her husband and two children in
Thailand. Case dismissed by the corrupt court system (once again the duel court
standard.) (Evidence can be provided)

26 * *Webster v. Costello*. Mr. Webster brought suit against Judge Costello.
27 Mr. Webster had solid evidence, with pictures that Judge Costello had engaged in
28 ex parte meetings with opposing attorney Jennifer Brugger during trial, had
accepted gratuities (alcohol) and/or contributed to Ms. Brugger's law firms
political action fund. Judges are no dummies, they had laws passed years ago that
makes them

BRIEF OF APPELLANT-7

1
2
3
4 immune from any wrongdoing no matter how corrupt. Judge Costello retired and
5 did not finish his term after Mr. Webster uncovered his transgressions! (Evidence
6 with photos can be provided.)

7 * *Webster v. Holman*, When the Kitsap County Sheriff's falsely arrested Mr.
8 Webster using false statements of S. Webster/S. Flower/S. Kumlee, the sheriff's
9 illegally confiscated Mr. Webster's vintage firearms collection of 58 firearms.
10 After the case was dismissed, Judge Holman signed an order that all of Mr.
11 Webster's possessions would be returned. The Kitsap Sheriff's only returned 46
12 firearms, thus stealing 12 firearms. (all according to Kitsap Sheriff's own
13 documents) Mr. Webster twice petitioned Judge Holman to hold a contempt
14 hearing on the stolen firearms, but by that time Judge Holman had learned it was
15 his "buddys" at the sheriff's office that had stolen the firearms and he refused to
16 hold a hearing. Once again, judges are no dummies and had passed laws so that
17 they are immune, even when a party to theft of firearms. (Evidence can be
18 provided.) (Did Judge Holman receive some of Mr. Webster's firearms for not
19 hearing the contempt charges?)

20 * *Webster v. Webster* Mr. Webster filed for a protection order against Mrs.
21 Webster after Mrs. Webster repeatedly showed up at Mr. Webster's brothers
22 house where Mr. Webster was living. Mrs. Webster was trying to make it so that
23 Mr. Webster would be arrested for violation of a restraining order. On two
24 occasions Mr. Webster had to run out into a field behind his brothers house to stay
25 500 ft away from Mrs. Webster. It should be noted that both times Mrs. Webster
26 drove to the house, she did it in her adulterous boyfriend's car. (Samuel K.
27 Flower.) In the June 13, 2008 "Finding of Facts and Conclusions of Law 2.14"
28 Mr. Webster was able to convince corrupt Judge Costello to issue a "Continuing
Restraining Order" against Somdet Webster where she cannot have contact with
Mr. Webster except in connection with their son. It should be noted that there was
submitted to the court evidence that showed Somdet Webster had committed
domestic violence by trying twice to commit suicide with drugs and knives.
(Evidence can be provided.)

* *Webster v. Kitsap County Sheriff's Office*. Mr. Webster filed suit for false arrest,
imprisonment for the Kitsap Sheriff's arresting Mr. Webster at machine gun point
for a restraining order made out to another person. (charges dismissed against Mr.
Webster.) This case was dismissed by a federal judge that was stoned and high on
cocktails of drugs and painkillers, was a bigot who was past president of an
organization that barred Mr. Webster from membership due to race. (Evidence
can be provided.)

1
2
3 * *Webster v. State*. Mr. Webster filed suit in Federal Admiralty Court. Mr.
4 Webster is a documented merchant seaman and as such his ‘wages, wages
5 accruing’ cannot be attached by any court. Even though he had no jurisdiction,
6 corrupt Judge Costello (now retired and for good reason!), arrested half of Mr.
7 Webster’s State of Washington retirement (wages as per the RCWs) Under 46
8 United States Code ,Subtitle II, Part G, Chapter III, Section III09, “wages or
9 wages accruing are not subject to attachment by any court.” A corrupt federal
10 judge who chose to ignore laws passed by congress dismissed the case in favor of
11 fellow members of the bar association, and it is headed to the 9th Circuit Court of
12 Appeals and if needed the Supreme Court. (It should be noted that the corrupt
13 judge twice ignored Mr. Webster’s Motion for Summary Judgment, stating he had
14 already issued “administrative orders.” A clear violation of Mr. Webster’s 14th
15 Amendment rights. It should also be noted that the federal judge lied and
16 committed perjury in his dismiss order.) (Evidence can be provided.)
17 With his past experiences with corrupt courts and attorneys, Mr. Webster has little
18 faith in our court system and with good reason.

14 IV. PRO SE PLAINTIFF HELD TO STANDARDS OF
15 ATTORNEY, JUDGE STRIKES PRO SE’S FILLINGS
16 AND EVIDENCE IN VIOLATION OF 14TH
17 AMENDMENT AND APPEALS COURT CLERK
18 OBSTRUCTING JUSTICE,

18 A) Courts Protection of Unrepresented Litigants

19 Documented, convicted criminal, member of the violent, militant Communist
20 Workers Part, Judge Frank Cuthbertson, held pro se Plaintiff, Mr. Webster to the
21 standards of a licensed, schooled attorney. In every other court except those of
22 Washington state a pro se has been treated fairly. As stated in *Forshey v. Principi*,
23 284 F.3d 1335, 1357 (Fed Cir. 2002) “We recognize that a *pro se* litigant’s
24 pleadings are not held to the same exacting standards as those drafted by
25 lawyers.” In *Hughes v. Rowe*, 449 U.S. 5, 15 (1980) the highest court stated : “
26 [A]n unrepresented litigant should not be punished for his failure to recognize
27
28

1
2 subtle facts or legal deficiencies in claims.”

3
4 B) Unrepresented Pro Se Not Allowed to Amend Complaint.

5 Convicted Criminal, fugitive from justice, Communist Workers Party member
6 Judge Frank Cuthbertson did not allow the pro se Plaintiff a chance to amend his
7 complant. On this subject in Franklin v. Murphy, 745 F.2d 1221, 1228, 1230 (9th
8 Cir. 1984) (quoting Haines v. Kerner, 404 U.S. 519, 520-21 (1972)) “ Dismissal
9 of a pro se Plaintiff without leave to amend is proper only if it is absolutely clear
10 that the deficiencies of the complaint could not be cured by amendment.”

11 Convicted criminal, fugitive from justice, Communist Workers Party member
12 Judge Frank Cuthbertson violated pro se plaintiff’s 14th Amendment rights and
13 obstructed justice by striking all of Plaintiff’s evidence and not granting Plaintiff
14 time to have evidence transcribed. While defendants attorneys were allowed to
15 bring heresy evidence into court, Judge Cuthbertson struck all of Plaintiff
16 evidence that showed that the defendant’s were committing crimes while having
17 Mr. Webster falsely arrested. It should be noted that Plaintiff asked the Appeals
18 Court in Motion to be able to bring forth all the evidence of crimes committed by
19 the defendants and evidence that Judge Cuthbertson is a convicted criminal,
20 fugitive from justice and a member of the violent Communist Workers Party, but
21 obstructing justice, Appeals Court clerk Mr. Ponzoha refused to put the motion
22 before a judge(s).

1
2
3 V. CONVICTED CRIMINAL, FUGITIVE FROM JUSTICE, MEMBER
4 OF THE VIOLENT, MILITANT COMMUNIST WORKERS PARTY
5 PIERCE COUNTY SUPERIOR COURT JUDGE FRANK
6 CUTHBERTSON.

7 Pro Se Appellant, William D. Webster has solid proof that Judge Frank
8 Cuthbertson is a convicted criminal, fugitive from justice in North Carolina, was
9 arrested/convicted while a member of and with members of the violent, militant
10 Communist Workers Party. The Appeals Court, in the person of clerk Ponzha has
11 so far refused to allow Appellant to show the court his evidence. (Obstruction of
12 Justice) What is the court afraid of? Is this Court afraid of the truth? It sure seems
13 so! Mr. Webster's evidence is the Greensboro. NC arrest/conviction/warrant for
14 Frank Cuthbertson. Also are pages from the scholarly dissertation on Communism
15 and the so called "Greensboro Massacre" called "Red Tide Rising in the
16 Carolinas." The paperwork names Frank Cuthbertson as being arrested while a
17 member and with members of the Communist Workers Party. Mr. Cuthbertson
18 was arrested for "Dangerous Weapons." It seems that Judge Cuthbertson was not
19 in a peaceful demonstration, but an armed violent militant. Also included would
20 be a poster from the Communist Workers Party showing an armed member (like
21 Cuthbertson), stomping on an agent of the FBI. (Overthrow of the American
22 government.) Frank Cuthbertson lied to attend law school, take the bar exam,
23 become a judge and be elected a judge. Under the Revised Code of Washington,
24 9.81.020 it is a class B felony for any person knowingly and willfully to: (A)
25 Commit, attempt to commit, or aid in the commission of any act intended to
26
27
28

1
2
3 overthrow. Destroy or alter, or to assist in the overthrow, destruction or alteration
4 of, the constitutional form of government of the United States..... (d) Assist in the
5 formation or participate in the management or to contribute to the support of any
6 subversive organization.....” RCW 9.81.060 states: “No subversive person, as
7 defined in this chapter, shall be eligible for employment in, or appointed to any
8 office, or any position of trust or profit in the government, or in the administration
9 of the business, of this state, or of any county, municipality, or other political
10 subdivision of this state.” RCW 9.81,030 states: “It is a class C felony for any
11 person after June 1, 1951, to become.....member of subversive organization....”
12
13 As the arrest/conviction/warrant record of Frank Cuthbertson and his being named
14 in “Red Tide” as a member of the Communist Party, (Judge) Frank Cuthbertson
15 falls under RCW 9.81.030 as his arrest/conviction was in 1979/80 and also United
16 States Executive Order NO. 9835 lists the Communist Party as subversive and
17 want to overthrow the American government. Under the RCWs, (Judge) Frank
18 Cuthbertson was not eligible to set in this case and was in fact committing
19 multiple felonies under the RCWs. Is this Court going to hide this evidence and
20 record like the Washington State Bar Association has done? It doesn’t make a lot
21 of difference as paperwork on all of this with evidence is already compiled and
22 ready to be sent to Mr. Webster’s Congressman who has agreed to have the FBI in
23 conjunction with his office start an investigation into judicial corruption.
24
25
26
27
28

1
2
3 VI. SEVEN (7) MINUTES AND COURTS VIOLATION OF THE
4 14TH AMENDMENT.

5 Convicted criminal, fugitive from justice, member of the Communist Party, Judge
6 Frank Cuthbertson on court records gave the pro se Plaintiff only seven (7)
7 minutes to defend himself against attorneys from four (4) law firms. The Court
8 levied no such constraint on the attorneys from the four(4) law firms including the
9 Court's past employer Gordon Thomas Honeywell. Its should be noted that all of
10 the Courts findings were based on heresy evidence as the Court either struck
11 important evidence from the pro se Plaintiff and/or refused him time to gather the
12 money together to have the 911 Call Center tapes transcribed. Convicted criminal,
13 fugitive from justice, Communist Party member Judge Frank Cuthbertson violated
14 pro se Plaintiff's civil rights under the 14th Amendment to the Constitution of the
15 United States. The 14th Amendment states in part: "No state shall....deny to any
16 person within its jurisdiction the equal protection of the law." Defendant's
17 attorneys were allowed to bring into court heresy evidence, but the Court struck
18 pro se Plaintiff's "Declaration of Kip D. Webster" and Verizon phone record, and
19 refused to allow pro se Plaintiff a continuance to gather the money together to
20 transcribe the 911 tapes that would show the defendant's committing crimes
21 under the RCW's. The Court also vilified the lowly pro se in front of attorneys
22 from the four (4) law firms and the public and brought in an armed, black suited
23 sheriff to intimidate the pro se, 65 year old, senior citizen Plaintiff. The armed
24 sheriff upset the pro se Plaintiff so much that he was unable to defend himself in
25
26
27
28

1
2
3 court and feared for his safety and freedom. It should be noted that not only did
4 the Court vilify the senior citizen Plaintiff in and on court record, the Court made
5 sure the recordings had stopped and called the senior citizen pro se back to the
6 side of the bench to berate and vilify him a second time, off the record. The Pro
7 se, 65 year old senior citizen Plaintiff didn't know that it was standard court
8 procedure to scare and intimidate unrepresented pro se plaintiffs. Obviously this
9 was part of the dual court rules that the unrepresented senior citizen Plaintiff had
10 not been aware off at the time of the hearing.

12 VII. WASHINGTON STATE ANTI-SLAPP STATUTES

13
14 Convicted criminal, fugitive from justice, Communist Party Member Judge Frank
15 Cuthbertson used the so called Anti-SLAPP statutes in RCW 4.24.510 to dismiss
16 this case. Appellant believes that the Court, by design, overlooked two sentences
17 in the statutes RCW 4.24.510 and RCW 4.24.500. In RCW 4.24.510 it states in
18 part: "... Is immune from civil liability from claims based upon the
19 communication to the agency or organization regarding any matter reasonably of
20 concern to that agency. And in RCW 4.24.500 its states: "The purpose of RCW
21 4.24.500 through 4.24.520 is to protect individuals who make good-faith reports
22 to appropriate governmental bodies." If pro se, senior citizen Appellant had been
23 able to defend himself in court and show his evidence it would become clear that
24 defendants were committing crimes by contacting the Kitsap County Sheriff's and
25 Call Center, and that the Sheriff's and Call Center would have no reasonable
26 concern for false allegations by the defendant's except to arrest them for lying to a
27
28

1
2
3 public official (Sheriff.) It should be noted that defendants alleged and lied to the
4 Sheriff's that there was a restraining order made out to William D. Webster and
5 that Mr. Webster had called Mrs. Webster on her "cell phone" which evidence
6 would have shown to be another in a long line of lies by the defendants. It should
7 be noted that under RCW 9A.04.060 that "Common Law" such as the Anti-Slapp
8 statutes only supplement criminal law and are subservient/superseded by criminal
9 acts such as those perpetrated by the defendants on Jan 28, 2007 and Jan 29, 2007.
10 Its interesting to note that on the 911 Call Center tapes, the Kitsap Sheriff's office
11 calls defendant Samuel K. Flower "a pest" because he had called so much on Jan.
12 29, 2007. With the "Declaration of Kip D. Webster", the Verizon phone records
13 and the 911 Call tapes, it would have been obvious to all but the most corrupt that
14 the defendants planned Mr. Webster's arrest ahead of time and lied to the police
15 and courts to carry out their deception to have Mr. Webster falsely arrested,
16 separated from his property, violate his 2nd amendment rights and keep him away
17 from his beloved son. Criminal/communist Judge Cuthbertson was afraid of Mr.
18 Webster's evidence, is this court going to further the cover up of the crimes that
19 were perpetrated against the 65 year old senior citizen Appellant?
20
21
22

23 VIII. PRO BONO SCAM, PERJURY
24

25 Once again, attorneys for the defendants are committing perjury with the
26 knowledge that this Court will do noting do them and ignore violations of the
27 RCW criminal code. On page #32 the attorneys for the defendants state: "First,
28 Gordon Thomas Honeywell, Legal Voice, K&L Gates can provide free legal work

1
2
3 to whomever they choose....” This statement is a lie and perjury by licensed
4 attorneys. If the defendants attorneys and their law firms where hod carriers, ditch
5 diggers, garbage collectors or other honest laborers, this statement would be true,
6 but they are attorneys and law firms and this statement is a lie/perjury. All law
7 firms in the state of Washington are under the Washington State Bar Association
8 and American Bar Association. These associations are quasi-governmental organs
9 with their own law. Example, you cannot become an attorney in Washington state
10 until you past the Washington State Bar exam. You cannot practice law in
11 Washington State unless you are a member of the Washington State Bar
12 Association, a monopoly. Aren’t monopolies in violation of federal statutes, I
13 guess not when you are the law and make the laws? The American Bar
14 Association has ABA Standards for Providers of Civil Legal Services to the Poor.
15 The Washington State Rules of Professional Conduct has Pro Bono Publico
16 Services RPC 6.1. Under the American Bar Association publication titled
17 Consumers Guide to Legal Help, Finding Help, it states that the maximum a
18 person can earn and receive Pro Bono legal aid is 125% of the federal poverty
19 level. The federal poverty level for a family of two is \$14,570 a year. (Source:
20 U.S. Dept. of Health& Human Services “2009 HHS Poverty Guidelines.”)
21 \$14,570 x 125%= \$18,538. Also the ABA puts out a publication called Standards
22 of Pro Bono Programs, Standards For Programs Providing Civil Pro Bono Legal
23 Services To Persons of Limited Means, Eligibility Determinations. It has recently
24 been reported and Appellant can bring a witness into court that Somdet Webster
25
26
27
28

1
2
3 earns over \$35,000 a year and upwards of over \$100. in unreported tips a day.
4 Also, Ms. Webster receives over \$7000. a year in child support from Mr. Webster.
5 This is way over the ABA and the WSBA rules on free Pro Bono services. Mrs.
6 Sue Kumlee owns property and a restaurant in Belfair, Washington and operates a
7 restaurant with employees in Port Orchard, Washington. In addition it is believed
8 that Mrs. Kumlee has a death pension from her dead husband and social security
9 payments for taking care of her minor son. Mr. Kumlee makes way over 125% of
10 the federal poverty level. This is a “Pro Bono Scam” orchestrated by attorneys for
11 Legal Voice, K&L Gates and Gordon Thomas Honeywell, and in particular by
12 Legal Voice attorney David J. Ward. It’s interesting to note that Mr. Ward and
13 Legal Voice have gone to the court to have any moneys that Somdet Webster
14 would receive from this case given to Legal Voice. This is interesting in that in
15 the divorce case in Kitsap County, attorney Jennifer Brugger stated that Somdet
16 Webster could not speak or understand the English language and she had to have
17 an interpreter for court. So lets put this in perspective. Legal Voice gives Pro
18 Bono legal aid to Somdet Webster, who in turn signs over any money in the case
19 to Legal Voice and sworn Kitsap Court documents state that Ms. Webster can’t
20 speak or understand the English language. How did Ms. Webster understand
21 enough about courts to sign over her rights to Legal Voice? Something smells in
22 the courthouse and it isn’t the lunch menu! Legal Voice represents a person who
23 makes to much money under the ABA/WSBA rules to be represented Pro Bono,
24 then has a person that court documents states doesn’t read/speak/understand
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

English hand over any money. I believe the federal RICO statutes address activity such as this, plus the fraud/criminal statutes of the state of Washington, and RCW 9A.82.080 which states in part: “(1)(a) It is unlawful for a person who knowingly received any of the proceeds derived, directly or indirectly, from a pattern of criminal profiteering activity to use or invest..... A violation of this subsection is a class B felony. (3)(a) It is unlawful for a person knowingly to conspire or attempt to violate subsection (1)..... (b) A violation of this subsection is a class C felony.

Let us review this subject. (1) Legal Voice in the person of attorney David J. Ward is representing a person Pro Bono, that makes too much money to be represented for free. (2) Attorney Ward has the person he is representing sign over all moneys to be derived from this court case to Legal Voice. (3) Kitsap County Court documents state that the person attorney Ward and Legal Voice had sign over money, cannot speak and understand the English language, much less understand court documents. (4) Legal Voice and in turn, attorney David J. Ward are going to profit by representing a person that makes too much money to be represented for free. I believe the proper term for all of this is a “Scam” and “Fraud.” The stench from the Cuthbertson Court is about to be overpowered by the stench coming from the offices of Legal Voice, K&L Gates and Gordon Thomas Honeywell!

1
2
3 IX. CONCLUSION

4 Pro se, 65 year old senior citizen Appellant has no delusions that he will receive
5 any justice from this court. As in past cases with documented evidence, lies and
6 perjury will be covered up, statutes will be bent to help fellow members of the Bar
7 Association “club” and that blind lady Justice will be raped once again in the
8 corrupt Washington Court system. The Appellant has documents to show Appeals
9 Court judges sighting evidence that doesn’t exist, refusing to address perjury,
10 judges who are stoned/high out of their minds on cocktails of drugs, judge
11 partying with opposing attorneys during trial, judges helping their buddies to steal
12 weapons, a convicted criminal/member of the Communist Party as a seated judge,
13 attorneys committing perjury after perjury, a judge defying a law passed by
14 congress for his fellow “club” members, a judge allowing attorneys to harass pro
15 se in emails, two judges attempting to intimidate a pro se, a judge vilifying a pro
16 se in and after court, judges violating a pro se’s civil rights time after time, and a
17 County Prosecutor refusing to prosecute a felony as a favor to a past fellow
18 employee/prosecutor. Yes, no delusions at all, but on the good side, pro se has a
19 promise from his Congressman that an FBI investigation into court corruption
20 will be stated as soon as evidence is handed to him and the lowly pro se is writing
21 a book about the corruption in the Washington Court system both state and
22 federal and naming judges, attorneys and clerks involved with solid evidence of
23 all the underhanded dealings and wrongdoing. This will, at the least be published
24 on the internet if not in hardcover.
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SIGNED this day Dec. 29, 2010 at Puyallup, WA



William D. Webster
2102 25th Ave. SE
Puyallup, WA 98374
253-298-7557

ORIGINAL

COURT OF APPEALS
DIVISION II

10 DEC 29 PM 2:19

STATE OF WASHINGTON
BY _____
DEPUTY

No. 40588-1-II

COURT OF APPEALS
DIVISION II
OF THE STATE OF WASHINGTON

WILLIAM D. WEBSTER
v.

SOMDET WEBSTER, et,al

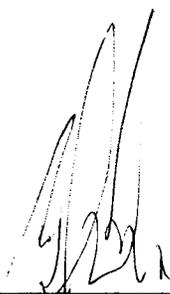
CERTIFICATE OF SERVICE

Plaintiff, William D. Webster, on Dec 29, 2010, caused to be delivered by first class mail, **Reply Brief of Appellant** to:

Kathleen E. Pierce	Salvador A. Mungia	David Ward
Morton McGoldrick	Gordon Thomas Honeywell	Legal Voice
P.O. Box 1533	P.O. Box 1157	907 Pine St. Suite 500
Tacoma, Wa. 98401	Tacoma, WA. 98401	Seattle, WA 98101

Laura Clinton
K&L Gates
925 Fourth Ave., Suite 2900
Seattle, WA 98104-1158

SIGNED Dec 29, 2010 at Puyallup, WA



William D. Webster
2102 25th Ave. SE
Puyallup, WA 98374
253-298-7557

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28