

TABLE OF AUTHORITIES

A. FEDERAL CASES:

1. Constitution of the United States of America.

Amendment/5, Article 14, (1789) (1868).

Page's 2, 3, & 5.

B. WASHINGTON CASES:

1. Superior Court of the State of Washington.

In and for the County of Thurston.

Real Property Judgement.

Plaintiff Levesque vs. Matheny. Dated August 23, 2013.

Case # 13-2-00619-4

2. Washington State Court of Appeals, District II.

Appellant Diane C. Matheny vs. Robert Levesque, et-al, Respondant.

Case # 45600-1-II

C. STATUTES:

1. CR 4. Page 2.

2. CR 5. Page 3.

TABLE OF CONTENTS

1. TABLE OF AUTHORITIES.

2. STATEMENT OF THE CASE.

A. Substantive Factual History.

B. Relevant Procedural History.

Page 1

3. ARGUMENT

A. Service by Mail Motions

B. New Issues and Record on Appeal.

Page 3

4. CONCLUSION.

4-5

5. SIGNATURE PAGE.

6, 7

My Copy

1. ASSIGNMENTS OF ERROR

- A. The Respondant's "ACCEPTED" the assignments of Error and Issues Pertaining to Assignments of Error as drafted by myself "Appellant".

2. STATEMENT OF THE CASE

A. Substantive Factual History.

All factual grounds for causes of action in this case are relevant. Respondant's council can not just "Omit" them because he doesn't agree with them.

Respondant's council can not "Omit" anything from this case.

B. Relevant Factual History.

1. Returned Mailings.

There is "NO" factual evidence of proof whatsoever that "I" Diane C.

Matheny ever received or returned any mailings from Respondant's council in this case.

There was never a pro se answer to any court, or the Respondant's, or their

council, on July 5, 2013. This mailing was simply copies of contract's, deed's, etc. to show Respondant's that I had copies of all the document's to prove I owned my property. It was not an answer or a response to anything, but showing them to think before they spent money on a lawsuit they couldn't win. Where is request for response? No legal request for response for this date or any other date is in the Court records.

2. Service of Motion for Summary Judgement.

This Service was never completed and Respondant's Council has "NO" definitive proof that it was.

The court erred in granting Respondants request for service delivery by regular mail after being presented with false facts from Respondant's council. CR 4.

Although CR 4. is a legal way to serve court documents, it was not proper or legal in this case as presented to the Court. It was a total misrepresentation of justice and a full denial of United States Constitutional Right's of Appellant.

So called "Pro se Answer" for proof of this service dated April 5, 2013, is

and never was part of this court proceeding. It was not asked or requested for by Respondant's, Respondant's council, or the Court's. It was a simple think before you spend money on a property dispute that you can't win because here is the proof I own my property legally.

3. Order to Show Cause.

I could not present evidence that I had no knowledge of, or copie's of even though I had requested them through legal court proceeding's of Respondant's council. Verbatim Report of Proceedings. Original Brief page # 28, line 8, through page 31, through line 18.

2. ARGUMENT

A. The Court did error in allowing Appellant to be served by regular mail. Although CR 5 (b). is legal, it was not a proper way of service to effect that service to Appellant would be legally executed. In this case evidence presented to Court did effect that Appellant would most likely "NOT" be served and a Default Judgement would then be granted in favor of Respondant's.

The Court has a legal and moral obligation to effect service in a manner that is best suited to effect actual legal service. This clearly was not done.

B. Appellant did not attempt to supplement the record with Assignments of Error's 4, 5, 6, & 7.

Appellant was denied access to evidence by Respondant's Council therefore could not present such evidence in court.

Verbatim Report of Proceedings. Pages 28, line 8, through page 31, line 18.

4. CONCLUSION

For the reasons set forth in original brief submitted to this Court and this rebuttal of Respondant's brief submitted to this Court, the Appellant respectfully requests that the Appellate Court reverse the Superior Court's ruling in this matter and return Appellant's legal ownership of said property.

Appellant is a citizen of this United States, and has full rights to be protected by the United States Constitution of Law and the Bill of Rights.

As such all citizen's are given the right that all Courts of the United States, Abide within the Laws of the United States of America.

Therefore the Court must allow Due Process of the Law as afforded by the Constitution and reverse this Judgement.

Signed in Olympia, Washington, County of Thurston on September 11 , 2014.

A handwritten signature in cursive script that reads "Diane C. Matheny". The signature is written over a horizontal line.

DIANE C. MATHENY

COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON

In re:

No. 45600-1-II

DIANE C. MATHENY

Declaration of Appellant.

Appellant

VS.

ROBERT LEVESQUE

&

Respondant

PRISCILLA LEVESQUE

I, Diane C. Matheny, declare that I am at least 18 year's of age and am Appellant

In this case.

My signature below is my verification of this brief. RAP 18.7., APR 13(a).

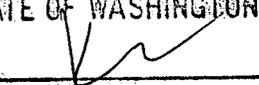
I certify (declare) under penalty of purgury under the laws of the state of

Washington that the forgoing is true and correct.

FILED
COURT OF APPEALS
DIVISION II

2014 SEP 26 AM 11:42

STATE OF WASHINGTON

BY 
DEPUTY

COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON

In re: No. 45600-1-II
Declaration of Service
Diane Matheny (DCLRM)

Appellant

Vs.

Levesque, Et-al.

Respondant(s).

The undersigned is now and at all times herein mentioned was a citizen of the United states and 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 therein.

I declare under penalty of perjury under the laws of the state of Washington that on September 12 2014. at 9:20 am pm, at 1800 Cooper Point Rd. Sw. Ste 8. Olympia, Washington 98502, Thurston County, Washington, I duly served documants in the above entitled matter upon

Receptionist, by then and there personally delivering a true and correct copy or copies thereof to and leaving same with Receptionist of J. Zittel.

DOCUMENTS SERVED

Appellate brief.

Signed this ¹²~~13~~th day of ^{sept}~~June~~, 2014 at Olympia, Thurston County, Washington.



Signature

Frank Knoblock

83 Blach Rd. Oakville, Wa. 98568

(360)273-9442