

FILED
Court of Appeals
Division II
State of Washington
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IN THE WASHINGTON STATE COURT OF APPEALS
DIVISION II

ANTHONY J.M. TABLAZON,

Appellant,

vs.

CRYSTAL H. TABLAZON,

Respondent.

APPEAL FROM THE SUPERIOR COURT
OF PIERCE COUNTY
Cause No. 15-3-04714-0

REPLY BRIEF OF APPELLANT

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I. STATEMENT OF THE CASE

The appellant incorporates the statement of the case as set forth in his opening brief.

II. ARGUMENT

As the Court is aware, RCW 26.09.080 governs the division of property and liabilities in a dissolution. Respectfully, there is nothing equitable in the trial court's division of the community property in the Court's decision.

First, the Court awarded to Mrs. Tablazon the family home, which had an equity of approximately \$280,000.00. Second, the Court ordered spousal maintenance in the amount of \$2,647.00 per month. Third, the Court awarded Mrs. Tablazon one half of Mr. Tablazon's military retirement. Even with the Court considering the \$130,000.00 that Mrs. Tablazon secreted from Mr. Tablazon, upon the sale of Mr. Tablazon's parent's home, and applying this amount against a community debt. The only community property awarded to Mr. Tablazon was one-half of his military retirement/disability, of which almost half is ordered to be paid to Mrs. Tablazon as spousal support. There is absolutely nothing equitable about such distribution.

The psychologist who testified on behalf of Mrs. Tablazon stated that although she was currently unemployable, she was not permanently unemployable. Given that Mr. Tablazon is ordered to pay spousal maintenance support of \$2,467.00 for ten years, to award all other community assets to Mrs. Tablazon is patently unfair and inequitable. The Court found that Mr. Tablazon

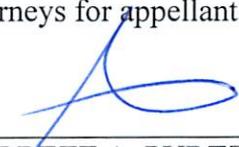
was 100% disabled from the military, but still employable. But, because of the domestic violence conviction and the employment prohibition it creates, Mr. Tablazon has not been employable in his current chosen occupation, and he had not been able to find employment in the occupation for which he received additional schooling. Accordingly, the trial court abused its discretion when it divided the community assets, and this Court should reverse and remand for an equitable distribution of said community property.

III. CONCLUSION

Based upon the issues raised in this appeal, Mr. Tablazon respectfully urges this Court to reverse the trial court's distribution of community assets, and remand for an equitable distribution pursuant to RCW 26.09.080.

DATED this 13th day of December, 2017.

HESTER LAW GROUP, INC. P.S.
Attorneys for appellant

By: 

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CERTIFICATE OF SERVICE

I certify that on the day below set forth, I caused a true and correct copy of this reply brief to be served on the following in the manner indicated below:

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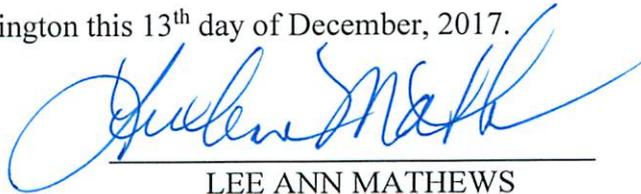
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