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**OCT 29 2018**

**WASHINGTON STATE  
SUPREME COURT**

**Washington State**

**Supreme Court**

Logan A Edenstrom

Dean G Edenstrom

Theodore B Edenstrom

v.

Thurston County

Resource Stewardship

Case No.

95960-9

**Motion to consider**

**Appellants Additional**

**Statement of Authorities**

Appellants respectfully request this court to consider the following authorities in connection with their appeal:

1. Savory v. Lyons, United States Court of Appeals, Seventh Circuit Nov 29, 2006, “The continuing violation doctrine is also applicable when the state actor has a policy or practice that brings with it a fresh violation each day. *Reese v. Ice Cream Specialties, Inc.*, 347 F.3d 1007, 1012-14 (7th Cir.2003)”
2. Thurston County Code, 24.92.020, Enforcement, Violations, and Penalties – Calculation of penalties and damages;
  - b. Each day in which such a violation is not remedied is a separate and distinct violation.*
3. Lawlor v. National Screen Service Corp., 349 U.S. 322 (1955)
  - “Whether the defendants' conduct be regarded as a series of individual torts or as one continuing tort, the two suits were not

based on the same cause of action, and the 1943 judgment does not bar the 1949 suit.”

4. **O'Donoghue v. Boies** 159 N.Y. 87, 53 N.E. 537 (1899).

- “Any jurisdictional question can be reopened unless based solely on a litigated question of fact.”

5. **Hagans v Lavine** 415 U.S. 533., There is no discretion to ignore lack of jurisdiction. **Joyce v U.S.** 474 2d 215; The law provides that once State and Federal jurisdiction have been challenged, it must be proven. **Main v Thiboutot** 100. S. Ct 2501 (1980); " Jurisdiction can be challenged at any time " and "jurisdiction, once challenged, cannot be assumed and must be decided". **Basso v Utah Power and Light Co.** 495 F.2d 906,910

It is also true that it will lie against a county officer who has been legally elected or appointed to office in the first instance but has forfeited his office by misconduct. [State ex inf. v. Graves, 346 Mo. 990,144 S.W.2d 91; State ex inf. v. Wymore, 345 Mo. 169,132 S.W.2d 979.]

Petitioners reserve all rights.

CC 1-308 Dean Edenstrom

Dean G Edenstrom

W/OUT PREJUDICE Logan Edenstrom

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**Certificate of Service**

We certify under penalty of perjury under the laws of the State of Washington that, on the date stated below, we did the following: On the day of October <sup>27<sup>th</sup></sup>, 2018, we mailed by regular and certified U.S. Mail, postage prepaid, a true copy of the Motion to consider Appellants Additional Statement of Authorities in the above-entitled matter to The

Thurston County Prosecuting Attorney at the following address: 2000  
Lakeridge Dr SW, Olympia WA, 98502.

Reserving All Rights Ted Edstrom

Theodore B Edenstrom

UCC 1-308 Dean Edenstrom

Dean G Edenstrom

WITHOUT PREJUDICE Logan Edstrom

Logan A Edenstrom