

FILED

NOV 06 2017

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

STATE OF WASHINGTON
COURT OF APPEALS DIVISION III
NO. 353966 III

Okanogan County Superior Court Cause No. 04-3-00168-0

In re the Marriage of:

SHEILA ANN WILDER,
Respondent

and

FRANCIS GREGORY WILDER,
Appellant.

RESPONDENT'S BRIEF

Anthony Castelda, WSBA #28937
Attorney for Respondent
P O Box 1307
Tonasket, WA 98855
(509) 486-1175
(509) 486-1237 Facsimile

TABLE OF CONTENTS

| | | |
|----|--|----|
| A. | IDENTITY OF APPELLANT | 1 |
| B. | IDENTITY OF RESPONDENT | 1 |
| C. | ISSUES PRESENTED FOR REVIEW | 1 |
| D. | STATEMENT OF THE CASE | 1 |
| E. | ARGUMENT | 5 |
| | 1. Standard of Review | 5 |
| | 2. Child Support Worksheets | 8 |
| | 3. The Process was Appropriate | 10 |
| | 4. Due Process | 12 |
| | 5. Court's Award of Post Secondary Support is Appropriate Under RCW 26.19.090. | 16 |
| E. | CONCLUSION | 18 |

TABLE OF AUTHORITIES

WASHINGTON CASES

| | |
|---|--------------|
| DOWNEY v. PIERCE COUNTY, 165 Wn.App. 152, 165 267 P.3d 445 (2011) | 13 |
| IN RE DAUBERT, 124 Wqash.App 483, 499-505 99 P.3d 401 (2004) | 9 |
| IN RE GOUDE, 152 Wash.App. 784, 219 P.3d 717 (Court of Appeals of Washington, Division 3, 2009) | 5, 7, 9 & 18 |
| IN RE MARRIAGE OF HALL, 103 Wash.2d 236, 246 293 P.2d 175 (1984) | 5 |
| IN RE MARRIAGE OF KELLY, 85 Wash.App. 785, 792-93 934 P.2d 1218 (1997) | 7 & 18 |
| IN RE MARRIAGE OF MORRIS, 176.Wn.App. 893 309 P.3d 767 (2013) | 11 |
| IN RE MARRIAGE OF PETERSON, 80 Wash.App, 148, 153 906 P.2d 1009 (1995) | 5 |
| IN RE MARRIAGE OF SCANLON, 109 Wn.App. 167, 173 34 P.3d 877 (2001) | 12 |
| IN RE MARRIAGE OF TANG, 57 Wash.App. 648, 653, 789 P.2d 118 (1990) | 5 |
| McCAUSLAND v McCAUSLAND, 159 Wash.2d 607 152 P.3d 1013 (2007) | 9 |

| | |
|--|----|
| MORRISON v DEPT OF LABOR & INDUS., 168 Wn.App. 269, 272 277 P.3d 675 (2012) | 13 |
| SCHUMACHER v. WATSON, 100 Wash.App. 208, 211 997 P.2d 399 (2000) | 5 |
| MATHEWS v ELDRIGE, 424 U.S. 319 670 P.2d 646 (1983) | 11 |
| WIMMER v. WIMMER, 44 Wn.App. 842 723 P.2d 531, 107 Wn.2d 1016 (1986) | 16 |

SUPREME COURT CASES

| | |
|---|---------|
| CLEVELAND BD OF EDUC. v. LOUDERMILL, 470 U.S. 534, 542 105 S.Ct. 1487, 84 L.Ed.2d 494 (1985) | |
| MATHEWS v. ELDRIDGE, 424 U.S. 319, 332 96 S.Ct. 893, 47 L. Ed. 2d 18 (1976) | 12 & 13 |

STATUTES

| | |
|------------------------|------------------------|
| RCW 26.09.006 | 12 |
| RCW 26.09.170 | 11 |
| RCW 26.09.170(7) | 12 |
| RCW 26.19.090 | 6, 7, 10, 14, 16, & 18 |
| RCW 26.19.090(2) | 17 |
| RCW 26.19.090(1) | 9, 10 |

COURT RULES

OKANOGAN COUNTY LOCAL RULE 7(b) 15 & 16
OKANOGAN COUNTY LOCAL RULE 59 15 & 16
RAP 14.1 8 & 18

SECONDARY SOURCES

WASHINGTON PRACTICE VOLUME 19 6, 7 & 8
MANDATORY FORMS:
 FL MODIFY 521 3, 10 11

A. IDENTITY OF THE APPELLANT.

Francis G. Wilder, hereinafter referred to as Mr. Wilder.

B. IDENTITY OF RESPONDENT.

Sheila A. Wilder, hereinafter referred to as Ms. Wilder.

C. ISSUES PRESENTED FOR REVIEW

As stated by Mr. Wilder.

D. STATEMENT OF THE CASE.

This matter comes before the Court on an Appeal filed by Mr. Wilder in relation to the decision of the Superior Court of Okanogan County, visiting Judge Honorable John Hotchkiss, which reduced the monthly Post Secondary Support paid by Ms. Wilder from \$594.00 per month to \$375.00 per month. See CP 5-6. Mr. Wilder has Appealed from that decision.

Mr. Wilder takes great pains to outline the Child Support history between the parties. These issues are not germane to the Appeal in any manner whatsoever. They serve no purpose other than to underline the true intent of Mr. Wilder throughout this case, which appears to be to continue to pursue litigation as a means of tormenting Ms. Wilder. The lengths gone to in this Appeal are proof of that intent. While on the

surface this process is portrayed as one for the “benefit of the child” the real underlying purpose is to find some means in which to continue to repeatedly litigate with Ms. Wilder almost like a form of harassment. Ms. Wilder has expressed this very clear in the Motion to Adjust Child Support she filed to initiate this process in December of 2016. See CP 156-162.

On May 3, 2016, via Default Mr. Wilder, entered a Child Support Order, Findings of Fact and Conclusions of Law re: Child Support and Child Support Worksheet. CP 182. The documents established not Child Support, but Post Secondary Support. As part of the Order Ms. Wilder was to pay \$594.00 per month in Post Secondary Support, she was also required to pay uncovered medical expenses, and maintain insurance of a sufficient amount to cover what was termed child support. CP 178-179. Herein lies the issues with crux of this matter going back to May of 2016, Mr. Wilder believes Post Secondary Support and Child Support are the same. They are not. They are not remotely the same and therein is the issue. All of the Orders entered by Default in May of 2016 were Child Support Orders intended to be Post Secondary Support. Child Support and Post Secondary Support are not the same nor is Post Secondary Support to be treated the same as Child Support. They are wholly separate and distinct

“animals” if you will.

Ms. Wilder had not Appeared or Responded so the Orders in May of 2016 were entered by Default. CP 165. In December of 2016 Ms. Wilder had saved sufficient funds wherein to retain counsel and bring a Motion to the Court to seek Adjustment in the amount of Post Secondary Support. Ms. Wilder did not seek to not pay Post Secondary Support mind you. She was merely seeking to Adjust the level of Post Secondary Support she was required to pay and to remove the unenforceable obligations related to uncovered medical expenses and insurance to cover unpaid post secondary support. Thusly, Ms. Wilder filed a Motion to Adjust Child Support using a Standard Form as provided by the Legislature, specifically Form FL Modify 521. See CP 156-162.

The matter was set for a Hearing however Judges Christopher Culp and Henry Rawson recused from the matter due to their personal interactions with Mr. Wilder. CP 96-97. The matter then had to be special set before visiting Judge John Hotchkiss, Superior Court Judge for Douglas County Superior Court. CP 241.

On the date and time of the hearing Ms. Wilder was not present at the Hearing but represented by counsel and Mr. Wilder appeared and

represented himself. See RP 12. The Court immediately dispensed with the Motion to Dismiss finding the very language of the Child Support Order Mr. Wilder had entered in May of 2016 allowed either party to move to modify at any time. RP, pg. 12, lines 18-21. Counsel on behalf of Ms. Wilder then addressed the issues before the Court which were a reduction of the amount of Post Secondary Support Ms. Wilder paid, the issues of uncovered medical expenses and the insurance requirement. RP, pg. 13, lines 3-16. As such Mr. Wilder was advised at the outset of the Hearing what the issues were going to be, those were all briefed, and they were all argued before the Court.

Mr. Wilder was granted the opportunity to argue the case as he saw fit. Mr. Wilder simply choose to not address the issues of uncovered medical expenses or the insurance premium in his argument with the Court. See RP. He just simply ignored those issues and focused totally on the amount of the Post Secondary Support and wanting to treat the issue just like Child Support as he has done since the inception of this process in May of 2016.

It is clear the Court made a decision to reduce Post Secondary Support to \$375.00 a month and also Ordered Ms. Wilder would no longer

be required to be responsible for uncovered medical expenses for the child or be forced to carry additional insurance to cover Post Secondary Support Payments. The Court also Ordered the payments no longer be made to Mr. Wilder. See RP pgs. 29-36.

This decision was entered by the Court on Presentation on June 2, 2017. RP, pgs. 37-42. From that Mr. Wilder has obviously Appealed.

E. ARGUMENT

1. Standard of Review.

This was addressed and established very precisely by the Court in *In re Goude*. In *Goude*, the Court stated as follows:

The issue is whether the trial court erred in awarding post-secondary child support. We review a trial court's modification of an order for child support for an abuse of discretion. *Schumacher v. Watson*, 100 Wash.App. 208, 211, 997 P.2d 399 (2000). "Discretion is abused where it is exercised on untenable grounds or for untenable reasons." *In re Marriage of Tang*, 57 Wash.App. 648, 653, 789 P.2d 118 (1990). Further, the trial court's findings of fact must be supported by substantial evidence. *Schumacher*, 100 Wash.App. at 211, 997 P.2d 399 (citing *In re Marriage of Peterson*, 80 Wash.App. 148, 153, 906 P.2d 1009 (1995)). Substantial evidence is that which is sufficient to persuade a fair-minded person of the declared premise. *In re Marriage of Hall*, 103 Wash.2d 236, 246, 692 P.2d 175 (1984). As cited in *In re Goude*, 152 Wash.App. 784, 219 P.3d 717 (Court of Appeals of Washington, Division 3, 2009).

Therefore, this Court on Appeal is to look only as to whether or not

the decision of Judge Hotchkiss was an abuse of his discretion. The only way for this Court to find it was an abuse of discretion would be for Mr. Wilder to prove Judge Hotchkiss, in exercising his discretion to lower Post Secondary Support from \$594.00 to \$375.00 per month, did so on untenable grounds or for untenable reasons. Mr. Wilder fails in that regard despite the lengthy amount of briefing he provides and the voluminous amount of material he has submitted in support of his Appeal.

The decision of the Court below was not made on untenable grounds or for untenable reasons. The Court engaged in a well thought out decision based on the factors of RCW 26.19.090. Once again, that is the crux of this matter. The proceeding was related to Post Secondary Support and not Child Support. They are separate and distinct matters. Mr. Wilder wants them to be the same and the same laws and standards applied but such is not the case. Child Support is mandatory. Post Secondary support is not mandatory and in fact is completely discretionary for the Court at the trial level. Given such it is subject to modification and adjustment in a much different manner and for different reasons.

Given the difference in mandatory versus discretionary, different standards are applied. The Washington Practice Guide provides some

interesting commentary on the difference between mandatory as it pertains to child support and discretionary as it applies to post secondary support.

Washington Practice Volume 19 states as follows:

Unless there is a court order providing for payment for a postsecondary education, a parent generally has no duty to provide a child with postsecondary education. However, Washington has authorized the courts by statute to impose a duty of postsecondary support in family law proceedings covered by RCWA Chapter 26.19. RCW 26.19.090.

The determination is made on a case-by-case basis, in accordance with the statutory standards. RCW 26.19.090 The standards require that the court initially determine that the child be in fact dependent and relying on the parents for the necessities of life. After that determination, the court is required by the statute to weigh a number of factors in the exercise of its discretion whether to award postsecondary support and the duration of such support. See Wash Prac., Vol. 19, sec. 21.3(2)

So long as the Court operates within the parameters of RCW 26.19.090 it is acting within its sound discretion and its decision are to be upheld on Appeal. This holding is supported by the *Goude* court which stated unequivocally as follows: “As long as the court considers all the relevant factors set forth in RCW 26.19.090 for determining post-secondary support, it does not abuse its discretion. *In re Marriage of Kelly*, 85 Wash.App. 785, 792–93, 934 P.2d 1218 (1997)”, *Goude*, at 791.

This is the standard by which this Appeal must be considered. Ms.

Wilder takes the position, based on the foregoing standard the Appeal of Mr. Wilder should be denied and she should be awarded fees pursuant to RAP 14.1. In addressing this issue Mr. Wilder in his briefing applies the standard of review for orders of child support and not post secondary support once again failing to grasp the difference in the proceedings. This is a mis-application of the standard of review.

2. CHILD SUPPORT WORKSHEETS.

Mr. Wilder in his briefing makes a great deal the Court's failure to adhere to and follow the economic tables and child support schedules is a basis for the Court to grant his Appeal. Such is not the case by all accounts. In fact the schedules are not mandatory in determining post secondary support nor is there any requirement to file worksheets as part of a post secondary support proceeding.

Washington Practice states as follows; "Although it is preferable, it is not required that worksheets be filed with the petition to Modify Child Support seeking post-high school support..." Wash. Prac., vol. 19, sec. 21.3, pg 562. This is supported by the decisions of the Court which have also found the economic tables and child support worksheets are merely discretionary and not mandatory as part of any Post Secondary Support

proceeding.

In *Goude* the Court held:

“The child support schedule shall be advisory and not mandatory for postsecondary educational support.” RCW 26.19.090(1). In *In re Marriage of Daubert*, the court considered the meaning of this provision. *In re Marriage of Daubert*, 124 Wash.App. 483, 499–505, 99 P.3d 401 (2004), abrogated on other grounds by *McCausland v. McCausland*, 159 Wash.2d 607, 152 P.3d 1013 (2007). The court concluded the legislature “intended to make the economic table advisory, rather than the entire schedule.” *Id.* at 505, 99 P.3d 401. Accordingly, the court found “[t]he [trial] court is not bound to follow the economic table in setting postsecondary support.” *Id.* Further, “[t]he economic table may advise the level of support obligation placed upon the parents or it may be ignored.” *Id.* In addition, in discussing the application of the economic table in post-secondary support cases, the court stated:

The support necessary to cover the postsecondary expenses differs from the expenses for minor children. Expenses for minor children are presumed from the economic table. Therefore, it would make sense for the legislature to intend that the economic table should not be applied to all postsecondary support cases. If a postsecondary student lived at home, application of the schedule including the economic table may be practical. *Id.* at 504–05, 99 P.3d 401 (emphasis added). As cited in *Goude*, at 792-793.

In *Daubert* the Court stated; “...the trial court may ignore the economic table in setting post-secondary support, it may also utilize the economic table when setting the support amount. *Daubert*, 124 Wn.App. at 505, 99 P.3d 401. Thus proving the economic tables and their application to post secondary support, along with the child support

worksheets are not mandatory and their use by the Court is completely within the discretion of the trial court.

But the *coup de gras* is provided by the very language of RCW 26.19.090 which provides; “ (1) The child support schedule shall be advisory and not mandatory for postsecondary educational support.” See RCW 26.19.090(1). There is therefore no requirement for Ms. Wilder to have filed child support worksheets and any failure on her part to have filed child support worksheets is not a basis to grant Mr. Wilder’s Appeal. Child Support Worksheets and the economic table are for child support, not post secondary support. Once again, this re-enforces the difference between child support and post secondary support, with them being two (2) separate and distinct proceedings they are governed differently.

3. THE PROCESS WAS APPROPRIATE.

Mr. Wilder also appears to contend the process itself was not properly undertaken below. Ms. Wilder utilized Form FL, 521 to initiate her Motion for modification of the post secondary support awarded entered by Default in May of 2016. Form FL 521 is a mandatory Court form. There are however no Mandatory Court Forms for Post Secondary Support. The May 2016 Orders entered by Mr .Wilder were all Child

Support Orders. The entire proceeding in May 2016 was erroneously undertaken as though it were child support when clearly it was not. Ms. Wilder utilized Form FL 521 as it provides for the Adjustment of a support Order and that was her goal. She was seeking downward adjustment of the amount of post secondary support imposed for a number of reasons elicited by her in the original Motion. CP 152-165.

In theory Ms .Wilder could have simply just filed a Motion and Notice of Hearing along with any other supporting documentation given there are no specific Mandatory Forms adopted for the Modification of a Post Secondary Support Award.

Mr. Wilder asserts on Appeal the failure to file a Summons and Petition and adhere to the more formalized process of modifying a child support renders the Motion for Adjustment filed by Ms. Wilder essentially void and subject to dismissal. This has been addressed by the Court. The use of a Motion to Adjust is a statutorily recognized process under RCW 26.09.170. Likewise the Court has determined if a formal Petition may be required and a party uses a Motion for Adjustment the use of such is a harmless error. See *In re the Marriage of Morris*, which states:

RCW 26.09.170 explains how and when a child support order can be modified. It contemplates only two methods of altering an

existing order: a petition for modification or a motion for adjustment. *Id.* A petition is "significant in nature and anticipates making substantial changes and/or additions to the original order of support." *In re Marriage of Scanlon*, 109 Wn.App. 167, 173, 34 P.3d 877 (2001).

In contrast, an adjustment under RCW 26.09.170(7) is a streamlined process that is commenced by filing a motion for a hearing and is used to conform the existing provisions of a child support order to the parties' current circumstances. *Scanlon*, 109 Wn.App. at 173, 34 P.3d 877.

A parent requesting an alteration to an existing child support order must use mandatory forms approved by the administrator for the courts. RCW 26.09.006. The mandatory form for a petition for modification does not contemplate raising a reserved right to petition for postsecondary support. The equities strongly favor affirming the trial court's disregard of the erroneous choice of forms and its recognition and treatment of this case as a modification. The filing of the motion for adjustment was harmless error. *Morris* at 906.

Based upon the foregoing Mr. Wilder's Appeal as to the form of the process applied by Ms. Wilder in seeking modification of the May 2016 Order should be denied.

4. DUE PROCESS.

Procedural Due Process is defined as the following;

"Procedural due process imposes limits on governmental decisions that deprive a person of "liberty" or "property" interests within the meaning of a constitution's due process clause. *Mathews v. Eldridge*, 424 U.S. 319,

332, 96 S.Ct. 893, 47 L.Ed.2d 18 (1976).

The essential elements of procedural due process include notice and a meaningful opportunity to be heard. *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532, 542, 105 S.Ct. 1487, 84 L.Ed.2d 494 (1985). “A meaningful opportunity to be heard means ‘at a meaningful time and in a meaningful manner.’” *Morrison v. Dep’t of Labor & Indus.*, 168 Wn.App. 269, 272, 277 P.3d 675 (2012 (quoting *Downey v. Pierce County*, 165 Wn.App. 152, 165, 267 P.3d 445 (2011))). To determine what procedural protections due process requires in a particular situation, a court must consider three factors: (1) the private interest affected, (2) the risk that the relevant procedures will erroneously deprive a party of that interest, and (3) any countervailing governmental interests involved. *Mathews*, 424 U.S. at 334–35, 96 S.Ct. 893.

The interest affected is not Mr. Wilder’s private interest. It could be argued it is the interest of his son in receiving post secondary assistance from his mother Ms. Wilder. It is not Mr. Wilder’s interest as it is not child support. The difference between child support and post secondary support once again becomes an important factor to consider. While Mr. Wilder may have an interest in child support as the custodial parent of a

minor child, he has no right to post secondary support as the father of an emancipated adult.

Any risk of errors in procedure are abrogated by the fact Mr. Wilder was afforded every opportunity to file any and all documents and Motions he wished. He was not limited in any way shape or form.

In the case at bar Mr. Wilder as afforded procedural due process. He was present and accounted for at every Hearing representing himself Pro Se by his own choice. See RP. He was also afforded every opportunity to file and present a voluminous amount of material to the Court. One need only look at the Designation of Clerk's Papers to see just how voluminous Mr. Wilder's filings were in this matter. In fact he was afforded the ability to file any and all Pleadings he wished including Declarations, Responses, Exhibits, Motions, Legal Briefs, Sealed Financial Records, and so on. See CP filed by Mr. Wilder. The sheer volume of materials Mr. Wilder filed in opposition to Ms. Wilder's Motion to lower the amount of Post Secondary Support is staggering to put in mildly. Mr. Wilder filed more documents than Ms. Wilder did as the moving party in the matter.

As for any governmental interest RCW 26.19.090 and the cases

interpreting the statute make it clear post secondary support is not mandatory, but discretionary in its imposition as to amount and how allocated. In this case, the Court continued to impose a post secondary support obligation on Ms. Wilder it merely lowered the amount and directed it was paid as directed by statute as opposed to Mr. Wilder personally going forward.

As for the Denial of the Motion to Reconsider that is a matter of local rule and not a denial of procedural due process. Okanogan County Local Rule limits Motions for Reconsideration. Okanogan County has adopted Local Rules. Local Rule (LR) 59 deals specifically with Motions for Reconsideration and Amendments. LR 59 in Okanogan County provides as follows:

(a) Motion and Notice of Hearing. The form of motion and notice of hearing shall conform to LCR 7(b). The motion will be considered without oral argument unless called for by the court.

(b) Response and Reply. No response to a motion for reconsideration shall be filed unless requested by the court. No motion for reconsideration will be granted without such a request. If a response is called for, a reply may be filed within two days of service of the response.

© Form of Proposed Order; Mailing Envelopes. The moving party and any party given leave to file a memorandum in opposition shall attach an original proposed order to the working copies submitted to the hearing judge. If the working copies are submitted in paper form, pre-addressed stamped envelopes for each party/counsel shall also be submitted to the hearing judge. Working copies shall

be submitted pursuant to the requirements of LCR 7(d) to the extent not inconsistent with this rule. Amended Effective September 1, 2014.

Therefore, under LR 59 a Motion for Reconsideration is done without any oral argument. In addition, Ms. Wilder is not allowed to respond unless directed to do so by the Court.

None of the foregoing was a denial of procedural due process to Mr. Wilder.

5. COURT'S AWARD OF POST SECONDARY SUPPORT IS APPROPRIATE UNDER RCW 26.19.090.

Mr. Wilder in his final attack on the ruling of the lower Court takes umbrage with the Court's reduction in the level of post secondary support. Once again, Mr. Wilder relies upon arguments based in child support and not in post secondary support.

Trial courts have broad discretion to order post majority educational support based on a percentage of educational costs. See *Wimmer v. Wimmer*, 44 Wn.App. 842, 723 P.2d 531 (affirming order that father pay one-half of daughter's education), review denied, 107 Wn.2d 1016 (1986). This is also inherent in RCW 26.19.090 itself which read as follows:

When considering whether to order support for postsecondary education expenses, the court shall determine whether the child is in fact dependent and is relying upon the parents for the reasonable necessities of life. The court shall exercise its discretion when determining whether and for how long to award postsecondary educational support based upon consideration of factors that include but are not limited to the following: Age of the child; the child's needs; the expectations of the parties for their children when the parents were together; the child's prospects, desires, aptitudes, abilities or disabilities; the nature of the postsecondary education sought; and the parents' level of education, standard of living, and current and future resources. Also to be considered are the amount and type of support that the child would have been afforded if the parents had stayed together. RCW 26.19.090(2)

All of these factors were argued and addressed by the Court. See RP, pgs. 28-36. The Court considered the factors, the arguments of the parties, and rendered a decision based on the facts of the case. The decision resulted in a reduction of the post secondary obligation of Ms. Wilder to \$375.00 per month, terminated any responsibility of Ms. Wilder to be financially responsible for uncovered medical expenses of the child or to have insurance as a back-up, and finally Ordered support payments to be paid directly to her son Joshua Wilder. CP 5-6. All of this was within the sound discretion of the trial court. It was not an abuse of discretion and Mr. Wilder's contention it was is based once again on child support authorities and not post secondary support. There is no standard calculation for post secondary support. Everything related to post

secondary support is discretionary with the Court. See RCW 26.19.090. So long as the court considers the relevant factors set forth in RCW 26.19.090 for determining post-secondary support, it does not abuse its discretion. *In re Marriage of Kelly*, 85 Wn.App. 785, 792-93, 934 P.2d 1218 (1997). As cited in *Goude*, at 791.

F. CONCLUSION

For the reasons stated, the Appeal of Mr. Wilder should be denied and Ms. Wilder awarded her costs and fees pursuant to RAP 14.1.

Dated this 1st day November, 2017.



Anthony Castelda, WSBA #28937
Attorney for Ms. Wilder

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

IN THE COURT OF APPEALS
IN AND FOR THE STATE OF WASHINGTON
DIVISION III

SHEILA ANN WILDER,)
)
) Petitioner,)
)
) vs.)
)
) AFFIDAVIT OF SERVICE
)
)
) FRANCIS GREGORY WILDER,)
)
)
)
)
)
) Respondent.)

The undersigned, being first duly sworn on oath, states that on the 2nd day of November, 2017, affiant, who is a citizen of the United States, over twenty-one (21) years of age, and not a party to this action, deposited in the mails of the United States of America, properly stamped and addressed envelopes, addressed to:

Court of Appeals, Division III
Renee S. Townsley, Clerk
500 N Cedar Street
Spokane, WA, 99201

Francis G. Wilder
1006 Civic Way
Coulee Dam, WA 99116

ORIGINAL

Anthony Castelda, Inc., P.S.
P. O. BOX 1307
204 SOUTH WHITCOMB
TONASKET, WASHINGTON 99055
(509) 486-1175

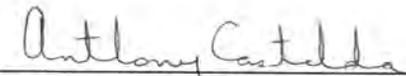
1 Sheila A. Wilder
2 3824 So 176th
3 Seattle, WA 98188

4 Said envelopes contained a copy of this document and the Respondent's Brief.

5 Dated this 2nd day of November, 2017.

6 
7 Rhea Freeman

8 Subscribed and sworn to before me this 2nd day of November, 2017.

9 
10 NOTARY PUBLIC in and for the State
11 of Washington. My commission
12 expires: 06/09/19.