

BRIEF OF APPEALS
TO
The court of appeals
Division iii

FILED

JUL 01 2020

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

Michael hodes

Appellant

vs

Linda hodes

respondant

no. 18-3-00028-20

#371956

TITLE PAGE

No# 371954

**Court of appeals
of the state of Washington
Division III**

Linda Hodges, Respondent

V.

Michael S. Hodges, Appellant

BRIEF OF APPELLANT

**Michael S. Hodges
#35 Mercy Ln.
Goldendale, WA.
98620**

TABLE OF CONTENTS

I. Introduction	
II. ASSIGNMENTS OF ERROR	
Assignments of error	Pg.
No. 1	1
No. 2	1
No. 3	1
No. 4	1
III. Statement of the case	2
IV. Argument	3/4
V. Conclusion	5

I Michael Hodges (appellant) feel I have been treated unfairly by the court in regards to my divorce.

Assignment of Error

I. J. Baker (pro-tem) awarded respondent with a 1999 Toyota Tacoma, which I acquired post separation.

II. J. Baker neglected to follow up on the Response Form, allowing respondent to continue to be awarded more property.

III. J. Baker was argumentative, rude and disrespectful, interrupting me constantly, ignoring my testimony.

IV. Respondent committed perjury, deliberately misleading the court.

STATEMENT OF CASE

- 1. Judge pro-tem J. Baker awarded personal property (99 Toyota Tacoma) to the respondent without regard to the law. CP- FI-231**
- 2. J. Baker did not follow up on respondent for not filling forms and following court room rules. RP- 6/14/2018 and 10/31/2019 hearings.**
- 3. The judge Pro-Tem was very rude and argumentative, ignoring the petitioners response. He came to the hearing without knowledge of prior events, often repeating himself and acting confused. CP Pg. 19, (L- 13-17).**
- 4. The respondent committed perjury on several occasions. CP Pg. 42 (L 13-15) and Pg.60 (L-15,16) again Pg. 61 (L-14-18).**

ARGUMENT

By current state law RCW 26.16.010 the 99 Toyota Tacoma is defined as separate property. Spouse moved out on 5/3/2018, she was awarded a jeep on 6/2018. The 99 Toyota was inherited after my father passed away on 7/9/2018. I did not receive the truck until 8/20/2018, a full 4 months after separation.

According to the Family Law Handbook respondent has 20 days to respond from date served, I have never received a response form. The judge did not follow up on this, allowing respondent to continue taking more property and extending alimony payments. When I tried to respond, the judge either ignored me or interrupted me.

Judge J. Baker indiscriminately added more time to my alimony payments without motion or request, disregarding prior judgement. According to the Family Law Handbook the judge is supposed to determine support by my income and possible future income, awarding her 50% of my average of \$500.00/month income has depleted my savings and put me into debt. the judge ignored me when i said I couldn't afford that since my expenses are far greater than hers. I am 61 years old with no steady income suffering from depression and anxiety along with health problems have cut into my ability to work. Respondent is 9 years younger collecting disability and making more than petitioner.

The Judge (pro-tem) J. Baker was very rude and argumentative, ignoring the petitioners response. He was confused at the june hearing, asking if this was a divorce hearing, transcripts, pg. 19,L-13-17. In the june hearing he interrupted the petitioner no less than 7 times, not allowing the petitioner to continue with a response, ignoring me when I said I couldnt afford the alimony payments of \$250.00/mo. Judge Baker grossley over inflated my personal property value to more than twice the assesed value. Ex. 2 oct. hearing, Pg.70 L 4-16. I was never given a copy of Ex. 2. Judge Baker was very rude and disrespectful when i tried to correct him, getting angry. I believe he over inflated my property value intentionally to justify hurting me financialy and discriminating against me. When I said I didnt have the assesors card with me, he interrupted me and said he didnt think it matters. If it didnt matter, why did he bring it up? Pg. 70 L 17-19. Why would the judge award the respondent with another vehicle when she admitted that it is illegal for her to drive?

The respondent has comitted perjury deliberately misleading the court to gain favor. She lied when she claimed the property on her inaccurate list was community property. She lied again when she said the brakes were shot on her jeep. then said that the test driver couldnt find anything wrong with them. She said I refused to fix it. I did everything the court asked me to do. She apparently didnt understand the judge when he told her all expenses were her responsibility after the june hearing. Ms. Hodges has also falsefied information on the forms and affadivits that she has filed with the court.

In conclusion, I am very disappointed in my treatment by the judge in this case, as I was brought up to respect and trust the court judge in making the right decision according to the facts and The Family Law Handbook. I have not lied about anything, my statements have been true and to the point. Judge Baker has used my lack of knowledge to take advantage of me to the point of breaking the law. Judge Baker was rude and condescending when I tried to ask a question.

Ms. Hodges has continually lied to the court and in the paperwork and neglected to follow courtroom rules and procedure intentionally causing confusion. This woman has not kept in contact with me since she moved out on 5/3/2018, as instructed by the court.

This divorce should never have made it to the June or October hearings as she was in default 21 days from being served her divorce papers. It would be my wish that all judgements be recinded. She has already taken me for more than 50% of my income and left me with nothing but a destroyed house and a yard full of garbage and vehicles she wrecked.

[Date]

6/29/2020

Respectfully submitted

A handwritten signature in cursive script that reads "Michael B. Hodges". The signature is written in black ink and is positioned above a solid horizontal line.

Pro Se

Appellant

A note to the court

Due to the COVID 19 sanctions it has been difficult to do anything with the closings of the court house and other buisnesses. Please excuse the lateness of this paperwork.

Marriage of Hodges

No. 271956

CERTIFICATE OF SERVICE

I certify that I mailed a copy of the foregoing Appellant Brief
to Linda A. Hodges, Attorney for
at 1403 45th Street W, Apt. 112, Williston, ND, postage prepaid, on
[date] 6/29/2020 58801

Mike S. Hodges
(Signature)

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

6/29/2020
(Date and Place)

Golden Dale, WA

Mike S. Hodges
(Signature)

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