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SUPREME COURT OF THE STATE OF WASHINGTON

DAWUD AHMAD, BEDREDDIN IMAN and SAMEER HATEM,

and

MUSLIM AMERICA, Appellants,

v.

TOWN OF SPRINGDALE, a municipal corporation,

Respondent.

RESPONDENT'S ANSWER TO APPELLANT MUSLIM AMERICA'S
PETITION FOR REVIEW AND RESPONSE TO MOTION FOR
ACCEPTANCE OF FILING AS OF DATE OF EMAIL

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I. INTRODUCTION

Respondent Town of Springdale ("Town" or "Respondent") requests that the Petition for Review to the Supreme Court filed by Muslim America, a Washington non-profit corporation ("Muslim America"), of the Court of Appeals' decision terminating review and the Court of Appeals' decision denying Appellants' Motion for Reconsideration (the "Decision") in this matter be denied as its Petition for Review was untimely filed and review is unnecessary and unjustified under RAP 13.4(b).¹

II. NATURE OF CASE AND DECISION

A. THE TOWN INCORPORATES THE NATURE OF CASE AND DECISION FILED PREVIOUSLY.

For the convenience of the Court, the Town incorporates the "Nature of Case and Decision" set forth in its Respondent's Answer to Appellants Bedreddin Iman and Sameer Hatem's Petition for Review filed with the Court on April 10, 2014.

B. THE SUPERIOR COURT PROPERLY JOINED MUSLIM AMERICA TO THE CASE.

After the filing of the action by the Appellants, the Town researched the real property records of Stevens County. (CP 108-16). It determined that the shed that Mr. Hatem and Mr. Iman sought to use was

¹ As used herein, "Appellants" refers to Sameer Hatem and Bedreddin Iman.

owned by Muslim America. (*Id.*) It requested that Muslim America be joined to the action as the real property owner pursuant to CR 19. The Trial Court joined Muslim America to the action on June 11, 2010 (the "Joinder Order"). (CP 252-53). Thereafter, Muslim America engaged in the following:

1. Appellants filed a Motion to Reconsider the Joinder Order, claiming that the Trial Court was constitutionally barred from ordering Muslim America to join the action without demonstrating that the imposition of the burden of litigation was in furtherance of a compelling governmental interest and the least restrictive means of furthering that compelling interest. (CP 182-85, 186-95). Appellants cited no Washington or federal law to support such a claim. (*Id.*) Appellants further pled a judgment of the Shari'ah Court of Muslim America for Masjidal-Amr, the Springdale Mosque. (CP 117-18, 193). All of this was undertaken on behalf of Muslim America for the purpose of thwarting its joinder to the action.

2. Appellant Dawud Ahmad appeared on behalf Muslim America on June 7, 2010, filed a Declaration of Refusal the same day, and filed a Notice of Limited Appearance on June 14, 2010. (CP 176-79, 694-95). The Trial Court ruled twice, on June 21, 2010, and July 13, 2010, that Appellant Ahmad was not authorized to appear on behalf of Muslim

America and three separate times struck or indicated it would not consider pleadings or portions thereof (June 21, 2010, July 13, 2010). (CP 278-79, 375-77). Appellants defended by claiming, without legal support, that Dawud Ahmad was the equivalent of an attorney when acting as registered agent for service of process for Muslim America, defended their Motion to Strike Pleadings on behalf of Muslim America by claiming they were merely declaratory, without any legal support, and later admitting they were unnecessary. (CP 244-49). Appellants filed Plaintiffs' Objection to Defendant's Proposed Order Granting Defendant's Second Motion to Disqualify and to Strike Pleadings on June 28, 2010, and made the same argument that as registered agent, Mr. Ahmad, was authorized to appear on behalf of Muslim America. (CP 282-89). As the Town pointed out to the Trial Court, Mr. Ahmad has been disqualified from representing Muslim America in previous litigation. (CP 220, 229-41) (VRP June 11, 2010, p. 34, ln. 10-25, p. 35 ln. 8-22; June 18, 2010, p. 10-11, ln. 1-22, p. 25, ln. 17-25, 25-26; Nov. 19, 2010, p. 8, ln. 7-13).

3. The Plaintiffs in this matter have repeatedly advocated on behalf of Muslim America despite the Trial Court repeatedly admonishing this behavior. (CP 278-79, 375-77).

4. Muslim America appeared through attorney Robert Simeone, who filed a Notice of Limited Appearance, CR 70(b) on June

21, 2010, filed a pleading entitled Refusal of Muslim America, CR 19(a) and filed another pleading called Notice of Completion of Limited Appearance, CR 70.1(c). (CP 280-81, 697-99).² At no point did Muslim America file a dispositive motion or Motion for Discretionary Review with the Court of Appeals.

C. MUSLIM AMERICA DID NOT PARTICIPATE IN THE HEARING ON THE MERITS FOR THE WRIT APPLICATIONS OR APPEAL THE ORDER DENYING THE SAME.

Despite being made a party to the action, Muslim America did not participate in the hearing on the merits of the applications for writs of mandamus and prohibition. (CP 401-05). The Town prevailed in its defense of the claims. (*Id.*). The Findings of Fact, Conclusions of Law and Order Dismissing Applications for Writs of Prohibition and Mandamus were entered on November 23, 2010 ("November 23, 2010 Order"). (*Id.*). Muslim America did not appeal the November 23, 2010 Order.

D. SINCE THE APPELLANTS ADVANCED THE WRIT APPLICATIONS WITHOUT ANY REASONABLE BASIS, THE TOWN MOVED FOR AN AWARD OF REASONABLE EXPENSES UNDER RCW 4.84.185.

With the Trial Court having denied the applications, the Town sought an award of reasonable expenses under RCW 4.84.185. (CP 406-

² There is no language in CR 19(a) which allows a party to refuse to join.

08, 409-16, 418-464, 544-50). The *pro se* Appellants again asserted arguments on Muslim America's behalf. (CP 480-81). The Town was again forced to object. (CP 485). Muslim America filed no other response.

On January 21, 2011, the Court entered a Judgment and Order Granting Defendant's Motion for Award of Reasonable Expenses Including Fees of Attorney under RCW 4.84.185 ("Frivolity Order"). (CP 562-66). The Trial Court held that the failure of Muslim America to prove its beneficial interest was fatal to the application request. (*Id.*). On appeal, Muslim America engaged in the following:

1. On February 14, 2011, it, via counsel, filed a Notice of Appeal to the Supreme Court of the Frivolity Order after filing another Notice of Limited Appearance. (CP 703-04).

2. On March 16, 2011, it, via counsel, filed another Notice of Limited Appearance (CR 70.1(b)), designated Clerk's Papers, and filed a Notice of Completion of Limited Appearance (CR 70.1(b)) (CP 705-06, 708-09).

3. On March 16, 2011, it, via counsel, filed a Statement of Arrangements with the Court designating the Narrative Report of Proceeding prepared by Appellant Ahmad of the May 19, 2010 Prehearing Conference. The Town was required to object because it

included statements and argument by the "Narrator," not part of the Trial Court record. (CP 645-47, 648-54, 659-63). Muslim America filed no response. (CP 667-79). The Trial Court settled the record relative to the Narrative Report by order entered on August 15, 2011. (*Id.*).

4. Appellants and Muslim America challenged the order of the Trial Court by filing a motion with the Supreme Court to review the Trial Court's order regarding the Narrative Report. (Joinder of Muslim America to Appellant's Motion on Objection to Trial Court Decision Relating to the Record RAP 9.13, filed August 18, 2011). It filed a Reply to the Town's response to Appellants and Muslim America's objection. (Muslim America's Reply to Town of Springdale's Response to Motion on Objection to Trial Court Decision Relating to the Record RAP 9.13 and Response to Town of Springdale's Motion to Strike, filed October 4, 2011). Muslim America participated in oral argument. Supreme Court Commissioner Goff denied the Appellants objection. (Ruling Denying Review, filed October 11, 2011). Department I of the Supreme Court denied Muslim America's Motion to Modify the Commissioner's Ruling on February 7, 2012. (Order, filed February 7, 2012).

E. THE SUPREME COURT PREVIOUSLY DENIED REVIEW OF THIS CASE.

The Court, having reviewed the Statement of Grounds for Direct Review of the Appellants and Muslim America, the Town's Answers thereto and the parties' briefing, declined review on December 4, 2012, and transferred this matter to Division III of the Court of Appeals.

F. THE COURT OF APPEALS AFFIRMED THE AWARD OF REASONABLE EXPENSES AGAINST MUSLIM AMERICA.

The Court of Appeals considered Muslim America's appeal of the award of reasonable expenses in its published opinion. It decided Muslim America's failure to oppose the Town's motion for award of reasonable expenses to the Trial Court constituted a waiver of the right to challenge the Frivolity Order and would not consider the claim. Therefore, the Court of Appeals affirmed the Trial Court's Frivolity Order in favor of the Town. Muslim America opposed the Town's RAP 14.4 request for costs and reasonable expenses on appeal.

III. COUNTERSTATEMENT OF ISSUES

The Town disagrees with the issues advanced by Muslim America.

The issue is:

A. Whether the Court of Appeals properly affirmed the Trial Court's award of reasonable expenses to the Town under RCW 4.84.185 because Muslim America failed to oppose the Town's request?

IV. ARGUMENT

A. MUSLIM AMERICA'S UNTIMELY PETITION FOR REVIEW SHOULD BE DISMISSED.

1. Muslim America's Petition for Review is Late.

Muslim America e-mailed its Petition for Review for filing with the Supreme Court Clerk at 10:32 PM on the night of March 10, 2014. This is over five and a half hours after the closure of the Supreme Court Clerk's office. As a result, it is deemed to be filed the next business day, the 31st day after the Court of Appeals denied the Appellant's Motion for Reconsideration. Muslim America's Petition for Review is therefore untimely and it should be dismissed.³

RAP 13.4(a) requires a petition for review to be filed within thirty days of the filing of a decision of the Court of Appeals, a decision on a motion for reconsideration, or a decision on a motion to publish. Pursuant to Supreme Court Order No. 25700-B-334, the Supreme Court authorizes the electronic filing of documents with the Clerk. *See* Sup. Ct. Order No. 25700-B-334 (September 4, 1997). The Rules of General Application prescribe that a document is deemed "filed" when it is "received by the clerk's designated computer during the clerk's business hours." GR

³ Muslim America also elected not to file its Petition for Review with Division III of the Court of Appeals. The Town acknowledges that while RAP 18.23 permits the timely filing of a pleading in any division of the Court of Appeals or the Supreme Court, RAP 13.4(a) says that a Petition for Review should be filed in the Court of Appeals.

30(c)(1). (*Emphasis added*). If it is not received during business hours, the "document is considered filed at the beginning of the next business day." *Id.* The Washington State Supreme Court's Clerk's office is open and "papers may be filed" from 8:00 AM to 5:00 PM. *See* Washington State Supreme Court Clerk's Office, http://www.courts.wa.gov/appellate_trial_courts/supreme/clerks/?fa=atc_supreme_clerks.display&fileID=faq (last visited April 17, 2014).

The Court of Appeals denied the Appellants' motion for reconsideration on February 6, 2014. Muslim America is apparently unaware of the filing procedures identified in GR 30(c)(1) or the Clerk's Office Website as it does not discuss its requirement that documents be filed during the "clerk's business hours" in its "Motion for Acceptance of Filing As of Date of Email." It also provides no justification as to why the Supreme Court should deviate from its adopted rules for filing. Since the filing of the Petition for Review by Muslim America was not during the "clerk's business hours" of 8:00 AM to 5:00 PM, its Petition for Review is deemed to be filed on March 11, 2014, one day after the expiration date of its deadline to file a Petition for Review (March 10, 2014). It should therefore be dismissed.

2. Muslim America Does Not Argue for an Extension of the Time to File Requirements.

Muslim America also fails to identify any extraordinary circumstances warranting the extension of time to file a petition for review. It also failed to request an extension of time prior to the filing of its Petition for Review. The finality of a decision in this matter outweighs the need for an extension of time to file.

The time limitations for filing a Petition for Review are "rigidly followed." Wash. App. Prac. Deskbook, § 27.6 (2011). The failure to timely file a Petition for Review, without the request for an extension in advance, extinguishes appeal rights. *See, e.g. Daugert v. Pappas*, 104 Wn.2d 254, 704 P.2d 600 (1985) (Petition for review filed one day late barred an appeal). Extensions are only granted in extraordinary circumstances. RAP 18.8(b). Failure to timely file generally results in dismissal. *Hoirup v. Empire Airways, Inc.*, 69 Wn.App. 479, 482, 848 P.2d 1337 (1993). Extensions for time are rarely granted as "the desirability of finality of decisions outweighs the privilege of a litigant to obtain an extension of time under this section." RAP 18.8(b).

Muslim America *does not* argue that "extraordinary circumstances" require an extension of time to file its Petition for Review and acknowledges that finality of decisions outweighs consideration of the

merits. See Motion for Acceptance of Filing on Date of E-mail, p. 4 ("here it is argued that no extension is necessary as Petition was emailed ninety minutes before the expiration of the due date."). It does not argue why or how the Court should depart from the well settled requirements of RAP 13.4 to file within thirty (30) days. Based upon its untimeliness and lack of any argument for an extension, Muslim America's Petition for Review should be dismissed.

B. MUSLIM AMERICA'S PETITION FOR REVIEW DOES NOT MEET THE STANDARDS OF RAP 13.4(b) FOR ACCEPTANCE OF REVIEW.

RAP 13.4(b) states:

(b) Considerations Governing Acceptance of Review. A petition for review will be accepted by the Supreme Court only:

(1) if the decision of the Court of Appeals is in conflict with a decision of the Supreme Court; or

(2) If the decision of the Court of Appeals is in conflict with another decision of the Court of Appeals; or

(3) If a significant question of law under the Constitution of the State of Washington or of the United States is involved; or

(4) if the petition involves an issue of substantial public interest that should be determined by the Supreme Court.

RAP 13.4(b)(1)-(4).

Muslim America fails to cite the subsections of RAP 13.4(b) with any particularity in support of their request that the Supreme Court accept

discretionary review of their case. Muslim America is apparently proceeding under RAP 13.4(b)(4) (issue of substantial public interest should be determined by the Supreme Court) and RAP 13.4(b)(3) (significant question of law under the Constitution of the United States is involved).

1. The Court of Appeals Decision Does Not Create an Issue of Substantial Public Interest.

- a. *Muslim America's Waiver of its Right to Challenge the Award of Reasonable Expenses by Not Opposing the Town's Request to the Trial Court is not an Issue of Substantial Public Interest.*

The procedural posture of this case prohibits Muslim America from challenging the award of reasonable expenses by the Trial Court. It did not challenge the Court's November 23, 2010 Order, and it did not oppose the Town's request for an award of reasonable expenses. Its failure to object to the Town's Motion for Award of Reasonable Expenses to the Trial Court prohibits review. This is not an issue of substantial public interest. It affects only Muslim America.

The Court of Appeals stated in its opinion that Muslim America's failure to oppose the Town's request for reasonable expenses at the Trial Court waived its right to challenge the award on appeal:

Muslim America argues it was wrongly ordered to pay attorney fees considering it was an unwilling participant in the individual appellants' writ applications. Muslim

America, however, did not appeal its joinder; it appealed solely the attorney fee costs award. As noted, an appeal of an award of attorney fees does not bring up for review the merits of an underlying decision not timely appealed. *Bushong*, 151 Wash.App. at 376–77, 213 P.3d 42. Moreover, Muslim America did not respond to the town's request for attorney fees. An objection would have given the trial court an opportunity to address the issue and correct any possible errors. See *Smith v. Shannon*, 100 Wash.2d 26, 37, 666 P.2d 351 (1983) (the reason issues may not be raised for the first time on appeal is to afford the trial court an opportunity to correct errors, thereby avoiding unnecessary appeals.). By comparison, a defendant waives the right to assert an affirmative defense by failing to raise the defense below. *Rapid Settlements, Ltd.'s Application for Approval of Transfer of Structured Settlement Payment Rights*, 166 Wash.App. 683, 695, 271 P.3d 925 (2012). Therefore, we decline review.

(Opinion, p. 11). (Emphasis added).

If Muslim America wanted to avoid a judgment and award of reasonable expenses under RCW 4.84.185, it should have opposed the Town's request to the Trial Court. It failed to do so and waived its ability to challenge the Town's request for an award. The Court of Appeals correctly determined that Muslim America waived its right to an appeal.

(Decision, p. 11).

- b. *Muslim America's Participation in the Disposition of the Case at the Trial Court is not an Issue of Substantial Public Interest.*

Muslim America's assertion that it did not "initiate[], sustain[], or in any way advance[] the allegedly frivolous action" is false. *Petition for*

Review, p. 6. It also does not create an issue of substantial public interest. It applies only to Muslim America and its conduct in this particular case. Muslim America was a party to and participated in the disposition of the case after the entry of the Joinder Order; therefore, it can be properly charged with the reasonable expenses incurred by the Town in defending this matter.

First, it filed no motion to dismiss or for summary judgment under CR 12 or CR 56 after it was joined in this case. It and Appellants did not jointly voluntarily dismiss this case under CR 41(a). It filed no Motion for Discretionary Review of the Joinder Order with the Court of Appeals pursuant to RAP 6.2. These are the only methods by which a party can challenge its status as a party to an action. It cannot claim that by sitting idly by (which it did not do) it should not be charged with the reasonable expenses for advancing a frivolous action.

Second, Muslim America participated in this case at the Trial Court level. Appellants filed a Motion to Reconsider the Joinder Order, claiming that the Court was constitutionally barred from ordering Muslim America to join the action without demonstrating that imposition of the burden of litigation was in furtherance of a compelling governmental interest and the least restrictive means of furthering that compelling interest on Muslim America's behalf. (CP 182-85, 186-95). It was denied.

(CP 296). No appeal was filed by any party. Muslim America also repeatedly attempted to appear in the action through persons not licensed to practice law. (CP 176-77, 694-95). The Trial Court repeatedly struck or disregarded the actions taken on Muslim America's behalf by Appellant Ahmad. In addition, the Appellants in this matter have repeatedly advocated on behalf of Muslim America despite this Court repeatedly admonishing this behavior. (CP 278-79, 375-77). Muslim America also appeared through attorney Robert Simeone, via a Notice of Limited Appearance, CR 70(b), on June 21, 2010. Muslim America's attorney filed a pleading entitled Refusal of Muslim America, CR 19(a), on that date and on that same date filed another pleading called Notice of Completion of Limited Appearance, CR 70.1(c) (CP 280-81, 696, 698-99). There is no authority, whether by case law or by court rule, that entitles Muslim America to simply "refuse" to be a party.

Only Muslim America's conduct with respect to its being charged with reasonable expenses under RCW 4.84.185 is at issue. There is no issue of substantial public interest associated with the assessment of reasonable expenses against Muslim America.

2. There is no Significant Question of Law under the Constitution of the State of Washington or the United States.

This is a case about Muslim America's failure, in Superior Court, to oppose the Town's request for reasonable expenses. This is not the type of case to which RAP 13.4(b)(3) applies.

Muslim America attempts to manufacture a constitutional claim that the Supremacy Clause of the United States Constitution and the Religious Land Use and Institutionalized Persons Act 42 U.S.C. 2000cc ("RLUIPA") trump the Town's administration of the State Building Code. *Muslim America's Petition for Review*, p. 7-9. Muslim America raises this argument despite the fact that it cannot challenge the decision of the Trial Court denying the requested writs of mandamus and prohibition. RAP 2.4(b); *Bushong v. Wilsbach*, 151 Wn.App. 373, 376-77, 213 P.3d 42 (2009). Since Muslim America cannot challenge the Trial Court's determinations, claims regarding the Town's administration of the State Building Code are barred.

Muslim America also cites no case law to support these claims. *Habitat Watch v. Skagit County*, 155 Wn.2d 397, 417, 120 P.3d 56 (2005). Constitutional claims that are not adequately briefed will not be considered by the Supreme Court. *City of Spokane v. Taxpayers of City of Spokane*, 111 Wn.2d 91, 96, 758 P.2d 480 (1988).

Muslim America also alleges that the imposition of reasonable expenses under RCW 4.84.185 violates "constitutional and federal law..." *Id.* It does not identify any provision of the state or federal constitution that would prohibit the award of reasonable expenses under RCW 4.84.185. This claim lacks any citation to authority. *Habitat Watch*, 155 Wn.2d at 147. This claim is also inadequately briefed. *City of Spokane*, 111 Wn.2d at 96.

Muslim America asserts that the Court of Appeals' and the Trial Court's decisions are a "spectacular retreat," from the "concept of inclusion" of *pro se* and civil rights litigants. (*Petition for Review*, p. 8). Muslim America cites only cases from other jurisdictions that denied motions for fee awards based on Rule 11 violations. Muslim America's bare argument ignores the fact that, in Washington, *pro se* litigants are held to the same standards as an attorney. *Carver v. State*, 147 Wn.App. 567, 575, 197 P.3d 678 (2008). It ignores the fact that the *pro se* litigants in this case admitted that the case was frivolous at its inception. (*Opinion*, p. 10). It also disregards the fact that Muslim America had every right to oppose the award at the trial court level and failed to do so. (*Opinion*, p. 10-11).

Muslim America's claims, to the extent raised, do not conflict with the State of Washington and the United States Constitutions. The Supreme Court should deny review under RAP 13.4(b)(3).

C. SHOULD THE COURT GRANT REVIEW, THE TOWN REQUESTS CONDITIONAL REVIEW OF THE COURT OF APPEALS' DECISION TO NOT AWARD REASONABLE EXPENSES TO THE TOWN.

In the event the Court grants review, the Town hereby requests that the Supreme Court review the Court of Appeals' decision not to grant the Town's attorney's fees on appeal. RAP 13.4(d); *Lewis River Golf, Inc. v. O.M. Scott & Sons*, 120 Wn.2d 712, 895 P.2d 987 (1993). Muslim America's appeal was entirely frivolous and the Court of Appeals decision is not in accord with the law. The Court of Appeals upheld the trial court decision that the action was frivolous and advanced without reasonable cause. (*Opinion*, p. 11). The Court of Appeals recognized that Muslim America failed to appeal the Joinder Order. (*Opinion*, p. 10). It recognized Muslim America did not appeal the denial of the writ applications. (*Opinion*, p. 10). It also recognized that Muslim America failed to oppose the Town's request for fees under RCW 4.84.185 at the Trial Court. (*Opinion*, p. 11). It noted that an objection would have provided the Trial Court with an opportunity to address the issue and correct any possible errors. *Id.* It also stated that the failure to respond

was the equivalent to a waiver of a defense. *Id.* As a result it affirmed the award of reasonable expenses by the Trial Court. *Id.*

Despite the Court of Appeals conclusion that Muslim America waived the right to challenge the award of reasonable expenses, and despite the Court of Appeals' determination there was no constitutional free exercise claim because no building code enforcement was before the Court of Appeals, the Court of Appeals concluded without any analysis of the frivolity or appeal rules, that Muslim America's religious and federal based appeal arguments were not entirely frivolous. (*Opinion*, p. 12). It provided no explanation as to why it would not consider Muslim America's failure to object at the Trial Court level and would not foreclose Muslim America's arguments on appeal.

There were no debatable issues before the Court of Appeals. Muslim America did not challenge the Joinder Order, the November 23, 2010 Order, and the Frivolity Order. It was legally barred from challenging the award of reasonable expenses because it did not defend the Town's motion. The Court of Appeals should not have considered the religious and federal based arguments of Muslim America when considering the Town's request for reasonable expenses on appeal. As a result, the Court of Appeals erred in not awarding the Town its reasonable expenses on appeal under RCW 4.84.185.

V. FEE REQUEST

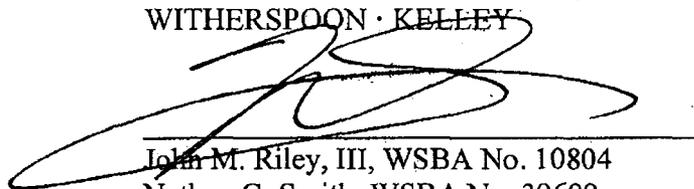
Town requests an award of attorney fees and expenses for preparation and filing of this answer. RAP 18.1(j).

VI. CONCLUSION

The Supreme Court should decline to accept Muslim America's Petition for Review. It makes no showing that complies with the requirements of RAP 13.4(b).

Respectfully submitted this 25th of April, 2014.

WITHERSPOON · KELLEY



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Attorneys for Respondent

CERTIFICATE OF SERVICE

I certify that on the 25th day of April, 2014, I caused a copy of the foregoing RESPONDENT'S ANSWER TO APPELLANT MUSLIM AMERICA'S PETITION FOR REVIEW AND RESPONSE TO MOTION FOR ACCEPTANCE OF FILING AS OF DATE OF EMAIL to be served on the following by the method indicated:

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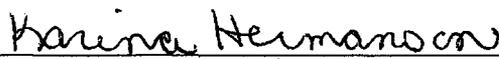
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Karina Hermanson

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From: OFFICE RECEPTIONIST, CLERK
Sent: Friday, April 25, 2014 1:55 PM
To: 'Karina Hermanson'
Cc: Nathan G. Smith; John M. Riley III
Subject: RE: Supreme Court No. 85417-3; Ahmad, et al. v. Town of Springdale

Rec'd 4-25-14

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Karina Hermanson [mailto:karinah@witherspoonkelley.com]
Sent: Friday, April 25, 2014 12:46 PM
To: OFFICE RECEPTIONIST, CLERK
Cc: Nathan G. Smith; John M. Riley III
Subject: Supreme Court No. 85417-3; Ahmad, et al. v. Town of Springdale

Good afternoon,

Attached please find Respondent's Answer to Muslim America's Petition for Review and Response to Motion for Acceptance of Filing as of Date of Email regarding:

Dawud Ahmad, Bedreddin Iman and Sameer Hatem, and Muslin America
vs.
Town of Springdale

Supreme Court Case No: 85417-3

Filed by John M. Riley, III, WSBA 10804, and Nathan G. Smith, WSBA 39699.

Please file the above Answer to Petition for Review with the Supreme Court. Thank you.

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