

29 August 2022

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Clerk of The Supreme Court
Temple of Justice
PO BOX 40929
Olympia, WA 98504-0929

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SEP 1 2022
Washington State
Supreme Court

SUBJECT: JMOL vs. Criminal Fraud
(in re No. 13-1-01035-6)

Dear Clerk of The Temple of Justice:

Please find enclosed and duly process the following JMOL documents whose merits are self evident for de novo Rule 50 adjudication:

- A) MOTION FOR JMOL, and
- B) ORDER OF JMOL.

Thank you in advance for your prompt diligence in support of Justice against obvious and ongoing juridic fatuity.

Sincerely, 

cc: Distribution

J. Garrett Smith, PE

WASHINGTON STATE SUPREME COURT

in re No. 181814-1

Smith v. Golik

MOTION FOR JUDGMENT AS A MATTER OF LAW
(RULE 58 • JMOL)

Plaintiff Smith hereby Moves the Temple of Justice for Default Judgment as a Matter of Law (JMOL) in the underlying Case (Clark Co. TDS# 13-1-01035-6) pursuant to Rule 58, CR 55(a) & (b) on account of State's recurring failure to defend (CR 37(a)(3)), and subsequent Summary Judgment in Smith's lawful claims for STRICT SCRUTINY RELIEF from State's repetitive denial of his SUBSTANTIVE DUE PROCESS RIGHT to Equal Protection of Law (US Const., amend. 14, §1) against illegally-manufactured evidence. (RCW 9A.72.020).

This instant MOTION is triggered by EXHIBIT ONE, the epitome of juridic legerdemain and abdication that is criminal (18 USC § 32 & § 4) in its patent cover-up and

MOTION FOR JMOL

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No. 181814-1

fatuous effort to conceal crimes of Public Record forgery and unlawful imprisonment procured unilaterally with it.

EXECUTION OF THE ENCLOSED ORDER OF JMOL IS AN INHERENTLY CORE RESPONSIBILITY AND SWORN DUTY OF MEMBERS OF THIS FORUM.

Smith repeats the proofs in evidence and claims in his active Petitions in this cause for Writs of Habeas Corpus, Prohibition & Mandamus, along with copious "MOTIONS FOR DE JURE DISCLOSURE OF A PUBLIC RECORD", and incorporates all of them herein by reference.

I. REQUESTED RELIEF

Smith hereby Moves the Supreme Court for Default JMOL per de novo Rule 58. Vitiating of a patently fraudulent IRS purchased and sustained by police-fabricated "evidence".

II. FACTS

Beginning in 2013, and most notably in:

- (i) 6.6.22 Motions for DeTure Disclosure under this cause, and
- (ii) a 7.22.22 Motion for Axiomatic Default Judgment, and
- (iii) an 8.11.22 Motion for JMOL Vitiating of the underlying TDS secured by averred fraud, Smith has made more than seventy-two (72) duly-filed and proper legal requests for a simple, identifiable audio public record (RCW 42.56.010(3)(4)), ALL of which have been systematically denied by State.

Because the State (Court of Appeals) established res judicata in 'State v. Smith', 196 Wu.App. 238-39 (2016) that sans this recording, Smith's solitary conviction in TDS #13-1-01035-6 is legally untenable, the proven and averred FACT that the spurious recording is fake is, of course, primarily significant.

III. GROUNDS FOR JMOL VITIATION

• Exhibit One is the latest evidence of the trial court's criminal legordomain and cover-up of the underlying fraud upon which Smith's entire restraint hangs.

No. 101014-1

• FRAUD (Rule 60(3)) — two (2) independent acoustic forensic experts have testified in writing that State's alleged "voice mail" is a computer-amalgamated, "digitally-frankensteined" hoax. This averred fact proven in uncontested evidence has been materially supported several dozen times in this cause, and it serves as Smith's "EVIDENCE STANDARD OF REVIEW".

• "Throckmorton's Razor" — Vitiations on the merits via JMOL is duly triggered under the compulsory "STRICT SCRUTINY STANDARD" for 14th amendment protection of law against State fabricated evidence (i.e., Fraud, with malice).
Revelation & Justice are exceedingly simple:
"Fraud Vitiates Everything," 15 U. Throckmorton, 98 US 61 (1878).

IV. STATEMENT OF ISSUES & AUTHORITIES

Rule 50, CR 55(a)(1), and CRLT 26(g) are triggered by State's sheer failure to defend (CR 37(a)(3), CAPRA 41(3)) against the redundantly proven and redundantly averred CRIMES duly presented in this instant action.

No. 181014-1

The legal mandate for immediate deliverance by means of this de novo TMOL on the merits is axiomatic: an "Actually Innocent" US Citizen framed by police fraud remains wrongfully-imprisoned in patent, malicious breach of the US Const., amend. 14 § 1:

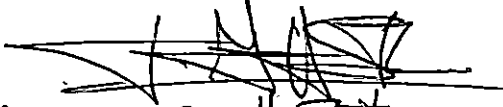
"nor shall any State deprive any person of Life, Liberty or Property without Due Process of Law, nor deny to any person the equal protection of the Laws."

Consummately, and by repetitive unanimous Default, this "STRICT SCRUTINY" level of "Equal Protection" against criminally-fraudulent "evidence" (RCW 9A.72.020, 40.16.010, -020, -030) is, as a MATTER OF LAW, "NECESSARY," at this time.

V. CONCLUSION

- Certainty, Predictability & Uniformity of results are essential values of Law. All are missing in this patently sham case of conviction secured and sustained by fraud.
- Based on the foregoing, this TEMPLE OF JUSTICE should ORDER Default & Default Summary Judgment Vitiations AS A MATTER OF LAW in favor of Smith by delivering him from criminally-fraudulent restraint, with Prejudice, according to the provided ORDER.

Respectfully submitted under penalty of perjury on this 2nd Day of August, 2022:


J. Garrett Smith, PE

MOTION FOR TMOL

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* THE EPITOME OF CRIMINAL ABDICATION *

~~18~~ This diversion again violates
18 USC § 37 - MISPRISION -
while, again, averring FRAUD
(CR 37(a)(3))

Rec'd
AS
8.22.22

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR CLARK COUNTY

Date: August 16, 2022

Cause No. 13-1-01035-6

State of Washington vs John Garrett Smith
(defendant)

A motion was filed by the defendant in the above listed case on August 15, 2022
And is being forwarded to Dept # 9. Please indicate below what type of action is
to be taken regarding this motion. _____ Deputy Clerk.

- Assigned Department will respond with a letter to the defendant.
- The Clerk is directed to note the motion for hearing on this court's next criminal docket date _____ at 9:00 am/ 1:30 pm
- The defendant may cite this motion to the Probation Violation Docket.
- No action is to be taken, except clerk shall remove these filings from 13-1-01035-6
- A copy of the motion is being sent to the Prosecuting Attorney for their response.

Other: This motion was improperly headed with multiple cause numbers. It concerns a request in civil proceeding 202040606. Documents should be removed from Cause No 13-1-01035-6. Copy of this response to prosecutor and defendant. Copy forwarded to assigned judge in
Dated this 16th day of August, 2022 20-2-00406-06 (J. Fairgrieve)

R.A. Lewis
(Judge or Judicial Assistant)

LEWIS DEFAULTS
IN FRAUD - AGAIN

No the Motions for Default Disclosure are in # 13-1-01035-6 (6.6.22)

This document is written proof of R.A. Lewis' patent Aiding & Abetting of Criminal Fraud
EXH #1

WASHINGTON STATE SUPREME COURT

in re No. 181814-1

Smith v. Golik
(in re Clark Co. # 13-1-01035-6

State v. Smith)

JUDGMENT AS A MATTER OF LAW (JMOL)

ORDER

DEFAULT, DEFAULT SUMMARY JUDGMENT, AND VITIATION
OF CRIMINALLY FRAUDULENT RESTRAINT

Clerk's Action Required: NOTE ON Temple of Justice DOCKET

Per CR 55(a)&(b), Rule 50, 18 USC §§ 324, 45 Const. amend. 14 § 1,
and the MOTION for JMOL submitted to this Court on 8.29.22,
the following information is to be filed in State's records:

JMOL Award To: John Garrett Smith

JUDGMENT: Default Summary JMOL
in the form of Dismissal and
Discharge from Criminally -
Wrongful & Fraudulent Imprisonment

Smith's IRS # 13-1-01035-6 is hereby vitiated w/ Prejudice.

Done on this 9th Day
of September, 2022:

THE HONORABLE RAQUEL MONTOYA-LEWIS

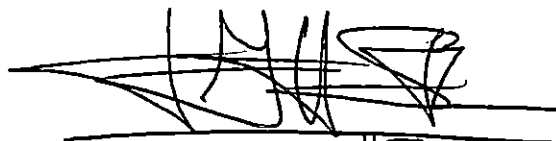
ORDER OF JMOL

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Certificate of Service

Pursuant to GR 3.1, I do hereby certify service of the foregoing JMOL to the following via US Mail:

- The Honorable Raquel Montoya-Lewis
TEMPLE OF JUSTICE
415 12th Ave. SW
PO Box 48929
Olympia, WA 98504-0929
- Clerk of The Supreme Court
PO Box 48929
Olympia, WA 98504-0929
- Clark County Prosecuting Attorney's Office
1300 Franklin St.
Vancouver, WA 98666-2865


John Gamett Smith
#351176
8.29.22
DATE

ret Smith

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Clerk of The Supreme Court
TEMPLE OF JUSTICE

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