

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
1/25/2023 9:15 AM  
BY ERIN L. LENNON  
CLERK

NO. 101428-7

WASHINGTON SUPREME COURT

PETITION FOR DISCRETIONARY REVIEW

BLAKELY IS INDIGENT

RALPH HOWARD BLAKELY, dba,  
BLAKELY FARMS TRUST,  
Plaintiff,

vs

YOLANDA BLAKELY, et.al., AND  
TRUSTEE JAMES P. SPURGETIS,  
Defendants.

APPEAL FROM SPOKANE SUPERIOR COURT  
ORIGINAL CASE NO. 96-2-04155-1  
MISCHARACTERIZED FROM BLAKELY FARMS TRUST  
TO FRAUDULENT CREATED Ralph H. Blakely Special Person Care Trust  
CASE NO. 10-4-00660-7

WASHINGTON SUPREME CONSTITUTION  
NO PERSON SHALL BE DEPRIVED OF LIFE, LIBERTY,  
OR PROPERTY, WITHOUT DUE PROCESS OF LAW  
BLAKELY WAS NOT PROVIDED NOTICE OF  
DUE PROCESS OF LAW, \*\*NOR the MANDATES\*\*  
of RCW 4.08.060 and RCW 11.88 et seq  
SHALL APPEAR AT ALL TIMES IN PERSON

NOTICE OF APPEAL TO REVISE FRAUDULENT  
NOVEMBER 23, 2020 RULING

Blakely is indigent e-MAIL TO:  
Beverly Anderson blaw@winstoncashatt.com

*Ralph H. Blakely 1-12-22*  
Ralph H. Blakely 817995 *9-14-22* 1-25-23 p16  
WSP W B 120 *1-18-23*  
1313 N 13 Ave *RBP 10.3(5) 1278* P45  
Walla Walla WA 99362-8817 *9-14-22*

Removed are legal documents proving fraud on the court and that trustee Spurgetis paid Kahrs \$35,000 to keep Blakely in prison, when he is actually innocent.

*I have cremors and no typewriter Jan 25, 2023*

CASE NO 101428-7

WASHINGTON SUPREME COURT

RALPH HOWARD BLAKELY, "dba"  
BLAKELY FARMS TRUST,  
Plaintiff/Appellant

Spokane Sup Court #96-204155-1  
<sup>Declaration</sup>  
MOTION TO STRIKE  
COURT OF APPEALS III  
SEPT 1, 2022 #37893

VS

Yolanda Blakely, et al. AND  
JAMES PETER SPURGETIS 7949  
Appellee - Defendants.

OPINION - 14 pages AS  
ERRONEOUS TITLED  
PURSUANT TO COURT RULES !!!

I Ralph H. Blakely declare under penalty of perjury that I have done  
business as Blakely Farms Trust for over 50 years with Federal Wyo  
I.D. #81 -- THAT THE COA III 9/1/22 OPINION MUST BE STRUCK  
BASED ON (COPY "CHECK #146" caption of "FRAUDULENT"  
created & filed RALPH H. BLAKELY SPECIAL PERSON CARE TRUST  
MAY 20, 2010 by LAWYER SPURGETIS WITH #10 400660-7 (ER 4:61-62-63)  
UNDER #10 400660-7 IT WOULD BE CLEAR TO TITLE THEM (DOCUMENT  
I ASK THE COURT TO TERMINATE SELF-INTREST-INCAPACITATED  
LAWYER JAMES SPURGETIS, WHO EMBEZZLES 87 YEAR OLD BLIND  
BLAKELY'S SAVINGS TO PAY ATTORNEY ANDERSON TO COVER UP  
THE THEFT OF BLAKELY'S MONEY WHO NEEDS A LOYAL  
HONEST LAWYER, PURSUANT TO THE MANDATES OF RCW 4.08.060 & RCW 11.88 & 11.89  
who is "not paid" to do "nothing" like Phelps, Kahr, Perry, Kato,  
Finer, Cossey. THE COURT CANNOT HAVE IT BOTH WAYS.  
January 25, 2023, Ralph H. Blakely 817995  
WSP VAIL3

Motion to correct Caption or STRIKE OPINION

FILED

MAY 20 2010

THOMAS R FALLQUIST  
SPOKANE COUNTY CLERK

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

10400660-7

In Re: )  
)  
BLAKELY FARMS TRUST, )  
et al., )  
)  
Plaintiffs, )  
)  
vs. )  
)  
YOLANDA BLAKELY, et al., )  
)  
Defendants. )  
)  
YOLANDA BLAKELY, BECKY )  
BLAKELY and LORENE BLAKELY, )  
)  
Third Party Plaintiffs, )  
)  
vs. )  
)  
RALPH H. BLAKELY SR., et al., )  
)  
Third Party Defendants. )

Case No. )  
)  
RALPH H. BLAKELY, JR. )  
SPECIAL PERSON CARE )  
TRUST )

Pursuant to the Court's order dated April 30, 2010 filed under cause number 95-3-01916-0, this document is being re-filed under the above cause number so a file can be

FRAUD

Cover Sheet: Ralph H. Blakely, Jr.  
Special Person Care Trust - 1

JAMES P. SPURGETIS, P.S.  
ATTORNEY AT LAW  
601 W. MAIN, STE. 820  
SPOKANE, WA 99201  
TELEPHONE: (509) 444-5141  
FACSIMILE: (509) 444-5143

ER 4:61

created for the monitoring of this Trust's annual reports by the Guardianship Monitoring Program.

Exhibit delivery to recip  
Disclosure Materials-Ins

LEGAL MAIL

**RALPH H BLAKELY JR SPECIAL PERSON TRUST**  
**JAMES P SPURGETIS PS - TRUSTEE**  
422 W RIVERSIDE AVE STE 620 WK. 509-444-5141  
SPOKANE, WA 99201-0308

121

28-8-1251

05-28-2020

Date

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Cover Sheet: Ralph H. Blakely, Jr.  
Special Person Care Trust - 2

JAMES P. SPURGETIS, P.S.  
ATTORNEY AT LAW  
601 W. MAIN, STE. 620  
SPOKANE, WA 99201  
TELEPHONE: (509) 444-5141  
FACSIMILE: (509) 444-5143

ER4:02

FILED

AUG - 1 2000

THOMAS R. FALLQUIST  
SPOKANE COUNTY CLERK

SUPERIOR COURT, SPOKANE COUNTY, WASHINGTON

In Re:

BLAKELY FARMS TRUST,  
an unincorporated trust  
organization, PAUL F. BLAKELY  
AND STAN LONG, Trustees,

Plaintiffs,

v.

YOLANDA BLAKELY, BECKY BLAKELY  
and LORENE BLAKELY

Defendants.

RALPH H. BLAKELY, JR.  
SPECIAL PERSON CARE TRUST  
No. 96-2-04155-1 *found*

YOLANDA BLAKELY, BECKY BLAKELY  
and LORENE BLAKELY,

Third Party Plaintiffs

v.

RALPH H. BLAKELY, SR., RALPH  
H. BLAKELY, JR., RALPH H.  
BLAKELY, III., GREG M. BLAKELY  
JEFF A. BLAKELY, MARK E.  
BLAKELY, MICHAEL L. BLAKELY,  
and HELEN H. BLAKELY

Third Party Defendants

RALPH H. BLAKELY, JR.  
SPECIAL PERSON CARE TRUST  
(Created by the Superior Court)

THIS SPECIAL PERSON CARE TRUST is established pursuant to  
Order of the Superior Court of Washington in and for the County  
of Spokane in Cause No. 96-2-04155-1, said Trust Agreement  
having been specifically reviewed and approved by the Court in  
the aforementioned proceeding and as directed by Order filed  
therein (hereinafter, the "Order") dated August 1, 2000, which

SAYRE ATTORNEYS  
& SAYRE AT LAW

ER4:63-

85

175

WHY DOES THE COURT WANT TO ALLOW Spurgetis TO STEAL BLAKELY FUNDS ??????  
Exp. fees  
Judge: McKay

SPOKANE COUNTY SUPERIOR COURT OF WASHINGTON

RALPH Howard Blakely, aka,  
BLAKELY FARMS TRUST,  
Plaintiff,

vs

YOLANDA BLAKELY, et al.,  
AND JAMES P. SPURGETIS,  
Defendants.

OFFICIAL # 06-2-04155-1

10-4-00660-7

DECLARATION AND MOTION TO STOP THE  
EMBEZZLEMENT OF FUNDS

RCW 9A.56.030(1), RCW 74.24.110 et. seq.  
WFO 2.4(1)(c)(c)

NOTICE JUDICIAL ASSISTANT: I HAVE BEEN DEPRIVED OF FUNDS AND DO NOT HAVE  
RESOURCES FOR COPIES ~~NO~~ MAILING TO EVERYONE

Plaintiff Ralph H. Blakely age 85, almost blind, ILLEGALLY imprisoned for  
24 years has been deprived of his Seven Million dollar real estate business by  
lawyer theft and embezzlement.

2. Since June 2018, James P. Spurgetis through or out of Ralph H. Blakely  
(Special Person CARE trust) Simplified Checking Account a TOTAL OF \$68,912351,  
BUT REFUSES BLAKELY \$ 1.30 for a box of Q tips or A TYPEWRITER RIBBON.

3. James Spurgetis embezzled during 2018, \$3,864. for Attorney Fee;  
\$4,124 in Attorney Fees for 2019; AND \$19,564 for 2021; THE THE COURT ALLOWED  
HIM THE RIGHT TO ANOTHER ATTORNEY WITH PAYMENT OF \$13,348 A TOTAL OF \$40,900.00  
for his self-interest or THEFT.

4. Spurgetis paid Attorney Kahrs \$35,000 to keep Blakely in prison with-  
out Dental or medical, just as he paid Perry and Cossey \$70,000 to keep Blakely  
in prison.

5. THIS COURT SHOULD ABIDE BY THE MANDATES OF RCW 11.88 et. seq. and  
RCW 4.08.060 et. seq. for the appoint ment of a honest, loyal lawyer for Blakely  
and STOP PAYING LAWYERS TO REPRESENT their attorney Spurgetis.

Based on the aforementioned Blakly asks this Court to STOP the further  
THEFT of his funds that are critically needed for dental and medical and for  
reinstatement of accountant STAN LONG or attorney Keith Johnstone.

I, Ralph H. Blakely declare under penalty of perjury of the laws of  
Washington that the aforementioned is true and supported by statements. from 2018  
to 2022 and does not cover the disappearance of \$7 million .

Dated October 26, 2022.

*Ralph H. Blakely*  
Ralph H. Blakely 847995  
MSP W B 120  
1313 13  
Walla Walla WA 99362

SPOKANE COUNTY SUPERIOR COURT OF WASHINGTON

RALPH HOWARD BLAKELY, dba,  
BLAKELY FARMS TRUST,

vs Plaintiff,

YOLANDA BLAKELY, et.al.,

vs

JAMES P. SPURGETIS,  
THIRD Party,  
Defendants.

ORIGINAL CASE No. 96-2-04155-1

Case No. 10-4-00660-7

AFFIDAVIT OF RALPH H. BLAKELY IN  
SUPPORT OF MOTION TO TERMINATE TRUSTEE  
James P. Spurgetis and to RESCIND THE  
FRAUDULENTLY CREATED SPECIAL PERSON  
CARE TRUST

I, Plaintiff Ralph H. Blakely, declare under penalty of perjury of the of the laws of Washington that the following list of improper payments to people is not the exact amount, but a close approximate paid to each of the following:

2. \$200,000. was improperly paid to Ralph H. Blakely ,SR without Due Process.
3. \$6,000. was paid to Melvin Champagne without Due Process Hearing.
4. \$40,000. was paid to Dennis Cronnin & Maxey to keep Blakely in Prison.
5. \$295,000 was paid to Douglas Phelps to keep Blakely in Prison.
6. \$28,000 was paid to Matthew Dudley to head the cabal of exploiters.
7. \$15,000 was paid to Larry A. Weiser to mastermind the cabal, as GAL.
- 8. \$90,000 was paid to John P. Bjorkman to seized Blakely Business Funds.
- 9. \$500,000 was confiscated by Gary Cormier to liquidate Blakely Estate.
10. \$195,000 was seized by Gary Gainer & Dennis Hession as manipulators.
11. \$11,000 was paid to Richard L. Sayre to prepare FRAUDULENT Special Trust.
- 12. \$39,000 was paid to Clifton Larson Allen to file tax returns for 20 years.
- 13. \$80,000 has been paid to trustee James P. Spurgetis to cover FRAUD.
14. \$8,000 was paid to Eric Schumaker to cover for the fraud of others.
15. \$10,000 was paid to Steve K. Gustafson to cooperate with the cabal.
16. \$6,000 was paid to Debie Kurbitz to secure fruad payments to RHB.
17. \$70,000 was paid to Paul F. Blakely to quite him of the fraud
18. \$70,000 was paid to Becky B. Barker as financial explotation of Blakely.
19. \$70,000 was paid to Lorene L. Blakely as financial exploitation.
20. \$1,874,000 was stolen by Lorene and Yolanda Blakely as Fed interstate Com.
21. \$80,000 was paid to Jeffrey Fisher to create grounds for life prison.
- 21A. \$27,000 was paid to John L McKean to enforce the 'incapacitated person'!
- 21B. \$65,000 was paid to W DSHS at request of Grant County Superior Court.

22. <sup>65,000 Dollars base</sup> \$35,000 was paid to Robert Cossey as cabal directive to allow a conviction.
23. \$35,000 was paid to John C. Perry not to appeal the Farce of Blakely conv.
24. \$35,000 was paid to Michael C. Kahrs to keep Blakely in prison without M&D.
25. \$8,500 was paid to Kenneth H. Kato to do nothing.
26. \$13,992 was paid to Jeffry K. Finer to keep Blakely without medical and dental.

The approximate Total illegally paid to people without due process notice to Plaintiff Ralph H. Blakely is about \$2,814,492.00 from a PLUNDERED profitable real estate business with clear assets valued at more than SEVEN MILLION DOLLARS....

27. Plaintiff Blakely was stopped 2002 by Larry A. Weiser from purchasing 10,000 share of AMAZON stock with security funds in Salomon Smith Barney of \$307,683... (please view ER # 6 which was prepared by John Bjorkman of Clifton Larson Allen)
28. Due Process notice was not served on Plaintiff Blakely on the interstate Commerce disappearance of 2,379,936.53 \$\$\$ from Franklin Templeton Acct# 699051...
29. Plaintiff Blakely was never given Due Process notice for the sale of Logan 119 Acre twelve million dollar subdivision and half million dollar lumber warehouse with sawmill and lumber. Blakely has asked many times for the trustee to provide an accounting of that and the \$628,000 Royal Apples Sales Contract.
30. Plaintiff Blakely has many times asked for PROOF of the "MANIPULATED" securities account of a half million dollars, and trustee Spurgetis refuses.
31. Plaintiff has too many times asked for an accounting of construction equipment, mechanical, electrical, farm and orchard equipment of more than a half million dollars. Trustee Spurgetis self-interest of financially exploiting a vulnerable almost blind elder Blakely.
32. Trustee Spurgetis has too many times charged ATTORNEY FEES and has always represented the theft, of funds from Plaintiff Blakely. Spurgetis must be terminated as trustee of the Ralph Blakely Special Person Care Trust, which has only been a benefit to the cabal.
33. About \$80,000 paid to Long, Meyers, Vaino, More was not included in the \$2,814,492. mentioned above, that was not paid out by trustee Spurgetis.
34. February 27, 2020, check#116 for \$15.90 was paid for typewriter ribbons that Plaintiff critically needs, but absolutely did not receive them!
35. Trustee Spurgetis as an employee of Clifton Larson Allen have been TRIPLE BILLING vulnerable Blakely every year for the SAME ACCOUNTING, TAX, INVESTMENT SERVICE AS A SCHAM "RICO" SCAM. When they have never filed a tax refund return for Blakely on \$200,000 that was mistakenly paid to the I R S and \$100,000 that was mistakenly paid to the Montana Department of Revenue ! ! !



36. Re #34 in addition to \$15.90 for ribbons never received, but was charged over \$50.00 for writing check, attorney fee for signing, paralegal fee for ordering them; which creates fraud and trustee Spurgetis must be terminated.

37. May 31, 2019, Blakely Trust Balance Sheet Detail, Clifton Larson Allen (CLA) was paid \$1,910 and \$1,970 for tax accounting and filing, when all accounts are blacked and closed accounts? ? ? And James P. Spurgetis is paid \$1,801. to audit the SAME: REFUSING TO supply Blakely with itemized attorney fee statements for August 2013 to August 2020 without one that I have for 8/23/18.

38. COMPARATIVE ! ! ! (CLA) has never supplied Blakely is specific itemized monthly tax accounting statement as a RICO SCAM. Must Blakely do a Subpoena Duces Tecum for (CLA) tax accounting statements of fraud? ? ?

39. Excerpt (ER) 15-19; 15-20; 15-21; 15-22; 15-23 clearly and conclusively have evidence gross financial exploitation of blind left eye, sporadic right eye 85 year old Ralph H. Blakely, who has been wrongfully convicted and has substantial evidence proving actual innocence.

40. Excerpts (ER) 15-10, 11, 12, 13, 14, 15, 16, ?, 18 clearly and conclusively show that Ralph H. Blakely is more than an expert of high intelligence to manage his financial property and matters, when during 2002, 2003 he was not allowed to purchase 10,000 shares of AMAZON at \$ 25-35 per share, and his security accounts were improperly seized by the cabal.

41. Excerpt (ER) is page 6 of Accountant John P. Bjorkman of Clifton Larson Allen of December 28, 2002 clearly showing Salomon Smith Barney with two Blakely Security Accounts of \$307,683 and \$ 148,450, which would have covered the purchase of 10,000 AMAZON shares at \$30. What happened to \$2,379,936. Franklin-Templeton account # 11119083051 ? ? ?

I, Ralph Howard Blakely age 85, declare under penalty of perjury of the laws of Washington that all excerpts, exhibits and the aforementioned approximate funds, people were improperly paid by trustee Spurgetis is true. *Ralph H. Blakely 3/31/21*  
CERTIFICATION OF SERVICE

I, Ralph H. Blakely Excerpt #5, #7 do not have funds for copies to serve on Trustee James P. Spurgetis, nor postage for the 30 pages, March 31, 2021

*Ralph H. Blakely*  
Ralph H. Blakely 817995  
WSP W3100  
Box 520  
Walla Walla WA 99362

SPOKANE COUNTY SUPERIOR COURT OF WASHINGTON

RALPH HOWARD BLAKELY, dba,  
BLAKELY FARMS TRUST,  
Plaintiff,

vs

YOLANDE BLAKELY, et al.,  
JAMES P. SPURGETIS,  
MATHEW J. DUDLEY,  
DEFENDANTS.

Original Case No. 96-2-04155-1  
10-4-00660-7  
MOTION AND ORDER FOR SUBPOENA DUCES  
TECUM OF SPECIAL LEGAL DOCUMENTS  
PURSUANT TO CR 45 secs(a)(i)(4)(6)(2)

The Defendant Trustee James P. Spurgetis of the fraudulent Ralph H. Blakely "Special Person Care Trust" are commanded to mail to Ralph H. Blakely WSP W B 120; Box 520; Walla Walla WA 99362 the following Specific documents:

1. Copies of substantial proof of securities accounts (exact security business) current date, amount that are the property of Ralph H. Blakely in the amount of \$622,210.81; according to 10/28/21 Guardianship monitoring Program Financial Auditor's Report.
2. Copies of FRAUDULENT accountant / TAX preparation fees: (Schmedding Allen for amount of \$350 and \$2,126.25 and copy of THAT TAX RETURN !
3. Copies of all Bank (Simplified checking account) from 2016 to current date of all checks written amounting to cover deposits amounting to about \$68,900. \*

HAVING REVIEWED Plaintiff Blakely's March 31, and September 15, 2021, Declarations, 23 pages of supporting exhibits and FRAUDULENT 12th trustee accounting statement of 9/21 as a basis for Plaintiff's request for this SUBPOENA DUCES TECUM.

IT IS HEREBY ORDERED that Trustee James P. Spurgetis supply the Plaintiff Blakely with the above mentioned specific documents before 2023

DONE IN OPEN COURT

2023

JUDGE

I. INTRODUCTION

Petitioner, Ralph H. Blakely, age 84, worked diligently until family member cleverly schemed to have him convicted and imprisoned for life. Petitioner has been blackballed by the Courts as a double standard of weight given to facts. Petitioner Blakely is asking this Court for an evidenciary hearing.

II. STATEMENT OF CASE AND JURISDICTION

The Spokane Superior Court took jurisdiction of Petitioner Ralph Blakely about August 1995, Case No. 95-3-01916-0 & 96-2-04155-1, & 4/11/00 adjudication.

This Court and the Supreme Court have competent jurisdiction over all grounds, claims and issues herein presented. *Strenge v. Clarke*, 89 Wn.2d 569 P.2d 60 (1977). (WSC) Art. 4 S 6 Amend 28 invests the Superior Court with original and general jurisdiction in all cases and in all proceedings in which jurisdiction is not exclusively vested by in some other court or forum.

In re the PRP of Runyan, 121 Wn. 2d 432, 441, 853 P. 2d 424 (1993):  
Our State suspension clause protests the right of citizens to utilize the writ of habeas corpus.

In re Matter of Gaddis, 12 Wn.2d 114, 125 P.2d 849(1942)... The Court held that as long as the ward remained SUBJECT to his disability and remained within the state, the original court, which originally acquired jurisdiction retained the same.

(1) Under Rem. Rev. Statute Sec. 1565, S9897 the Superior Court of the County in which an 'incapacitated person' resides has EXCLUSIVE JURISDICTION... In re Dill, 60 Wn 2d 148  
No Other superior court in the state has that jurisdiction.

(WSC) Art. IV. S 6(Amend)28 invests the Superior Court with original and general jurisdiction in all cases and in all proceedings in which jurisdiction is not exclusively vested in some other court or forum. In re PRP Runyan, 121 Wn. 2d 432, 441(1993); In re Denny #70312-9-1-70610-1(2016) RCW 4.08.060 the Guardian at Litem does not have authority to waive a substantial right of the 'incapacitated person'. RCW 11.88.010(1)(6).

October 16, 2019, Judge Charnell M. Bjelkengren (SCSC) abused discretion by denying substantial evidence of a wrongful conviction and actual innocence, and the critical need for a Medical Furlough, when (SCSC) has exclusive jurisdiction.

December 8, 2019  
February 8, 2020, Judge John Stine granted Attorney James P. Spurgetis an ORDER No. 10-4-00660-7, which was not received until January 24, 2020. This order granted him his double billing of \$3,811.50 for attorney fees, but

but Judge John Stine grossly disregarded Blakely's too many requests for an accounting of where a 'seven million dollar' real estate business disappeared, that had no liabilities. (Exhibits ##

Trustee and Attorney James P. Spurgetis has refused to subpoena Defendant Yolanda Blakely, et al for an accounting of the Royal Orchard and home, warehouse, and equipment that was sold to Royal Apple Sales for \$ 628,000.00.Ex.#

Where did the \$1,200,000.00 California Franklin Templeton Fund disappear ? Did the Spokane Superior Court have jurisdiction or venue to seize this account?

Why has Trustee Spurgetis refused an accounting of the \$1,300,000.00 Logan 119 Acre subdivision land and a \$400,000 lumber warehouse with sawmill ?

The Blakely homestead in Galatin County Montana of 160 Acres and a half-million dollar home was assayed in 1987 by geologist Mathwig as having at least \$1,400,000 in fine gold, then valued at \$278 per ounce. The Blakely homestead also had had a half million dollars worth of construction equipment, farm equipment, cabinet woodworking equipment, and \$75,000 worth of furniture and appliances, and lumber.

There has never been an accounting of the parcelled out 1,800 acre Missouri River ranch values at \$ two million in 1996. Trustee and Attorney Spurgetis has an ethical lawyer duty to supply me with an accounting after the too many requests. Did the Washington Spokane Superior Court have jurisdiction for the sale of this ranch ?

Trustee Spurgetis and Accountant John P. Bjorkman have refused to provide an accounting of why my securities account was reduced from \$307,000 to \$150,000 when if it had been invested in 5,000 shares of Amazon Comm ten years ago; it would now be worth more than \$8,000,000.

Why were a group of lawyers paid over a million to keep me in prison beyond my life, when I have substantial documented evidence that I was wrongfully convicted and am actually innocent ?

Why was Lawyer Michael Kahrs paid \$35,000 to avoid getting adequate medical and dental treatment? Why was lawyer Jeffery Finer paid \$12,000 to obtain a \$20.00 Salvation Army wheelchair, that I have never received ?

Why can't I after 21 years of illegal restraint get \$ 9.00 twice a month to purchase a critically needed bottle of mega-max vitamin and a bottle of peanut butter ?

May 20, 2010, attorney trustee James P. Spurgetis 'refiles' the "fraudulent" August 16,2002 copy of 24 page Ralph H. Blakely Special Person Care Trust No. 96-2-04155-1 of which Ralph H. Blakely has not received any benefit.

III. WHETHER OR NOT THE SPOKANE SUPERIOR COURT VIOLATED PETITIONER BLAKELY'S DUE PROCESS, INTER-STATE COMMERCE, (WSC) Article I, Secs 3,9,10,12,13,15,22; PURSUANT TO MANDATES OF RCW 11.88 et seq and RCW 4.08.060 et seq and Rev.Stat. 1565 Sec 9897 of the APRIL 11,2000, SPOKANE SUPERIOR COURT ADJUDICATED "SPECIAL PERSON CARE TRUST" ?

WHEN THE TRUSTEE AND ACCOUNTANT SERVE THEIR "SELF-INTEREST" BY FRAUD ON THE COURT AND THE COURT ABIDES BY THEIR REQUEST !

A. When as in this case, Petitioner Ralph H. Blakely is claiming that the Spokane Co. Superior Court (SCSC) is devoid of competent jurisdiction when ruling that Petitioner Blakely was then and currently is, an "incapacitated person" thereby unlawfully and unconstitutionally depriving Petitioner Blakely of his legal personage, resulting in the Grant County Superior Court (GCSC) lacking competent jurisdiction over the legal personage of Petitioner Blakely: culminating in Petitioner Blakely being deprived of his right to challenge his 'invalid conviction' giving rise to illegal restraint.

1. The April 11,2000 adjudicated "Special Person Care TRust" appointing guardian ad litem has 'too numerous' jurisdictional and structural defects rendering that Order for appointment of GAL ineffectual for lack of competent jurisdiction and fraud.

a) Petitioner Blakely was not given "Notice" nor was he allowed to attend the hearing for appointment of GAL in violation of RCW 11.88.040; and there was no valid basis for an 'incapacitated person finding within the meaning of RCW 11.88.010.

b) Petitioner Blakely did not sign any motion for appointment of GAL nor give anyone authority to file said motion, nor was Petitioner made aware that any such motion for appointment of GAL was going to be filed.

c) The Motion for appointment of GAL was filed by Attorney Matthew Dudley for the 'fraudulent' purpose of unlawfully committing theft of Petitioner Blakely's financial and property assets.

d) The determination of incapacity is a legal not a medical decision and age, eccentricity, proverty, or medical diagnosis alone shall not be sufficient to justify a finding of incapacity, the Motion for appointment of GAL was not made on the application of relative or friend of the Petitioner as required by the Mandates of RCW 4.08.060 et seq.

e) Trustee Attorney Spurgetis violated Petitioner Blakely constitutional rights and fraud upon the court by refileing a fraudulent August 16,2002, copy of Ralph Howard Blakely 'Special Person Care Trust' No.96-2-04155-1 of which I Ralph H. Blakely have not received any personal direct benefit.

2.. Whether the (SCSC) has competent jurisdiction over all grounds, claims and issues herein within the meaning of RCW 11.88.010..

In re Matter of Gaddis, 12 Wn. 2d 114,124, 120 P.2d 849 (1942)... The Court held:

That as long as the ward remained SUBJECT TO his disability and remained within the state, the original court, which originally acquired jurisdiction retained the same.

1) Under Wash. Rem. Rev. Statute 1565 Sec 9897, the Superior Court of the county in which an 'incapacitated person' resides has EXCLUSIVE JURISDICTION .... In re Matter of Dill, 60 Wn. 2d 148, 372 P.2d 541(1962) was deprived of Due Process of Law because the record showed error that the 'incapacitated person never appeared by GAL. Wash Rem.Rev. Statute 1565 Sec 9897: In re Dependency of P.H.V.S. 186 Wn. App.167,339 P.3d 225(2015)

2) The Superior Court in which an 'incapacitated person' resides (Spokane County) has EXCLUSIVE JURISDICTION over that person, estate OR EITHER THEREOF, AND NO OTHER superior court in the state has that jurisdiction. The (SCSC) cannot divest itself of that jurisdiction, and those conditions have not ceased or changed. Rupe v. Robinson, 139 Wash 592,595, 247 P.954 (1926), In re Miller, 26 Wn.2d 202, 172 P.2d 538(1946).

B.. This specific ordered jurisdiction has never been reversed, nor set aside, showing that the Grant County Superior Court lacked jurisdiction during CrR 3.5 probable cause hearing and during the jury trial of March 5-9,2005, to wrongfully convict an 'incapacitated person' with false testimony.

a) The extraordinary exception is that state chief witness Robbie Juarez clearly testified that alleged communicated offer of solicitation to commit murder occurred in Spokane County AHCC K unit. That positively gives rise to a miscarriage of justice, when the Grant County Prosecutor knowingly uses false testimony of state chief witness Juarez, who was out to extricate himself from a conviction, as is clearly shown and explained in attached exhibit Number \*11\* and #2,4. (RP 629-652)

C b) The extraordinary origin of jurisdiction is Spokane County Superior Court not considering the mandates of RCW 4.08.060; Wash Rem.Rev statute 1565 sec 9897 referring to an 'incapacitated person' which has not been changed.

E c) Therefore (SCSC) mandates jurisdiction and venue according to (RP 629-652) Exhibit 4,11 State v. Reanier, 157 Wn. App. 194, 201,202,211,214,237 P. 3d 299 (2010) n 15; CrR 7.8 (b)(3)(4) the judgment and sentence of Blakely is void and invalid on its face as it exceeds the duration allowed by statute and the alleged defect is evident on the face of the charging documents, Id 215.

c) Even though defense counsel advised Blakely to admit to communicating with state chief witness.

The court transcript testimony of state chief witness Juarez (RP 629,630,640,645) is very clear that the alleged offer of solicitation to commit murder took place in AHCC K Unit, Spokane County ~~October~~ ? 2002 to Dec. 18, 2002. The Blakely inmate placement records clearly show that August 5, 2002 to August 13, 2003, that Blakely was in a different prison. (Please view exhibits Nos. 4, \*11\* confirmed by RP 629-652, recantation of Juarez, Espinosa, Barr)

d) However, after Juarez's third letter of apprehension and scam, I appeasingly replied (RP 796,802-6). This third and/or fifth appeasement letters do not contribute to any offense/offer no matter how they are interpreted, and are the only elements to cover the charging information of September to December 2003. (please view exhibits ## 2,3,4,5,6,\*11)

e) Extraordinary circumstances of repeated legal document confiscation (notorized recantation affidavit of Robbie Juarez, transcript, Grant County Sheriff's Report with specific dates were all seized 9/10/09; 8/7/15; 5/6/17; 10/8/18) have prevented Petitioner Blakely from proving a wrongful conviction beyond a reasonable doubt.

IV. THE SPOKANE COUNTY SUPERIOR COURT ABUSED DISCRETION OCTOBER 2019, AND ~~DECEMBER 4, 2019~~, BY DENYING PETITIONER BLAKELY JURISDICTION AND VENUE IN VIOLATION OF WASHINGTON STATE CONSTITUTION AND STATUTES.

Does the (SCSC) violate Petitioner Blakely's Due Process Rights to an evidentiary hearing on "NO PERSON SHALL BE DEPRIVED OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW?"?

"JUSTICE IN ALL CASES SHALL BE ADMINISTERED OPENLY, AND WITHOUT DELAY"

A. Accordingly, when there is "FRAUD SUBMITTED TO THE COURT" under CR 60(b) (4)(5); RCW 10.73.100(1-6) there is no time bar or procedural bar to declare Petitioner Blakely's judgment and sentence invalid on its face. (please read the too many fabricated wild statements in the Robbie Juarez March 9, 2005 Court record (RP 608-708) This along creates a wrongful conviction, because there is no evidence to cover the charging information dates. (Ex.# 4,11)

1. The Spokane Superior Court cannot give away Petitioner Blakely's property without jurisdiction, due process, venue, while giving his life, liberty to a wrongful conviction in the Grant County Superior Court!

a) Admitted, Petitioner Blakely is a resident of Spokane County, but the abuse of discretion of Judge Charnell M. Bjelkengren (SCSC) refusing to consider fraud and perjury on the court is wrong.

b) Judge John Stine (SCSC) erred in granting Attorney Spurgetis's ORDER 12/4/19 No. 10-4-00660-7; which gives away Blakely's property without consideration of his life, liberty, or property, without DUE PROCESS.

V. WAS THERE A MISCARRIAGE OF JUSTICE CREATED BY THE COURT OF ORIGINAL JURISDICTION AND VENUE, THAT DEPRIVED BLAKELY OF LIFE, LIBERTY, OR PROPERTY, WITHOUT DUE PROCESS OF LAW ?

A. The alleged clear testimony RP 629,630-652 chief witness Robbie Juarez states that the offer of solicitation to commit murder occurred in Spokane at AHCC K Unit OCTOBER ? 2002 while Petitioner Blakely was in a different prison. The **third time** amended charging information is fatally flawed with dates of September to December 2003.

1. Judge John Stine's Order granting Attorney Spurgetis Blakely's ~~property~~ December 4, 2019 supports the ultimate fact that Spokane County Superior Court maintains jurisdiction and that Grant County Superior Court lacks jurisdiction as a miscarriage of justice. Petitioner Blakely's judgment and sentence is invalid on its face.


VI. ATTACHED ARGUMENT OF EXHIBIT NO. 11 supported by 2,4,5,8

VII. . . CONCLUSION AND REQUEST FOR RELEASE FROM A WRONGFUL CONVICTION

The extraordinary 'ultimate fact' is the Courts have refused to consider and read state chief witness Robbie Juarez's wild fabricated testimony.(RP608-708) Judge Charnell M. Bjelkengren (SCSC) abused discretion 10/19/19 by not taking responsible duty and jurisdiction. Just as Judge John Stine (SCSC) 12/4/19 took Spokane County exclusive jurisdiction and erred by granting that Order to give away Petitioner's legal property against Blakely's many objections. Ex.No.1

Petitioner Blakely, after serving 21 years of a wrongful conviction asks this Court for an Order of Release from a wrongful conviction under RAP 16.15b). Based on critically needed medical and dental treatment that is deliberately refused by Washington Department of Corrections AHCC. Blakely has fallen too many times suffering brain concussion causing blind left eye, distorted right eye vision and the disability to participate in daily activities.

I Ralph Howard Blakely 817995 declare under penalty of perjury of the laws of the state of Washington that the exhibits and attachment # 11 are true and correct February 20, 2020.

  
Ralph H. Blakely 817995  
AHCC NA 14  
Box 2049  
Airway Heights, WA 99001



# INMATE

January 25, 2023 - 9:15 AM

## Transmittal Information

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 101,428-7  
**Appellate Court Case Title:** In the Matter of Blakely Farms Trust, et al. v. Ralph H. Blakely Jr.  
**Superior Court Case Number:** 10-4-00660-7

DOC filing of BLAKELY Inmate DOC Number 817995

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