

Received
Washington State Supreme Court

E SEP 12 2014
Ronald R. Carpenter
Clerk

NO. 90429-4
NO. 69643-2-I

IN THE SUPREME COURT FOR
THE STATE OF WASHINGTON

PATRICIA A. GRANT, PhD,

Petitioner,

v.

CLAUDIO GABRIEL ALPEROVICH, ST FRANCIS HOSPITAL- FRANCISCAN
HEALTH SYSTEM; VALLEY MEDICAL, CENTER, TRIENT M. NGUYEN,
MICHAEL K. HORI; PACIFIC MEDICAL, CENTER, INC.; LISA OSWALD;
SHOBA KRISHNAMURTHY; MICHELE PULLING; WM. RICHARD LUDWIG;
U.S. FAMILY HEALTH PLAN @PACIFIC MEDICAL CENTER INC.;
VIRGINIA MASON MEDICAL CENTER; RICHARD C. THIRLBY, MD'S

Respondents.

Court of Appeals Case No. 69643-2-1
Appeal from the Superior Court for the
State of Washington for King County

PETITIONER'S RESPONSE TO RESPONDENT'S
JOINT MOTION TO STRIKE

PATRICIA A. GRANT, PhD, Pro Se
1001 Cooper Point Rd, SW #140-231
Olympia, WA 98502
(210) 543-2331

COMES NOW, Dr. Grant responding to Respondent's Motion to Strike. She recognizes her appear before this said Court is a civil right. Dr. Grant brings forward World and National mental and behavioral health civil rights issues and concerns, presently occurring within the Washington State judicial process.

She request appearance before the power and authority of this Supreme Court prior to raising federal questions of medical malpractice and State judicial civil rights violations before the federal courts.

Dr. Gant incurs the additional burdens of her collapsed disability income, exacerbation of pre-exciting health, whiling enduring this legal system's faulty judicial rulings. She endures these health debilitating rulings in an effort of "Good Faith" judicial procedural resolution, prior to raising her Title U.S.C. 42 U.S.C. § 12102, 42 U.S.C. § 12131, 42 U.S.C. §§ 12181-12189 civil rights denials and court access questions in the Federal judicial systems.

I. FACTS

It is a matter of court record that Dr. Grant is unrepresented, operating under great medical duress, verified through court disability medical information, records, and pleadings.

Dr. Grant's Petition questions the Department of Justice (DOJ) embattled Seattle, WA judicial rulings and questionable legal actions initiated by the King County Superior Court judicial system and sanctioned by the Court of Appeals Division I.

Dr. Grant followed the RAP procedures, as she was able to construe the strictness of the language, terminology, and dual applications of the Washington judicial appellate and review process, as a Pro Se Petitioner.

Respondents has not raised any legal arguments, nor defamed the legal merits of Dr. Grant's reply.

Respondent's judicial defenses from Superior to this present Court have been one of rulings based on technicalities, rules comprehension not firmly supported by law that has resulted in questions of legality in a rush to Summary Judgment dismissal (See Petitioners Clerks Papers, Pleadings, Exhibits).

Dr. Grant's reply was an attempt to ease court work, clarify, streamline, and strengthen her arguments of denied federal and state human and civil rights equal protection under the law rulings. She is attempting to address the procedural only rulings before the power and authority of Washington State Supreme Court in lieu of obtaining justice in the federal system.

II. ARGUMENT

Washington State's judicial denials, hostility, retaliatory and inadequate mental health disability accommodations are contributory factors for constant recitation of facts and issues before Washington Courts:

A. Pursuant to RAP 10.2 (d), Dr. Grant's reply brief was timely.

According to RAP 10.2 (d), "a reply brief of an appellant or petitioner should be filed with the appellate court within 30 days after service of the brief of

respondent unless the court orders otherwise.” Respondent’s briefs were filed July 28, 29, and 30, 2014; Dr. Grant filed her reply August 27, 2014, within the 30 days’ timeline of RAP 10.2 (d).

B. Pursuant to RAP 10.3 (c), Dr. Grant’s reply was appropriate.

According to RAP RULE 10.3(c), “a reply brief should conform with subsections (1), (2), (6), (7), and (8) of section (a) and be limited to a response to the issues in the brief to which the reply brief is directed”.

Respondent’s reply raised procedural issues, not addressing the merits of the nature of her legal Complaint, Appeal, and Petition. Dr. Grant clarified, and elaborated on the procedural issues raised by Respondent’s.

C. Pursuant to RAP 10.4 (b), Dr. Grant did not file an over-length brief.

According to RAP 10.4(b), “a brief of appellant, petitioner, or respondent should not exceed 50 pages. Appellant's reply brief should not exceed 25 pages. An amicus curiae brief, or answer thereto, should not exceed 20 pages. In a cross-appeal, the brief of appellant, brief of respondent/cross appellant, and reply brief of appellant/cross respondent should not exceed 50 pages and the reply brief of the cross appellant should not exceed 25 pages. For the purpose of determining compliance with this rule appendices, the title sheet, table of contents, and table of authorities are not included. For compelling reasons the court may grant a motion to file an over-length brief.”

Dr. Grant’s reply brief was 22 pages, within petitioner’s 25-page reply brief page limitation. This rule does not address Appendix limitations. Dr. Grant’s Appendixes contain valued court records for court quick verification references, “Good Faith” court time considerations.

D. Pursuant to RAP 10.7, Dr. Grant was adherent to instructions of Title 10.

According to RAP 10.7, “if a party submits a brief that fails to comply with the requirements of Title 10, the appellate court, on its own initiative or on the motion of a party, may (1) order the brief returned for correction or replacement within a specified time, (2) order the brief stricken from the files with leave to file a new brief within a specified time, or (3) accept the brief. The appellate court will ordinarily impose sanctions on a party or counsel for a party who files a brief that fails to comply with these rules.

The language and explanations of RAP, addresses Dr. Grant, Petitioner. She followed these instructions to the best of her understanding. Washington State laws does not allow for legal assistance as a Pro Se Litigant, she was unable to secure the interest of contingency or pro bono legal representation, and she is not of the income level to obtain counsel interest with a high case profile and unlimited legal fund.

E. RAP 13.4 (d) references to Petitioner and Review is ambiguous to RAP Section 10 and 10.7.

Dr. Grant construed the language of RAP 13.4 as the pleadings in the procedural process for Petitioner’s who’s case have been accepted by the Supreme Court.

F. Pursuant to Rule 8(f) FRCP,” holds that all pleadings shall be construed to do substantial justice.”

Dr. Grant continually asks Washington State's Judicial leadership to honor and uphold federal pro se law and terminate the system upper leadership pursuit for justice through objective, fair and equitable rulings:

1) Pro se pleadings are to be considered without regard to technicality; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers. *Jenkins v. McKeithen*, 395 U.S. 411, 421 (1959); *Picking v. Pennsylvania R. Co.*, 151 Fed 2nd 240; *Pucket v. Cox*, 456 2nd 233.

2) "Pleadings are intended to serve as a means of arriving at fair and just settlements of controversies between litigants. They should not raise barriers which prevent the achievement of that end. Proper pleading is important, but its importance consists in its effectiveness as a means to accomplish the end of a just judgment." *Maty v. Grasselli Chemical Co.*, 303 U.S. 197 (1938).

3) It was held that a pro se complaint requires a less stringent reading than one drafted by a lawyer per Justice Black in *Conley v. Gibson*. *Puckett v. Cox*, 456 F. 2d 233 (1972) (6th Cir. USCA).

4) The plaintiff's civil rights pleading was 150 pages and described by a federal judge as "inept". Nevertheless, it was held "Where a plaintiff pleads pro se in a suit for protection of civil rights, the Court should endeavor to construe Plaintiff's Pleadings without regard to technicalities." *Picking v. Pennsylvania Railway*, 151 F.2d. 240, Third Circuit Court of Appeals.

June 9, 2014 the Washington State Minority Commission with the visual support of this said court, reached out to the Washington State community addressing over whelming survey reports of inequality and negative perceptions of this State's judicial process. Judicial leadership acknowledged their acceptance of the Commission's survey reports and public responses, promising positive judicial leadership changes.

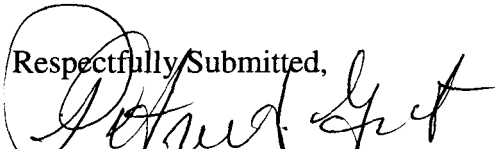
Dr. Grant acknowledges and accepts judicial leadership's positive responses to the Washington community. Her appearance before the power and authority of this Supreme Court is also one of "Good Faith" organizational professionalism and feedback.

III. CONCLUSION

Petitioner Patricia A. Grant, PhD, Pro Se respectfully prays this court deny Respondent's Motion to Strike her reply filed August 27, 2014, and accept her Petition of June 27, 2014. She appears before this Supreme Court seeking judicial respect of person, as intended by the passage of Federal and State human and civil right protection laws (Criminal and Civil).

Dated: September 12, 2014.

Respectfully Submitted,



PATRICIA A. GRANT, PhD, Pro Se
1001 Cooper Point Rd # 240-231
Olympia, WA 98502
(210) 543-2331

CERTIFICATE OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington that the following is true and correct: That on the date indicated below, I have sent Dr. Grant's Petitioner's Response to Respondent's Motion to Strike. Filed: September 12, 2014 as follows:

**Washington State Supreme Court
Hand Carried.**

Attorney for Defendant: Michael K. Hori, MD

Allen, WSBA #35337
Bennett Bigelow & Leedom, P.S.
601 Union Street, Suite 1500
Seattle, Washington 98101-1363

Attorneys for Defendants: Virginia Mason Health System
and Richard C. Thirlby:
Corey, WSBA #26882
Floyd, Pflueger & Ringer P. S.
200 West Thomas Street, Suite 500
Seattle, WA 98119

Attorney for Defendant: Claudio Gabriel Alperovich
Garzon, WSBA# 31558
Ashcraft
Williams, Kastner & Gibbs PLLC
1301 A Street, Suite 900
Tacoma, WA 98402-4200

**Attorneys for Defendant: Franciscan Health System,
St. Francis Hospital**
VanDerhoef, WSBA#14565
FAIN ANDERSON VANDERHOEF, PLLC
701 Fifth Avenue, Suite 4650
Seattle, WA 98104

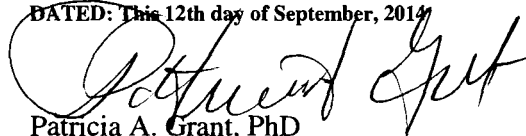
**Attorney for U.S. Family Health Plan@ Pacific Medical
Center, Inc.,
Pacific Medical Center, Inc.,
Lisa Oswald, Shoba Krishnamurthy, and Wm. Richard
Ludwig:**
Nancy Elliott, WSBA #11411
Merrick, Hofstedt & Lindsey, P.S. Attorney At Law
3101 Western Avenue, Suite 200
Seattle, WA 98121

Attorney for Michele Pulling
Yoshida WSB #17365
Ogden Murphy Wallace, PLLC
901 Fifth Ave., Suite 3500
Seattle, WA 98164

Associated Attorney for Michele Pulling
Goodfried WSBA #14355
Smith Goodfriend P.S.
1619 8th Ave N
Seattle, WA 98109-3007

**Attorneys for Defendants: King Co. Public Hospital District #1
and Triet M. Nguyen:**
Moniz, WSBA #12762
Johnson, Graffe, Keay, Moniz & Wick
925 Fourth Ave., Suite 2300
Seattle, WA 98104

DATED: This 12th day of September, 2014



Patricia A. Grant, PhD

Pro Se Appellant

1001 Cooper Point Rd, SW #140-231
Olympia, WA 98502