

APR 27 2015
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Ronald R. Carpenter
Clerk

WASHINGTON STATE SUPREME COURT

STATE OF WASHINGTON,
Plaintiff,
v.,
JOHN P. BLACKMON
Defendant.

No. 91269-6 COA.70955-1-I
No. PC12-0123

MOTION TO STAY APPELLANT REVIEW

I. FACTS

I, John P. Blackmon, Appellant, and PRO SE herein, request a STAY of action and proceedings, granting such for and in the said cause for the following reasons:

- (1.) While preparing brief for The WASHINGTON STATE SUPREME COURT, Appellant, along with Assistant Litigant, did comprehend and initiated inquiry into what Defendant identified as Fraud and Governmental Misconduct in Appendix C of supporting documents before The District COURT of Snohomish County, Everett Division, in and for The State of Washington.
- (2.) A 90 day STAY and or Extension of Time, pending the exhaustion of MOTION TO DISMISS PURSUANT CrR 8.3(b) and or enclosed conformed CrRLJ 8.3(b)(in Appendix D) by decision, remedy, and release authority by waiver; by appropriate state counsel and authority, Appellant with limited knowledge and understanding currently understands that the COURT in which he was detained without warrant, and under conditions attached to release other than the promise to appear is the proper authority and jurisdiction.

II. ARGUMENT

DOES THE APPELLANT HAVE THE RIGHT TO REQUEST THIS STAY?

It is clear that the Appellant, with assistance from Research Litigant has now brought action of a violation of Defendant's Rights that amount to Constitutional magnitude that should result in dismissal and exoneration due to Governmental Misconduct. *State v. Michielli*, 132 Wash.2d 229, 239 937 P.2d 587(1997).

The COURT's make it a common practice that if pending litigation has significant impact on a cause, The COURT "must" stay "all" other actions till the outcome of that issue. *Washington State Dept. of Transp. v. Mendoza de-Sugiyama*, 182 Wn.App 588, 330 P.3d 209(2014); *Expedia Inc. v. Steadfast Ins. Co.*, 180 Wn.2d 793, 329 P.3d 59(2014).

The remedy of this matter of an CrRLJ 8.3(b) and or CrR 8.3(b) Motion at the Preliminary Hearing could, would, and should result in the dismissal of this entire cause and make "ALL" other arguments presented "moot". *In re Cross*, 99 Wash.2d 373, 376-77, 662 P.2d 828(1983); *In re pers. Restraint of Mattson*, 166 Wash.2d 730, 736, 214 P.3d 141(2009)(quoting *Sorenson*, 80 Wash.2d at 558, 496 P.2d 512).

III. CONCLUSION

Appellant, COMES NOW and moves The COURT to ORDER the following;

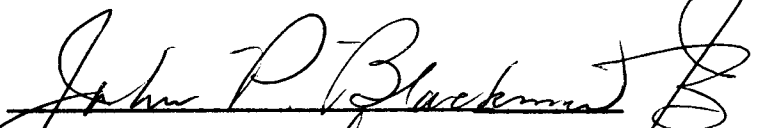
(1.) ORDER a STAY of Proceedings in Supreme COURT No. 91269-6, *State of Washington v. John Patrick Blackmon*, COURT of Appeals No. 70955-1-I until and pending remedy and or exhaustion is provided for CrRLJ 8.3(b) Motion TO DISMISS, and or Extension of time equitable in nature.

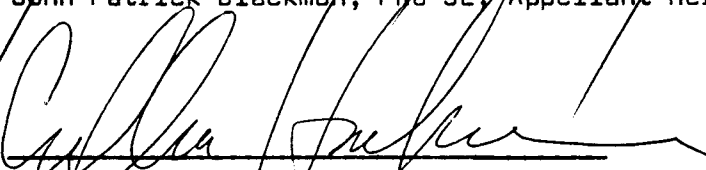
(2.) ORDER appropriate COURT having authority and jurisdiction over the warrantless arrest and Initial/Preliminary Hearing to provide remedy, exhaustion, and or decision for said hearing.

(3.) Provide an ORDER to the Coyote Ridge Correction Center LAW Library to maintain Appellant's Priority Access and or a type of forecasted deadline so that Appellant has meaningful access to LAW Library enabling him to dispute the FACTS and provide argument. (Argument in Appendix R)

I declare under the penalty of perjury under the LAWS in and for the State of Washington that all of the forgoing information is "TRUE" and "CORRECT" to the best of my ability.

DATED this Thursday, the 23rd day of April, 2015, in Connell, WA.


John Patrick Blackmon, PRO SE, Appellant herein


Cullen Hankerson, PRO SE Litigant Assistant

APPENDIX

D

The Honorable Roger Fisher

EVERETT DIVISION
DISTRICT COURT OF SNOHOMISH COUNTY
IN AND FOR THE STATE OF WASHINGTON

STATE OF WASHINGTON,
Plaintiff,

V.,

JOHN P. BLACKMON,

Defendant.

No. PC12-0134

MOTION TO DISMISS PURSUANT
C.r.R.L.J. 8.3(b)

PRO SE: NO ORAL ARGUMENT

I. FACTS

I, JOHN P. BLACKMON, Defendant herein, COMES NOW to state FACTS that the:

(1.) Harmful and prejudicial Improper participation of an Unidentified Snohomish County Deputy Prosecutor, Prosecutor herein, and Attorney, Linda W.Y. Coburn for the Public Defenders Association, now Honorable Judge, and COBURN herein, speaking on behalf of Defendant, having committed an EVIL that requires a dismissal with prejudice;

(2.) Construction of the Statute is well established and clear to the Preliminary Hearings before both State and Federal authorities;

(3.) Defendant herein received fraudulent ineffective assistance of counsel, with numerous schemes of presentment depriving due process; and

(4.) Deficiency of Information to support probable cause or absence of an indictment or any said document preserved in the record of the said cause to charge Defendant for any said conviction.

II. ARGUMENT

DID THE DEFENDANT'S RIGHTS GET VIOLATED AT PRELIMINARY HEARING AND DOES THIS COURT HAVE THE JURISDICTION TO HEAR THIS ARGUMENT?

First, The Defendant must come forth and state that This COURT does have the inherent power to hear this matter pursuant to CrRLJ 7.8(b)(1), (3), (4), and (5).

Subject Matter Jurisdiction is an elementary prerequisite to the exercise of Judicial Power. Okanogan Wilderness v. Town of Twisp, 133 Wn.2d 769, 788; 947 P.2d 732(1997)(quoting In Re: Adoption of Buehl, 87 Wn.2d 649, 655; 555 P.2d 1334(1976)).

Defendant COMES NOW before This COURT to present evidence showing:

- (1.) Arbitrary Action and or Governmental Misconduct, and
- (2.) Prejudice affecting the Defendant's Right to a fair trial which this type of remedy is appropriate. State v. Rohrich, 149 Wash.2d 647, 654, 658; 71 P.3d 638(2003)(quoting State v. Baker, 78 Wash.2d 327, 332; 474 P.2d 254(1970); State v. Miller, 92 Wn.App 693, 702; 964 P.2d 1196(1998)(citing State v. Michielli, 132 Wn.2d 229, 239-40; 937 P.2d 587(1997)).

This conduct need not be evil or dishonest such as was in the behavior in this proceeding, simple mismanagement is sufficient. State v. Blackwell, 120 Wash.2d 822, 831; 845 P.2d 1017(1993); Michielli, 132 Wn.2d at 239.

There are key issues that MUST be recognized herein and they are;

- (1.) the warrantless arrest, on bail with conditions of release,
- (2.) the indictment or lack thereof, NO charging document at ALL,
- (3.) the preliminary hearing, along with,
- (4.) the actions of assigned attorney, COBURN, and The Prosecuting attorney, (Unidentified).

Under the Sixth Amendment to the United States Constitution, and Article 1§22 of The Washington Constitution, the State MUST allege in the charging document ALL essential elements of a crime to inform a defendant of the charges against him and to allow for preparation of his defense. State v. Phillips, 98 Wash.App 936, 939-40; 991 P.2d 1195(2000)(citing State v. Kjorsvik, 117 Wash.2d 93, 101-102; 812 P.2d 86(1991)).

Said defendant request to have This COURT focus intially on the Construction of the Statute that applies to the Preliminary Hearings pursuant to CrRLJ 3.2.1, CrRLJ 2.2, and what requirements the legislative body intended them to perform, fulfil, and or do. Dept. of Ecology v. Campbell & Gwinn, LLC, 146 Wash.2d 1, 9; 43 P.2d 4(2002).

The primary functions of this proceeding is a determination Establishing at a Judicial, COURT, and or relative stature; probable cause, providing Judicial Review of any conditions of release, to preserve any evidence and or documentation subject to Constitutional limitations and requirements, and most importantly, to ensure that the Accused is competent, with understanding; and that any said agreement"s", waiver"s", and or stipulation"s" are made knowingly and voluntary by the Accused and confirming such by preserving said to the record in the respective cause. Westerman v. Cary, 125 Wash.2d 277, 291; 892 P.2d 1067(1994); AND SHALL BE for and in ANY and ALL said proceedings.

Another requirement, historically held in high regard of the CrRLJ 3.2.1 (pursuant and or in the same manner as provided for a warrant of arrest in CrRLJ 2.2(a)) proceedings, are to prevent unlawful detention and eliminate the discrimination, the incentive, and opportunity for the implementation and application of improper police pressure and charges on mere presumption as has now occurred and poisoned this said cause. Landrun v. State, 326 Ark. 994, 998; 936 S.W.2d 505(1996), Commonwealth v. Rosario, 422 Mass. 48, 51; 661 N.E.2d 71(1996).

As can be Witnessed by attached Appendix A and testimony therein, was misconduct carried out by both The State of Washington and COBURN before The COURT in this proceeding equivalent to an Act of Vindictive Prosecution and Ineffective Assistance of Counsel. U.S. v. Wall, 37 F.3d 1443, 1447(10th Cir. 1994)(quoting U.S. v. Wood, 36 F.3d 945, 946(10th Cir.1994).

It is The State of Washington's responsibility here to show cause as to why they are not liable for such misconduct and prove otherwise; that it did not take place. Wall , 37 F.3d at 1447(quoting U.S. Raymer, 941 F.2d 1031, 1040(10th Cir. 1991)).

Constitutional Due Process principles prohibit prosecutorial vindictiveness. UnitedStates v. Goodwin, 457 U.S. 368, 372-385; 102 S.Ct. 2485, 73 L.Ed.2d 74(1982).

The arrest of these charges were "NOT" reasonable due to it did not serve governmental interest which was adequate to Justify the Imposition on the Liberty of This Individual in this cause. State v. Klinker, 85 Wash.2d 509, 519; 537 P.2d 268(1975); Bacon v. UnitedStates, 449 F.2d 933(9th Cir.1971).

The preserved record and lack of any party to corroborate timestamped, certified documentation addressing any stipulation"s" to probable cause; disputed and or undisputed, any testimony and or hearsay evidence concerning criminal activity in this proceeding;(continuing efforts to obtain in Appendix B) establishes Clear Presumption of, and to NO FACTS in this said cause and NOT the required Inference to the FACTS. State v. Womble, 93 Wash.App 599, 604; 969 P.2d 1097(1999).

In determining the reasonableness of this seizure, this COURT would see when they applied a sliding scale analysis in which Greater Justification Requirement for Greater Intrusion, and when this proceeding was held before This COURT, egregious intrusions were committed, and occurred where there was "NO" adequate justification in this case. Id at 519, 520; 537 P.2d 268(citing Bacon, 449 F.2d at 942).

The police had initiated this investigation, then they prevented this Accused from learning information that could affect his decision to abandon his rights and or considerations surrounding his defense rights; This COURT must examine the police conduct in the light of the totality of the circumstances surrounding the interrogation, this proceeding, and Accused's exposure to presentment and abuse of intrusion. Moran v. Burbine, 475 U.S. 421; 106 S.Ct. 1135; 89 L.Ed.2d 410(1986)(quoting Fare v. Michael C., 442 U.S. 707, 725; 99 S.Ct. 2560; 61 L.Ed.2d 197(1979)).

Police Deception such as experienced in this proceeding surpasses the heights of Due Process Violations requiring investigation. Burbine, 475 U.S. at 432, 106 S.Ct. 1135.

Such factors as undue delay in arraignment, failure to inform Accused of his rights, failure to inform him of any justified types of detention and restraint, disqualifying him from Public Defender Assistance, denying Accused a proceeding to determine probable cause on grounds other than "bare suspicion and or assertion" and or that to justify a conviction; and a refusal to inform him that Legal Counsel is available and wishes to speak to him are "ALL" relevant to the issue of voluntary self-incrimination during interrogation. State v. Self, 59 Wash.2d 62, 72; 366 P.2d 193(1961)(citing Columbe v. Connecticut, 367 U.S. 568, 601; 81 S.Ct. 1860; 6 L.Ed.2d 1037(1961), cert. denied, 370 U.S. 929; 82 S.Ct. 1569, 8 L.Ed.2d 508(1962)).

Due Process also requires fundamental fairness, integrity, and honor in the operation of the Criminal Justice System. Burbine, 475 U.S. at 467, 106 S.Ct 1135.

The Washington State Constitution also protects against self-incrimination and grants different and more expensive rights to suspects who are in custody as here. State v. Stoddard, 206 Conn. 157, 537 A.2d 446(1988); Bryan v. State, 571 A.2d 170(Del.1990); Haliburton v. State, 514 So.2d 1088(Fla.1987).

The Fourth Amendment applies also due to this was a seizure, a warrantless seizure; "NO" crime taking place; "NO" exigency; and Accused was asleep when officers arrived at the residence. On being awakened, Accused did not flee, yet went and calmly interacted with officers. The Fourth Amendment requires that searches and seizures be reasonable and The State failed in meeting this requirement for This Accused. "Reasonableness" is conterminous with "Probable Cause". Probable Cause boils down, in criminal situations, to a simple determination of whether the relevant official, police or judicial, "neutral and detached" in this cause could reasonably believe that the person to be arrested had committed the crime; and had this attorney, COBURN, not independently conceded to anonymous stipulation"s" to "false essential elements" waiving the reading and instead challenged the information at that time, the preserved record(see Appendix A) confirms that there would never have been any charges to face herein. State v. Klinker, 85 Wash.2d 509, 521; 537 P.2d 268(1975)(citing Giordenello v. UnitedStates, 357 U.S. 480, 485, 78 S.Ct 1245, 2 L.Ed.2d 1503(1958)).

The "ACT" of allowing this arrest and charge on the basis of information alone, and in this said cause, the "Superprecedent ACT" allowing the same on "NO Information" or document preserved in the record is "NOT" constitutionally permissible. Gerstein v. Pugh, 420 U.S. 103, 95 S.Ct 854, 43 L.Ed.2d 54(1975).

Since at least 1935, IT HAS BEEN ESTABLISHED LAW of the UNITED STATES that a conviction obtained through testimony the Prosecutor knows to be False is repugnant to The Constitution such as the allowance of The Prosecutor allowing COBURN to stipulate herein; to STIPULATION"S" herein; notwithstanding the given requirements for such proceeding;

COBURN's immediate excited response to The COURT's question promoting such thought as to justify an inference to disputed and undisputed FACTS to probable cause, unsupported by prerequisite action and or requirement; then prematurely, both COBURN and The Unidentified Prosecutor abandon further requirements to address any FACTS; presumed and or inferred, nor preserving the record of any said presumption as there was "ABSOLUTELY NO" Evidence, not even hearsay provided in support thereof; and such is reflected in the record of the said cause.(See: Mooney v. Holohan, 294 U.S. 103, 112, 55 S.Ct. 340, 79 L.Ed 791(1935).

This Prosecutor, although Unidentified, is still an officer of The COURT acting as and on behalf of The appointed Snohomish County Prosecutor, Mark Roe, whose Duty is to present a Forceful and Truthful case in ALL proceedings before a JURY and The COURT during every stage within the cause, not to win at any cost as can be the only distinguishable inferred evidence confirmed, hearsay or otherwise in this said cause. See, eg. Jenkins v. Artuz, 294 F.2d 284, 296 n.2(2d Cir.2002).(See also) Shin Wei Su v. Filica, 335 F.3d 119, 126(2d.Cir.2003); Napue v. Illinois, 360 U.S. 264, 269, 79 S.Ct 1173, 3 L.Ed.2d 1217(1959). No matter the charge brought forth accusing this Defendant, the same said "must" have a common right to, and "shall" be treated equally as any other Accused no matter the charge. State v. Hirschfelder, 170 Wash.2d 536, 550, 242 P.3d 876(2010); Buckley v. Valeo, 424 U.S. 1, 93, 96 S.Ct 612(1976); Bolling v. Sharpe, 347 U.S. 497, 499, 74 S.Ct 693(1954).

It forbids the act of discrimination and classification that is unjustified or "invidious" as the Accused experienced in this said cause. Ferguson v. Skrupa, 372 U.S. 726, 732; 83 S.Ct 1028(1963); Lindsey v. Natural Carbonic Gas Co., 220 U.S. 61, 78-79, 31 S.Ct 337(1911).

In the interest and further promotion of judicial economy, This COURT's only proper action in accordance with The United States Constitution as well as The Washington State Constitution is to reverse and dismiss with prejudice, "ALL" said unlawful convictions, verdicts, and charges pertaining to this said cause, and exonerate this Defendant and restore his good name and criminal history as was prior to his arrest on January 11, 2012;

Otherwise, said Defendant will seek review and request The Higher COURT's make right, this injustice under CrRLJ 8.3 (b) or an Abuse of Discretion to whether the decision was manifestly unreasonable, based on untenable grounds or made for untenable reasons which would be the case if This COURT fails to provide the proper and appropriate closure to the injustices that have developed from said unlawful preliminary proceeding. State v. Michielli, 132 Wash.2d 229, 240; 937 P.2d 587(1997); Blackwell, 120 Wash.2d at 830, 845 P.2d 1017.

III. CONCLUSION

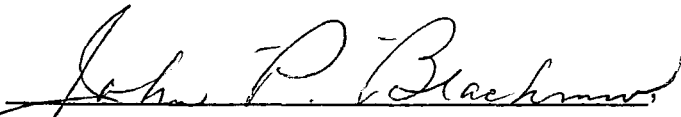
Defendant and Accused herein COMES NOW, requesting of This COURT to bring an end to these injustices and violations of Civil Liberty and Freedom;

(1.) Vacate and Dismiss "ALL" charges, judgements, and sentences with prejudice with regards to the preliminary proceeding, warrantless arrest, and detention; and

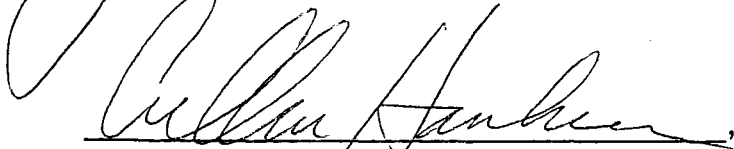
(2.) Release said Defendant and Accused from Detention, Custody, free of ANY and ALL conditions of release immediately.

I swear under the penalty of perjury under the LAWS In and For The State of Washington that "ALL" statements herein, are TRUE and ACCURATE to the best of my knowledge and ability.

Dated this 19th day of April, 2015.



JOHN P. BLACKMON, DEFENDANT and ACCUSED



CULLEN HANKERSON, PRO SE LITIGANT ASSISTANT

APPENDIX

R



Snohomish County District Court

<input type="checkbox"/> Cascade Division	<input checked="" type="checkbox"/> Everett Division	<input type="checkbox"/> Evergreen Division	<input type="checkbox"/> South Division
415 E Burke	3000 Rockefeller M/S 508	14414-179 th Ave SE	20520-68 th Ave W
Arlington, WA 98223	Everett, WA 98201	Monroe, WA 98272	Lynnwood, WA 98036

<p>THE STATE OF WASHINGTON Plaintiff</p> <p style="text-align: center;">Vs</p> <p>JOHN P. BLACKMON Defendant</p>	<p>No: <u>PC12-0134</u></p> <p>Note For Motion Calendar</p>
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TO: Honorable Roger Fisher, Replacement, or Presiding and to the Clerk of the above-entitled Court:

NATURE OF MOTION: MOTION TO DISMISS PURSUANT C.r.R.L.J. 8.3(b)

STATEMENT OF FACTS:

FACTS are in said Motion.

Please take notice that the issue in this cause will be brought on for hearing on the 5th day of May, 2015 at 1:15pm am/pm in department ? at the above Court.

John P. Blackmon
 John P. Blackmon, Defendant /367781
 Plaintiff / Defendant
 Address: Coyote Ridge Corrections Ctr.
PO Box 769 HB-08-2U
Connell, WA 99326-0769

DECLARATION of SERVICE GR 3.1

JOHN PATRICK BLACKMON

Coyote Ridge Corrections Center
PO Box 769, H8082U
Connell, WA. 99326-0769

April 22, 2015

I, JOHN PATRICK BLACKMON, six year Veteran of The United States NAVY, permanently disabled since 2003, Defendant, Accused, and PRO SE herein; dispute and request to have heard on it's merits, this MOTION TO DISMISS PURSUANT C.r.R. 8.3(b), without ORAL Argument and that This COURT provide an opinion preserved in the record of this cause addressing arguments. On the below date, defendant herein caused to be sent in the U.S. Mail, postage prepaid, 5 envelope(s) addressed to the below listed individual(s) as I currently have limited access Tuesday, Wednesday, and Thursday's to Law Library to make copies and send LEGAL pleadings;

Honorable Judge Roger Fisher,
Snohomish County COURT
3000 Rockefeller Avenue, MS508
Everett, WA 98201-4046

Honorable Linda W.Y. Coburn
Edmonds Municipal COURT
250 Fifth Avenue, N.
Edmonds, WA 98020

Sonya Kraski, COURT Clerk
3000 Rockefeller Avenue, MS605
Everett, Wa 98201-4046

Snohomish County Prosecutor
3000 Rockefeller Avenue, MS504
Everett, WA 98201-4046

Cynthia Jordan, Attorney at LAW
921 W Broadway, Ste. 205 B
Spokane, WA 99201

Elizabeth Twigg, POA
1941 SE Redwing Circle
Port St. Lucie, Fla. 34952

Defendant is a prisoner confined in the Washington Department of Corrections, (DOC), housed at the Coyote Ridge Corrections Center (CRCC), 1301 N. Euphrata Avenue, Post Office Box 769, Connell, WA.99326-0769 and mailed said envelope(s) in accordance with DOC and CRCC policies 450.100 and 590.500 witnessed by a staff member. Documents are as follows;

1. Proposed Judge's Calendar and Declaration of Service, 3 pages
2. MOTION TO DISMISS PURSUANT C.r.R. 8.3(b), 7 pages
3. Appendix A, 3 pages
4. Appendix B, 8 pages

Defendant hereby invokes the "Mail Box Rule set forth in (GR 3.1), and hereby declare under the penalty of perjury under the Laws of the State of Washington that the foregoing is TRUE and CORRECT to the best of his ability.

DATED this Wednesday, the 22nd day of April, 2015 at Connell, WA.

Respectfully Submitted,


JOHN P. BLACKMON, Defendant, ACCUSED, and PRO SE

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH
EVERETT DIVISION

The STATE of WASHINGTON,
Plaintiff,

CAUSE NO: PC12-0134

V.,

JOHN P. BLACKMON,

DEFENDANT'S RESPONSE
TO STATE'S RESPONSE
TO MOTION TO DISMISS PURSUANT
C.r.R.L.J. 8.3(b)

Defendant.

I. FACTS

COMES NOW, I, JOHN P. BLACKMON, PRO SE, and Defendant herein, provides said argument to Snohomish County Deputy Prosecutor, Andrew E. Alsdorf's, ALSDORF herein, reponse denial request to Defendant's CrRLJ 8.3(b) MOTION TO DISMISS.

(1.) ALSDORF, on behalf of The STATE is now making efforts to violate Defendant's Fourth Amendment rights by argument and or advice attached and referenced to their Response Motion;

(2.) The State has already caused violations of this Defendant's Sixth Amendment, Doctrine of Implied Bias, stating "False FACTS" in the record of this cause, before This COURT;

(3.) The (Unidentified) Prosecutor for The State and Defendant's COURT appointed Attorney of record violated said Defendant's Due Process rights by not ensuring and providing a fair hearing and or proceeding, for the purpose of this hearing; and

(4.) The Defendant's Attorney of Record fabricated information, identified it as stipulation"s", and deceived This COURT calling such, "evidence" before The COURT pursuant the CrRLJ 3.2.1 and CrRLJ 2.2 Preliminary Hearing, accompanied by the (Unidentified) Prosecutor having an essential role actively participating in this act.

II. ARGUMENT

DID THE DEFENDANT RECEIVE A FAIR HEARING PURSUANT TO STATE AND FEDERAL LAW?

This COURT MUST recognize how The State and The Attorney of Record, Linda W. Y. Coburn, COBURN herein, acted in concert at this hearing. It was a Preliminary Hearing that differs and or departs from an arraignment hearing in that it's purpose is search and seizure; determining whether probable cause to arrest. UnitedStates v. Salvucci, 448 U.S. 83, 65 L.Ed.2d 619, 100 S.Ct.2547(1980); Rakas v. Illinois, 439 U.S. 128, 58 L.Ed.2d 387, 99 S.Ct. 421(1978).

Article 1§7 of The Washington State Constitution has been interpreted to provide even a greater protection for individual rights, than does the Fourth Amendment. State v. Jackson, 102 Wash.2d 432,439, 688 P.2d 136(1984); State v. Myrick, 102 Wash.2d 506,510, 688 P.2d 151(1984); State v. Chrisman, 100 Wash.2d 814,817, 676 P.2d 419(1984); State v. Ringer, 100 Wash.2d 686,690, 674 P.2d 1240(1983).

This defendant at his Preliminary Hearing never received a fair hearing and or proceeding, even to the standards of the Sixth Amendment Doctrine of Implied Bias.

Before arguing this issue, we must make clear what Implied means pursuant to BLACK'S LAW Standards.

Implied defined as: Not directly expressed (or clearly communicated, proffered only vaguely or indirectly as Counsel's Implied Statement). Recognized by Law as "existing" inferentially(relationship and or association based) implied agreement; and in this hearing, on unconscionable grounds.

Defendant request that This COURT review Appendix A of Defendant's MOTION TO DISMISS PURSUANT CrRLJ 8.3(b) in this litigation finding it clearly identifies that COBURN "and" The State acted "implied" not only with the Defendant, but also with The Presiding Judge in the original and initial hearing. See above indicated Appendix A.

Both, the United States and the Washington State Constitution's provide a constitutional right to trial by Jury that is to be preserved and remain inviolate. U.S. Const. Amend. VI; Const. Art. 1§21.

This COURT's failure to provide this Defendant a provision of "equality" as he is a U.S. Citizen, with a fair hearing violated his Due Process Rights. State v. Parnell, 77 Wash.2d 503,507-08, 463 P.2d 134(1969)(quoting Irvan v. Dowd, 366 U.S. 717,722, 81 S.Ct. 1639, 6L.Ed.2d 751(1961)); overruled on other grounds by State v. Fire, 145 Wash.2d 152, 34 P.3d 1218(2001).

The decision of This (Unidentified) Prosecutor for The State to charge the Defendant and to manipulate The COURT during the proceedings was intentional, prejudicial, and in error; and had clearly violated said Defendant's Sixth Amendment Doctrine of Implied Bias and this proceeding is on point with said authority -in this certain exceptional circumstance. State v. Cho, 108 Wash.App 325, 30 P.3d 496(2001)(citing Smith, 455 U.S. at 222, 102 S.Ct 940)(see also): McDonough Power equip., Inc. v. Greenwood, 464 U.S. 458,556-57, 104 S.Ct 845, 78 L.Ed.2d 663(1984)(also citing Blackmun, Stevens, and O'Conner concurring; Id. at 558, 104 S.Ct 845).

If This COURT wants to assert that CrRLJ 3.2(j)(1) or CrR 3.2(j)(1) does not require probable cause, then this rule would violate the Fourth Amendment Rights to The United States Constitution which prohibits the "issuance" of a warrant without probable cause which is an implicit requirement. State v. Klinker, 85 Wash.2d 509, 537 P.2d 268(1975); Bacon v. United States, 449 F.2d 933(9th Cir. 1971).

The deviation from probable cause at this proceeding for this Defendant was inappropriate and improper in the context of the statute of CrRLJ 3.2.1. Klinker, supra at 518, 537 P.2d 268.

This State Prosecutor, Unidentified to present date, and or ALSDORF responding to this motion, is now bound by the derivative evidence at the point of the January 12, 2012 initial hearing; to the point of that hearing and "no further"!

This places The State of Washington, Everett Division of District COURT, Snohomish County on notice to produce what is necessary and required under the Laws in and for The State of Washington to charge, arrest, and detain the said Defendant on the 12th day of January, 2012 through certified stipulation"s" that COBURN addressed, along with The Unidentified coming forth, identifying himself and producing the same (his certified stipulation"s") for the same said referenced hearing to neutral and detached parties unassociated with said proceedings and without further fraud to produce what is required or needed to charge and arrest the said Defendant at that date and time, or then The State fails to prevail and "ALL" associate charges, convictions, and sentences, related to the arrest and continued detention to answer for said charges must be dismissed and exonerated. State v. Tanle, 103 Wn.app 354,360-62, 12 P.3d 653(2000); Brown v. Illinois, 422 U.S. 590, 95 S.Ct 2254, 45 L.Ed.2d 416(1975).

The Unidentified and or ALSDORF for The State "MUST" show this evidence now in This COURT, "NOT" at the Level of the COURT OF APPEALS. State v. Brown, 147 Wn.2d 330,341, 58 P.3d 889(2002); State v. McReynolds, No. 20863-0-III, 20887-7-III, 21222-0-III, 21240-8-III(Division III,2003)

The Record in this said cause will show that COBURN and The State's Attorney acted as unsworn witnesses of personal knowledge that was not even available to them. State v. Denten, 58 Wash.App 251,257, 792 P.2d 537(1990)(citing State v. Yoakum, 37 Wash.2d 137, 222 P.2d 181(1950); (see also): UnitedStates v. Kwang, Fu v. Cunningham, 672 F.2d 1064, 1075(2d.Cir.1982)).

The "Rules of Professional Conduct 3.4(b) and 8.4(c)" instruct attorneys that it is professional misconduct for an attorney to "falsify" evidence or "engage" in conduct involving dishonesty, fraud, deceit, and or misrepresentation; or simply if they just "LIE" similiar to what professinals did here. In the Matter of Disciplinary Proceedings against Wade R. Dann(Atty. at LAW); 136 Wn.2d 67, 960 P.2d 416(1998); In the Matter of the Disciplinary Proceedings Against Linda J. Whitt, 149 Wn.2d 707, 72 P.3d 173(2003).

Evidence that was pertained from the date of this Preliminary Hearing to present date is the result of an "illegal seizure" and "MUST" be inadmissible and or dismissed under the Fruit of The Poisonous Tree Doctrine. State v. Ladson, 138 Wash.2d 343,359, 979 P.2d 833(1999)(see also): Wong Sun and James Wah Toy v. UnitedStates; 371 U.S. 471, 9 L.Ed.2d 441(U.S. Cal.1963).

BOTH attorneys, COBURN and "an Unidentified" spoke harmoniously; clearly fabricating "undocumented stipulation"s", neglecting to bring "ANY" disputed and undisputed "FACTS" before This COURT, to preserve them in the record of this said cause, and or to inform The Accused, The Defendant herein; and this "DOES NOW" amount to Governmental Misconduct. In the Matter of the Disciplinary Proceeding against Paul E. Simmerly, 174 Wn.2d 963, 285 P.3d 838).

III. CONCLUSION

Defendant and Accused herein COMES NOW, requesting of This COURT to bring an end to these injustices and violations of Civil Liberty and Freedom;

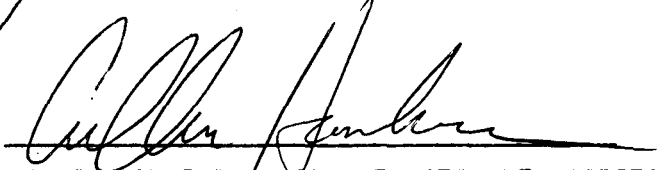
(1.) Find that The State and COBURN has committed misconduct that amounts to a requirement to vacate and dismiss "ALL" charges, judgements, and sentences associated with prejudice; with regards to the preliminary proceeding, illegal seizure, and detention; and

(2.) Release said Defendant from detention, Custody, free of ANY and ALL conditions of release immediately.

I swear under the penalty of perjury under the LAWS In and For The State of Washington that "ALL" statements herein, are TRUE and ACCURATE to the best of my knowledge and ability.

Dated this 22nd day of April, 2015.


JOHN P. BLACKMON, DEFENDANT and ACCUSED


CULLEN HANKERSON, PRO SE LITIGANT ASSISTANT

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IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SNOHOMISH,
EVERETT DIVISION

The State of Washington,
Plaintiff,

No. PC12-0134

vs.

Blackmon, John P.
Defendant.

STATE'S RESPONSE TO
DEFENDANT'S MOTION TO DISMISS
PURSUANT TO CrR 8.3(b)

I. FACTS

On January 12th, 2012, the defendant appeared before this court while in custody, represented by Linda Coburn. He had been arrested on probable cause for Rape of a Child 3rd Degree (DV), Child Molestation 2nd Degree (DV), and Incest 1st Degree (DV). The defendant, through his attorney, stipulated to probable cause for the purpose of that hearing and asked for low bail. The Honorable Roger Fisher granted the State's bail request of \$100,000.

The case was soon filed in Snohomish County Superior Court under cause number 12-1-00219-8. The defendant was represented in Superior Court by John Henry Browne and Emily Grause. The matter proceeded to a jury trial, three times, with the first two resulting in mistrials. Ultimately the third jury convicted the defendant of five counts including Child Molestation 2nd Degree (2 counts), Rape of a Child 3rd Degree, and Child Molestation Third Degree (2 counts). On September 9, 2013, the

COPY

1 Honorable Michael T. Downes sentenced the defendant to a determinate sentence of
2 176 months in prison, followed by 36 months of community custody.

3 The defendant appealed his conviction to the Washington State Court of
4 Appeals under cause number 70955-1-I. On December 22, 2014 the Court of Appeals
5 issued an opinion affirming the defendant's convictions but remanding to the Superior
6 Court for resentencing due to the State's concession on a technical sentencing issue.
7 The mandate from the Court of Appeals has not yet issued. Meanwhile, the defendant
8 has filed a petition for review with the Washington Supreme Court. His brief supporting
9 the petition is due on April 30, 2015.
10

11 12 **II. ARGUMENT**


13 The claims raised by the defendant are not properly before the Snohomish
14 County District Court. CrRLJ 7.8(b); RAP 2.1 – 2.5. To the extent that defendant's
15 motion contains any clearly stated legal arguments, he appears to allege that law
16 enforcement engaged in unlawful search and seizure while investigating his case, that
17 his attorney provided ineffective assistance of counsel, and that his convictions are
18 tainted by governmental misconduct. These are all issues which can and should be
19 raised through the normal process of appellate review, with which the defendant
20 should be very familiar due to the ongoing litigation of his case with the proper tribunal,
21 which is now the Washington State Supreme Court.
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1 **III. CONCLUSION**

2 The court should find that it lacks jurisdiction to adjudicate the defendant's
3 claims and deny the motion.

4 Respectfully submitted this 14 day of April, 2013.

5
6 FOR MARK K. ROE
Snohomish County Prosecutor

7
8 
9 _____
Andrew E. Alsdorf, WSBA # 35574
Deputy Prosecuting Attorney



Sonya Kraski
County Clerk

M/S 605
3000 Rockefeller Avenue
Everett, WA 98201-4046
(425) 388-3466
Fax (425) 388-3806

April 13, 2015

John P. Blackmon, #367781
Coyote Ridge Corrections Center
PO Box 769 HB 08-24
Connell WA 99326-

RE: Everett District Court No. PC12-0134

Dear Mr. Blackmon:

The Clerk's Office is in receipt of documents for filing in the above-referenced Everett District Court case. These documents are being returned to you and should be filed in the Everett District Court. Their address is 3000 Rockefeller Ave. M/S 508, Everett WA 98201.

Sincerely,

Deputy Clerk
Clerk's Office Customer Service

WARNING CONFIRMATION REQUIRED:

All matters set on the Judge's Civil Motion Calendar, Presiding Judge's Trial Continuance Calendar or Court Commissioner Calendars must be confirmed at 425-388-3587 two (2) court days prior to the hearing BEFORE 12:00 noon.

Any hearings such as adoptions, reasonableness hearings and minor settlements which are specially set in front of a specific Judge on the Judge's Personal Calendar must be confirmed two (2) court days in advance through the Judge's law clerk. For more information on the Judge's schedules, you may call Court Administration at 425-388-3421 or information can be found on the internet at: <http://www.snohomishcountywa.gov/DocumentCenter/Home/View/7657>

Failure to notify the Court of a continuance or strike of a confirmed matter may result in sanctions and/or terms. SCLCR 7(b)(2)(H).

THIS FORM CANNOT BE USED FOR TRIAL SETTINGS. SCLMAR 2.1 AND SCLCR 40(b).

CERTIFICATE OF SERVICE BY MAIL:

I hereby certify that a copy of this document and all documents listed on page 3 have been mailed to the attorneys/parties listed on page 3, postage prepaid on the:

Noted by:

(Signature)

(Printed name)

WSBA#

Attorney for: (CHECK ONE)

Petitioner/Plaintiff

Respondent/Defendant

Pro Se

Date (mm/dd/yyyy):

04/09/2015

(Signature)

(Printed name)

WHERE TO NOTE VARIOUS MATTERS:

COMMISSIONER CIVIL MOTIONS:

The following are heard on the Court Commissioner's Civil Motion Calendar: Defaults, Discovery Motions and enforcement thereof; Supplemental Proceedings; Unlawful Detainer or Eviction & Receiver actions; Motions to Amend Pleadings and Petitions for Restoration of the Right to Possess Firearms. Probate and Guardianship matters are set on the Probate/Guardianship calendar.

PRESIDING JUDGE'S CALENDAR:

The following motions are heard on Presiding Judge's Calendar: trial continuance, pre-assignment, expedited trial date, jury trial (untimely demand), motion to waive mediation requirement.

RALJ HEARINGS

RALJ hearings are noted on the Wednesday morning criminal hearings calendar @ 10:30 a.m. in room C304.

****All other civil motions are heard on the Judge's Civil Motions Calendar****

EXTENDED MOTIONS BEFORE A COMMISSIONER: Extended motions are set by the Court Commissioner, not by a party or by counsel.

Calendar Notes should be filed at:

**Snohomish County
Superior Court Clerk's Office
3000 Rockefeller Ave M/S 605
Everett, WA 98201**

All Motions Heard At:

**Snohomish County
Superior Court
3000 Rockefeller Ave
Everett, WA 98201**

Please print the names, addresses etc. of all other attorneys in this case and/or all other parties requiring notice.

Proposed:

Superior Court of Washington
County of Snohomish

STATE OF WASHINGTON
Plaintiff/Petitioner(s)

vs.

JOHN P. BLACKMON
Defendant/Respondent(s)

Case No. PC 12-0134

CALENDAR NOTE: (NTC)
CIVIL MOTIONS - JUDGES' CALENDARS

Unless otherwise provided by applicable rule or statute, this form and the motion must be filed with the Clerk not later than five (5) court days preceding the date requested.

****SEE "WHERE TO NOTE VARIOUS MATTERS" ON PAGE 2, TO DETERMINE WHAT MOTIONS ARE TO BE SET BEFORE THE CIVIL MOTIONS JUDGE VERSUS THE CIVIL MOTIONS COMMISSIONER VERSUS THE PRESIDING JUDGE.**

TO: The Clerk of Court:

A. PRESIDING JUDGE'S CALENDAR

Monday - Friday @ 9:00 a.m.
Department as assigned

Date Requested (mm/dd/yyyy): _____
Nature of Hearing: _____

**Confirm court hearing by noon two (2) court days prior to the requested date by calling (425) 388-3587

B. JUDGE'S CIVIL MOTIONS CALENDAR

Tuesday through Friday @ 9:30 a.m.
Department as assigned

Date Requested (mm/dd/yyyy): _____
Nature of Hearing: _____

**Confirm court hearing by noon two (2) court days prior to the requested date by calling (425) 388-3587

C. JUDGE'S PERSONAL CALENDAR

(Special set hearings to be heard by a specific Judge)

Hearing date and time must be scheduled through the Judge's law clerk

Date Requested (mm/dd/yyyy): 04/21/2015
Judge: Fisher Dept: MS 508

Nature of hearing: Preliminary Hearing
MOTION TO DISMISS Cr.R. 8.3(b)

**Confirm court hearing by noon two (2) court days prior to the requested date by calling the Judge's law clerk

Judge's calendar/contact information can be found at:
<http://www.snohomishcountywa.gov/DocumentCenter/Home/View/7657>

NOTE: DO NOT schedule your hearing for a court holiday. Please check with the Clerk if you are uncertain when court holidays occur.

This calendar note must be filed with the Clerk not later than five (5) court days preceding the hearing date requested.

DECLARATION of SERVICE GR 3.1
JOHN PATRICK BLACKMON

Coyote Ridge Corrections Center
PO Box 769, HB082U
Connell, WA. 99326-0769

April 09, 2015

I, JOHN PATRICK BLACKMON, six year Veteran of The United States NAVY, permanently disabled since 2003, Defendant, Accused, and PRO SE herein; dispute and request to have heard on it's merits, this MOTION TO DISMISS PURSUANT C.r.R. 8.3(b), without ORAL Argument and that This COURT provide an opinion preserved in the record of this cause addressing arguments. On the below date, defendant herein caused to be sent in the U.S. Mail, postage prepaid, 6 envelope(s) addressed to the below listed individual(s) as I currently have limited access Tuesday, Wednesday, and Thursday's to Law Library to make copies and send LEGAL pleadings;

Honorable Judge Roger Fisher,
Snohomish County COURT
3000 Rockefeller Avenue, MS508
Everett, WA 98201-4046

Honorable Linda W.Y. Coburn
Edmonds Municipal COURT
250 Fifth Avenue, N.
Edmonds, WA 98020

Sonya Kraski, COURT Clerk
3000 Rockefeller Avenue, MS605
Everett, Wa 98201-4046

Snohomish County Prosecutor
3000 Rockefeller Avenue, MS504
Everett, WA 98201-4046

Cynthia Jordan, Attorney at LAW
921 W Broadway, Ste. 205 B
Spokane, WA 99201

Elizabeth Twigg, POA
1941 SE Redwing Circle
Port St. Lucie, Fla. 34952

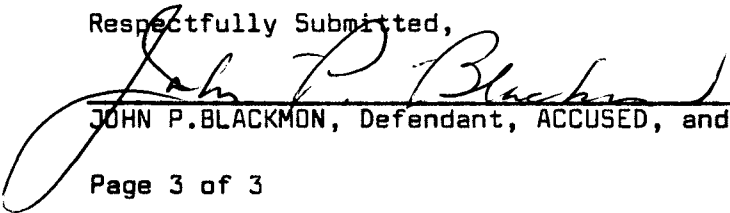
Defendant is a prisoner confined in the Washington Department of Corrections, (DOC), housed at the Coyote Ridge Corrections Center(CRCC), 1301 N. Euphrata Avenue, Post Office Box 769, Connell, WA.99326-0769 and mailed said envelope(s) in accordance with DOC and CRCC policies 450.100 and 590.500 witnessed by a staff member. Documents are as follows;

1. Proposed Judge's Calendar and Declaration of Service, 3 pages
2. MOTION TO DISMISS PURSUANT C.r.R. 8.3(b), 7 pages
3. Appendix A, 3 pages
4. Appendix B, 8 pages

Defendant hereby invokes the "Mail Box Rule set forth in (GR 3.1), and hereby declare under the penalty of perjury under the Laws of the State of Washington that the foregoing is TRUE and CORRECT to the best of his ability.

DATED this Thursday, the 09th day of April, 2015 at Connell, WA.

Respectfully Submitted,


JOHN P. BLACKMON, Defendant, ACCUSED, and PRO SE

The Honorable Roger Fisher

SUPERIOR COURT OF SNOHOMISH COUNTY
IN AND FOR THE STATE OF WASHINGTON

STATE OF WASHINGTON,
Plaintiff,

V.,

JOHN P. BLACKMON,
Defendant.

No. PC12-0134

MOTION TO DISMISS PURSUANT
C.r.R. 8.3(b)

PRO SE: NO ORAL ARGUMENT

I. FACTS

I, JOHN P. BLACKMON, Defendant herein, COMES NOW to state FACTS that the:

(1.) Harmful and prejudicial Improper participation of an Unidentified Snohomish County Deputy Prosecutor, Prosecutor herein, and Attorney, Linda W.Y. Coburn for the Public Defenders Association, now Honorable Judge, and COBURN herein, speaking on behalf of Defendant, having committed an EVIL that requires a dismissal with prejudice;

(2.) Construction of the Statute is well established and clear to the Preliminary Hearings before both State and Federal authorities;

(3.) Defendant herein received fraudulent ineffective assistance of counsel, with numerous schemes of presentment depriving due process; and

(4.) Deficiency of Information to support probable cause or absence of an indictment or any said document preserved in the record of the said cause to charge Defendant for any said conviction.

II. ARGUMENT

DID THE DEFENDANT'S RIGHTS GET VIOLATED AT PRELIMINARY HEARING AND DOES THIS COURT HAVE THE JURISDICTION TO HEAR THIS ARGUMENT?

First, The Defendant must come forth and state that This COURT does have the inherent power to hear this matter pursuant to C.r.R. 7.8(b)(1), (3), (4), and (5).

Subject Matter Jurisdiction is an elementary prerequisite to the exercise of Judicial Power. Okanogan Wilderness v. Town of Twisp, 133 Wn.2d 769, 788; 947 P.2d 732(1997)(quoting In Re: Adoption of Buehl, 87 Wn.2d 649, 655; 555 P.2d 1334(1976)).

Defendant COMES NOW before This COURT to present evidence showing:

- (1.) Arbitrary Action and or Governmental Misconduct, and
- (2.) Prejudice affecting the Defendant's Right to a fair trial which this type of remedy is appropriate. State v. Rohrich, 149 Wash.2d 647, 654, 658; 71 P.3d 638(2003)(quoting State v. Baker, 78 Wash.2d 327, 332; 474 P.2d 254(1970); State v. Miller, 92 Wn.App 693, 702; 964 P.2d 1196(1998)(citing State v. Michielli, 132 Wn.2d 229, 239-40; 937 P.2d 587(1997)).

This conduct need not be evil or dishonest such as was in the behavior in this proceeding, simple mismanagement is sufficient. State v. Blackwell, 120 Wash.2d 822, 831; 845 P.2d 1017(1993); Michielli, 132 Wn.2d at 239.

There are key issues that MUST be recognized herein and they are;

- (1.) the warrantless arrest, on bail with conditions of release,
- (2.) the indictment or lack thereof, NO charging document at ALL,
- (3.) the preliminary hearing, along with,
- (4.) the actions of assigned attorney, COBURN, and The Prosecuting attorney, (Unidentified).

Under the Sixth Amendment to the United States Constitution, and Article 1§22 of The Washington Constitution, the State MUST allege in the charging document ALL essential elements of a crime to inform a defendant of the charges against him and to allow for preparation of his defense. State v. Phillips, 98 Wash.App 936, 939-40; 991 P.2d 1195(2000)(citing State v. Kjorsvik, 117 Wash.2d 93, 101-102; 812 P.2d 86(1991)).

Said defendant request to have This COURT focus intially on the Construction of the Statute that applies to the Preliminary Hearings pursuant to C.r.R. 3.2.1, C.r.R 2.2, and what requirements the legislative body intended them to perform, fulfil, and or do. Dept. of Ecology v. Campbell & Gwinn, LLC, 146 Wash.2d 1, 9; 43 P.2d 4(2002).

The primary functions of this proceeding is a determination Establishing at a Judicial, COURT, and or relative stature; probable cause, providing Judicial Review of any conditions of release, to preserve any evidence and or documentation subject to Constitutional limitations and requirements, and most importantly, to ensure that the Accused is competent, with understanding; and that any said agreement"s", waiver"s", and or stipulation"s" are made knowingly and voluntary by the Accused and confirming such by preserving said to the record in the respective cause. Westerman v. Cary, 125 Wash.2d 277, 291; 892 P.2d 1067(1994); AND SHALL BE for and in ANY and ALL said proceedings.

Another requirement, historically held in high regard of the C.r.R 3.2.1 (pursuant and or in the same manner as provided for a warrant of arrest in C.r.R. 2.2(a)) proceedings, are to prevent unlawful detention and eliminate the discrimination, the incentive, and opportunity for the implementation and application of improper police pressure and charges on mere presumption as has now occurred and poisoned this said cause. Landrun v. State, 326 Ark. 994, 998; 936 S.W.2d 505(1996), Commonwealth v. Rosario, 422 Mass. 48, 51; 661 N.E.2d 71(1996).

As can be Witnessed by attached Appendix A and testimony therein, was misconduct carried out by both The State of Washington and COBURN before The COURT in this proceeding equivalent to an Act of Vindictive Prosecution and Ineffective Assistance of Counsel. U.S. v. Wall, 37 F.3d 1443, 1447(10th Cir. 1994)(quoting U.S. v. Wood, 36 F.3d 945, 946(10th Cir.1994)).

It is The State of Washington's responsibility here to show cause as to why they are not liable for such misconduct and prove otherwise; that it did not take place. Wall , 37 F.3d at 1447(quoting U.S. Raymer, 941 F.2d 1031, 1040(10th Cir. 1991)).

Constitutional Due Process principles prohibit prosecutorial vindictiveness. UnitedStates v. Goodwin, 457 U.S. 368, 372-385; 102 S.Ct. 2485, 73 L.Ed.2d 74(1982).

The arrest of these charges were "NOT" reasonable due to it did not serve governmental interest which was adequate to Justify the Imposition on the Liberty of This Individual in this cause. State v. Klinker, 85 Wash.2d 509, 519; 537 P.2d 268(1975); Bacon v. UnitedStates, 449 F.2d 933(9th Cir.1971).

The preserved record and lack of any party to corroborate timestamped, certified documentation addressing any stipulation"s" to probable cause; disputed and or undisputed, any testimony and or hearsay evidence concerning criminal activity in this proceeding;(continuing efforts to obtain in Appendix B) establishes Clear Presumption of, and to NO FACTS in this said cause and NOT the required Inference to the FACTS. State v. Womble, 93 Wash.App 599, 604; 969 P.2d 1097(1999).

In determining the reasonableness of this seizure, this COURT would see when they applied a sliding scale analysis in which Greater Justification Requirement for Greater Intrusion, and when this proceeding was held before This COURT, egregious intrusions were committed, and occurred where there was "NO" adequate justification in this case. Id at 519, 520; 537 P.2d 268(citing Bacon, 449 F.2d at 942).

The police had initiated this investigation, then they prevented this Accused from learning information that could affect his decision to abandon his rights and or considerations surrounding his defense rights; This COURT must examine the police conduct in the light of the totality of the circumstances surrounding the interrogation, this proceeding, and Accused's exposure to presentment and abuse of intrusion. Moran v. Burbine, 475 U.S. 421; 106 S.Ct. 1135; 89 L.Ed.2d 410(1986)(quoting Fare v. Michael C., 442 U.S. 707, 725; 99 S.Ct. 2560; 61 L.Ed.2d 197(1979)).

Police Deception such as experienced in this proceeding surpasses the heights of Due Process Violations requiring investigation. Burbine, 475 U.S. at 432, 106 S.Ct. 1135.

Such factors as undue delay in arraignment, failure to inform Accused of his rights, failure to inform him of any justified types of detention and restraint, disqualifying him from Public Defender Assistance, denying Accused a proceeding to determine probable cause on grounds other than "bare suspicion and or assertion" and or that to justify a conviction; and a refusal to inform him that Legal Counsel is available and wishes to speak to him are "ALL" relevant to the issue of voluntary self-incrimination during interrogation. State v. Self, 59 Wash.2d 62, 72; 366 P.2d 193(1961)(citing Columbe v. Connecticut, 367 U.S. 568, 601; 81 S.Ct. 1860; 6 L.Ed.2d 1037(1961), cert. denied, 370 U.S. 929; 82 S.Ct. 1569, 8 L.Ed.2d 508(1962).

Due Process also requires fundamental fairness, integrity, and honor in the operation of the Criminal Justice System. Burbine, 475 U.S. at 467, 106 S.Ct 1135.

The Washington State Constitution also protects against self-incrimination and grants different and more expensive rights to suspects who are in custody as here. State v. Stoddard, 206 Conn. 157, 537 A.2d 446(1988); Bryan v. State, 571 A.2d 170(Del.1990); Haliburton v. State, 514 So.2d 1088(Fla.1987).

The Fourth Amendment applies also due to this was a seizure, a warrantless seizure; "NO" crime taking place; "NO" exigency; and Accused was asleep when officers arrived at the residence. On being awakened, Accused did not flee, yet went and calmly interacted with officers. The Fourth Amendment requires that searches and seizures be reasonable and The State failed in meeting this requirement for This Accused.

"Reasonableness" is conterminous with "Probable Cause". Probable Cause boils down, in criminal situations, to a simple determination of whether the relevant official, police or judicial, "neutral and detached" in this cause could reasonably believe that the person to be arrested had committed the crime; and had this attorney, COBURN, not independently conceded to anonymous stipulation"s" to "false essential elements" waiving the reading and instead challenged the information at that time, the preserved record(see Appendix A) confirms that there would never have been any charges to face herein. State v. Klinker, 85 Wash.2d 509, 521; 537 P.2d 268(1975)(citing Giordenello v. UnitedStates, 357 U.S. 480, 485, 78 S.Ct 1245, 2 L.Ed.2d 1503(1958)).

The "ACT" of allowing this arrest and charge on the basis of information alone, and in this said cause, the "Superprecedent ACT" allowing the same on "NO Information" or document preserved in the record is "NOT" constitutionally permissible. Gerstein v. Pugh, 420 U.S. 103, 95 S.Ct 854, 43 L.Ed.2d 54(1975).

Since at least 1935, IT HAS BEEN ESTABLISHED LAW of the UNITED STATES that a conviction obtained through testimony the Prosecutor knows to be False is repugnant to The Constitution such as the allowance of The Prosecutor allowing COBURN to stipulate herein; to STIPULATION"S" herein; notwithstanding the given requirements for such proceeding;

COBURN's immediate excited response to The COURT's question promoting such thought as to justify an inference to disputed and undisputed FACTS to probable cause, unsupported by prerequisite action and or requirement; then prematurely, both COBURN and The Unidentified Prosecutor abandon further requirements to address any FACTS; presumed and or inferred, nor preserving the record of any said presumption as there was "ABSOLUTELY NO" Evidence, not even hearsay provided in support thereof; and such is reflected in the record of the said cause.(See: Mooney v. Holohan, 294 U.S. 103, 112, 55 S.Ct. 340, 79 L.Ed 791(1935).

This Prosecutor, although Unidentified, is still an officer of The COURT acting as and on behalf of The appointed Snohomish County Prosecutor, Mark Roe, whose Duty is to present a Forceful and Truthful case in ALL proceedings before a JURY and The COURT during every stage within the cause, not to win at any cost as can be the only distinguishable inferred evidence confirmed, hearsay or otherwise in this said cause. See, eg. Jenkins v. Artuz, 294 F.2d 284, 296 n.2(2d Cir.2002).(See also) Shin Wei Su v. Filica, 335 F.3d 119, 126(2d.Cir.2003); Napue v. Illinois, 360 U.S. 264, 269, 79 S.Ct 1173, 3 L.Ed.2d 1217(1959). No matter the charge brought forth accusing this Defendant, the same said "must" have a common right to, and "shall" be treated equally as any other Accused no matter the charge. State v. Hirschfelder, 170 Wash.2d 536, 550, 242 P.3d 876(2010); Buckley v. Valeo, 424 U.S. 1, 93, 96 S.Ct 612(1976); Bolling v. Sharpe, 347 U.S. 497, 499, 74 S.Ct 693(1954).

It forbids the act of discrimination and classification that is unjustified or "invidious" as the Accused experienced in this said cause. Ferguson v. Skrupa, 372 U.S. 726, 732; 83 S.Ct 1028(1963); Lindsey v. Natural Carbonic Gas Co., 220 U.S. 61, 78-79, 31 S.Ct 337(1911).

In the interest and further promotion of judicial economy, This COURT's only proper action in accordance with The United States Constitution as well as The Washington State Constitution is to reverse and dismiss with prejudice, "ALL" said unlawful convictions, verdicts, and charges pertaining to this said cause, and exonerate this Defendant and restore his good name and criminal history as was prior to his arrest on January 11, 2012;

Otherwise, said Defendant will seek review and request The Higher COURT's make right, this injustice under C.r.R. 8.3(b) for an Abuse of Discretion to whether the decision was manifestly unreasonable, based on untenable grounds or made for untenable reasons which would be the case if This COURT fails to provide the proper and appropriate closure to the injustices that have developed from said unlawful preliminary proceeding. State v. Michielli, 132 Wash.2d 229, 240; 937 P.2d 587(1997); Blackwell, 120 Wash.2d at 830, 845 P.2d 1017.


III. CONCLUSION


Defendant and Accused herein COMES NOW, requesting of This COURT to bring an end to these injustices and violations of Civil Liberty and Freedom;

- (1.) Vacate and Dismiss "ALL" charges, judgements, and sentences with prejudice with regards to the preliminary proceeding, warrantless arrest, and detention; and
- (2.) Release said Defendant and Accused from Detention, Custody, free of ANY and ALL conditions of release immediately.

I swear under the penalty of perjury under the LAWS In and For The State of Washington that "ALL" statements herein, are TRUE and ACCURATE to the best of my knowledge and ability.

Dated this 9th day of April, 2015.


JOHN P. BLACKMON, DEFENDANT and ACCUSED


CULLEN HANKERSON, PRO SE LITIGANT ASSISTANT

APPENDIX

A

1 IN THE SNOHOMISH DISTRICT COURT

2 EVERETT DIVISION

3
4 STATE OF WASHINGTON,)
5 Plaintiff,) Case No. PC12-0134
6 vs.) Cause No. 12-1-00219-8
7 JOHN PATRICK BLACKMON,) COA No. 70955-1-I
8 Defendant.)

9 REPORT OF PROCEEDINGS

10
11
12 THE HONORABLE ROGER FISHER
13 Snohomish County Courthouse
14 January 12, 2012

15 A P P E A R A N C E S

16 FOR THE PLAINTIFF: (Unidentified)
17 Deputy Prosecuting Attorney

18 FOR THE DEFENDANT: LINDA COBURN
19 Attorney at Law

20
21 DIANE M. RUGH, CRR, RMR, RPR
22 Official Court Reporter
23 CCR No. 29906-2399
24 Snohomish County Superior Court
25 3000 Rockefeller Avenue, M/S 502
Everett, Washington 98201-4046
(425) 388-3274

1 (Proceedings transcribed from audio CD.)

2 THE COURT: John Blackmon.

3 THE PROSECUTOR: He's being held for rape of a child in
4 the third degree domestic violence, child molesting 2
5 domestic violence, and incest in the first degree domestic
6 violence.

7 THE COURT: State requesting bail?

8 THE PROSECUTOR: State is requesting \$100,000 bail.

9 THE COURT: Is there a stipulation to PC?

10 MS. COBURN: There are stipulations to probable cause
11 for purpose of this hearing, Your Honor. We would ask for
12 a lower amount of bail. He has absolutely no criminal
13 history. He does have a verified address. He's staying
14 with a friend where there's no minor children at that
15 residence. The Court can certainly impose conditions to
16 have him not have any contact with any women or children.
17 I would ask for the Court to consider lowering the bail to
18 (inaudible).

19 THE PROSECUTOR: This case involves years of various
20 sexual contacts between a daughter and a father beginning
21 in her early adolescence.

22 THE COURT: I'm setting bail at \$100,000.

23 (Proceedings concluded.)

24

25

1 CERTIFICATE OF OFFICIAL COURT REPORTER
2 STATE OF WASHINGTON)
3 COUNTY OF SNOHOMISH)

4 I, Diane Rugh, CSR, RPR, RMR, CRR, one of the official
5 court reporters of the Superior Court of the State of
6 Washington, in and for the County of Snohomish, do hereby
7 certify that the Report of Proceedings in the foregoing
8 cause was reported stenographically by me and reduced to
9 computerized transcription under my direction;

10 I further certify that I am not a relative or employee
11 or attorney or counsel of any of the parties to said
12 action, or relative or employee of any such attorney or
13 counsel, and that I am not financially interested in the
14 said action or the outcome thereof;

15 I further certify that the Report of Proceedings is a
16 full, true, and correct transcript of the proceedings to
17 the best of my ability.

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Official Court Reporter

Date

APPENDIX

B



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Felice P. Congalton
Associate Director

April 1, 2015

Honorable Linda W.Y. Coburn
Edmonds Municipal Court
250 5th Ave N
Edmonds WA 98020-3146

Re: ODC File: 15-00391
Grievance filed by John P. Blackmon

Dear Judge Coburn:

We received the enclosed information dated March 25, 2015 from Mr. Blackmon.

Under the Rules for Enforcement of Lawyer Conduct (ELC), we are providing the information to you because it disputes the dismissal of a grievance. As required by the ELC, a Review Committee of the Disciplinary Board will reconsider the dismissal.

If you choose to respond to the grievant's allegations, we will transmit your response to the grievant and Review Committee; however, you are not required to respond. If you choose to respond and you ask us to withhold information from the grievant, we will transmit the response to the Review Committee and notify the Review Committee that it contains a request to withhold. We suggest that you carefully evaluate whether to submit information accompanied by a request that it be withheld from the grievant because, in those circumstances, the Review Committee will generally refer the grievance back to us for further consideration. For additional information, see our website wsba.org.

The Review Committee will notify you and the grievant of its decision after it issues an order in this matter. In some situations, all of the information in a grievance file becomes public as a result of a Review Committee's decision. See ELC 3.1(b).

Sincerely,

A handwritten signature in cursive script that reads "Felice P. Congalton".

Felice P. Congalton
Associate Director

Enclosure: grievant information

cc: John P. Blackmon
(without enclosure)

March 25, 2015

Ms. Felice P. Congalton, WSSA
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

Re: File ODC File No: 15-00391

Grievance against the Honorable Linda W.Y. Coburn; Attorney at LAW, at time of Preliminary Proceeding; January 12, 2012; arrested without warrant day prior.

Dear Ms. Congalton:

COMES NOW, I, JOHN P. BLACKMON, Grievant herein, moves forth to request that the Washington State Bar Association have their respective BOARD perform review on this egregious abuse of due process and misrepresentation claim due to;

It is clear that the now Honorable Linda W.Y. Coburn; Attorney COBURN at time of mentioned proceeding, and COBURN herein; on the 12th day of January 2012, did violate Grievant's constitutional and statutory rights by "not stating and preserving" on the record of the said cause what capacity COBURN was fulfilling and without ensuring that the Grievant was competent and with an understanding of the nature of any said charges, as well as intelligent and knowledgeable of the consequences of any said waiver of his rights taking place within the mentioned proceeding and stipulating on Grievant's behalf and or FACTS to stipulation"s"/ stipulation"s" to FACTS in the said cause. State v. Self, 59 Wash.2d 62, 72, 366 P.2d 193(1961)(citing Culombe v. Connecticut, 367 U.S. 568, 601, 81 S.Ct 1860, 6 L.Ed.2d 1037(1961); cert. denied, 370 U.S. 929, 82 S.Ct. 1569, 8 L.Ed.2d 508(1962).

It is clear that COBURN assisted in the deception to place said Grievant in an "unlawful detention with conditions of release" and that there was improper police pressure involved in this matter. Landrum v. State of Arkansas(1997), 944 S.W.2d 101, 326 Ark.994, 996, 936 S.W.2d 505(1996); Commonwealth v. Rosario, 422 Mass. 48, 51, 661 N.E.2d 71(1996)

Said request is serving notice that if this Agency BOARD fails to apply the appropriate standards to this misconduct, Grievant will pursue a motion for a Judicial Review and seek damages up to (1)one million dollars, plus attorney fees. Timberlane Mobile Home Park v. Human Rights Comm'n ex rel.Campbell, 122 Wash.App 896, 900, 95 P.3d 1288(2004)(citing Burnhaun v. Dept. of Soc. & Health Servs., 115 Wash.App 435, 438, 63 p.3d 816(2003)).

Said Grievant now pleads with this agency to ADHERE NOW, properly exercise it's authority, and ORDER COBURN, this attorney and now Honorable Judge, to show that she did not fall within the "statutory" definition of "employee" under the Employee's Collective Bargaining Act; RCW 41.56(Act) for the Snohomish County Prosecutor's Office, provide answers to previously submitted requests, and now respond to this complaint, and explain her actions in this respective cause and prove these allegations to be false.

I declare under the penalty of perjury under the laws of the State of Washington that all of the foregoing is TRUTHFUL and Accurate.

Done this 25th day of March, 2015.


JOHN P. BLACKMON, GRIEVANT AND PRO SE



WSBA

OFFICE OF DISCIPLINARY COUNSEL

Felice P. Congalton
Associate Director

March 11, 2015

John P. Blackmon
#367781
Coyote Ridge Corrections Center
POB 769
Connell, WA 99326-0769

Re: ODC File: 15-00391
Your grievance against the Honorable Linda W.Y. Coburn

Dear Mr. Blackmon:

We received your grievance against a lawyer and assigned the file number indicated above. We appreciate receiving information from the public about lawyers licensed in Washington state. However, our authority and resources are limited. The Office of Disciplinary Counsel is authorized to investigate a grievance against a lawyer to determine whether the lawyer's conduct should have an impact on his or her license to practice law. We are not a substitute for protecting your legal rights. We do not and cannot represent you in legal proceedings.

We reviewed your grievance and determined that your primary concern is the manner in which your lawyer represented you in a criminal case. Ineffective assistance of counsel issues are best raised in court proceedings. Therefore, the general policy of this office is not to investigate claims of ineffective assistance of counsel unless there is a judicial finding of impropriety. It does not appear that the court found any impropriety.

We believe it is in your best interest, and in the best interest of the lawyer against whom you are complaining, that we tell you as soon as possible if it appears that the conduct you describe is not within our jurisdiction, does not violate the Supreme Court's Rules of Professional Conduct (RPC), or does not warrant further investigation by our office. Under the Rules for Enforcement of Lawyer Conduct (ELC), a lawyer may be disciplined only upon a showing by a clear preponderance of the evidence that the lawyer violated the RPC.

Based on the information we reviewed, there is insufficient evidence to warrant further action; therefore, we are dismissing your grievance under ELC 5.7(a). If you do not mail or deliver to us a written request for review of this dismissal within **forty-five (45) days** of the date of this letter, the decision to dismiss your grievance will be final. Should there be a judicial finding of impropriety, you may request that we reopen this matter. Absent special circumstances, and unless we are provided with reasons to do otherwise, we will forward to you a copy of any response we receive from the lawyer.

Sincerely,

A handwritten signature in cursive script that reads "Felice P. Congalton".

Felice P. Congalton
Associate Director

Enclosure: Lawyer Discipline in Washington
cc: Honorable Linda W.Y. Coburn (with enclosure and copy of grievance)

DO NOT SEND US ORIGINALS. We will scan and then destroy the documents you submit.

Mailed on 03/03/15
from LL.

DECLARATION of SERVICE GR 3.1
JOHN P. BLACKMON

Coyote Ridge Corrections Center
PO Box 769, HB08U2
Connell, WA. 99326-0769

February 25, 2015

I, JOHN P. BLACKMON, on the below date, placed in the U.S. Mail, postage prepaid, 4 envelope(s) addressed to the below listed individual(s):

Felice P. Congalton, WSBA
Washington State Bar Association
1325 Fourth Avenue, Suite 600
Seattle, WA. 98101-2539

Linda Coburn, Attorney at LAW
Edmonds Municipal COURT
250 Fifth Avenue N.,
Edmonds, WA 98020

Cynthia Jordan, Attorney at LAW
912 W. Broadway, STE. 205B
Spokane, WA 99201

Elizabeth Twigg, POA
1941 SE Redwing Circle,
Port St. Lucie, Fla. 34952

Snohomish County District COURT Cause No. PC12-0134
STATE of WASHINGTON, Plaintiff v. JOHN P. BLACKMON, Defendant

I am a prisoner confined in the Washington Department of Corrections, (DOC), housed at the Coyote Ridge Corrections Center (CRCC), 1301 N. Euphrata Avenue, Post Office Box 769, Connell, WA. 99326-0769, where I mailed said envelope(s) in accordance with DOC and CRCC policies 450.100 and 590.500. The said mailing was witnessed by a staff member and contained the below-listed documents:

1. Letter to Washington State Bar Association
2. Attachment A; Letter to Linda Coburn, Honorable Judge Linda Coburn
3. ATTACHMENT B; REPORT of PROCEEDINGS; January 12, 2012

I hereby invoke the "Mail Box Rule" set forth in (GR 3.1), and hereby declare under the penalty of perjury under the Laws of the State of Washington that the forgoing is TRUE and CORRECT to the best of my ability.

DATED this 25th day of February, 2015, at Connell, WA.

Respectfully Submitted,


JOHN P. BLACKMON, ACCUSED

February 25, 2015

Ms. Felice P. Congalton, WSBA
1325 Fourth Avenue, Suite 600
Seattle, WA 98101-2539

Dear Ms. Congalton:

I, JOHN P. BLACKMON, six year Veteran of The United States Navy, Permanently Disabled, and The ACCUSED herein, appreciate your receipt of this complaint and request in regards to the conduct and actions of Linda Coburn, WSBA# 36902, Attorney at LAW.

Ms. Coburn, appointed herself to represent Accused (by the cover page of the transcript only), see Attachment B:pg1,ln18;...on the morning of the 12th day of January 2012 before the Superior Court of Snohomish County CAUSE No.#PC12-0134 for sex offense charges as result of allegations from an individual.

Ms. Coburn's role and or function before The COURT, I do not understand and seemed to be equivalent to that of a Court Clerk/Reporter on the morning of the proceeding as;

- the proceeding only lasted a minute or so,
- the duress and detention Accused was experiencing from the restraint and detention he was exposed to; random visits at my cell door throughout Accused's stay accompanied by death threats and other heinous felony inflicted behaviors of physical and mental anguish,
- Accused was informed that he did not qualify to receive Public Defender assistance from a Clerk that visited Accused in Closed Custody and gathered his financial information,
- Closed Custody at the Snohomish County Jail exposed Accused to cell temperatures below sixty degrees Fahrenheit, lighted cell at ALL times, no glasses to see what Accused was reading and or signing, and a single blanket for warmth complicating asthma and panic attacks; 23 hours isolation/ 1 hour (permitting Accused access to make Legal Phone calls at some time random and unidentified to the Accused (allowing no coordination of schedules with family and or potential counsel) until his door was opened between 0100-0400 hours, to make phone calls, clean cell, and hygiene),

-On morning of proceeding, the Accused was shackled about the ankles and waist, retrieved by officers from Closed Custody (where Accused was placed following being booked and printed), placed in the hallway among a line of about fifteen to twenty others in custody murmuring death threats towards Accused for the said alleged offenses.

Ms. Coburn in passing told Accused that;

- When Accused's name was called, he need to stand up and face the video.
- and that if Accused keeps quiet, just keep his mouth shut, she was going to do what she could to get Accused bail or see if he even qualified to be bailed indicating that she would do what she could.

Due to my lack of criminal history;see Attachment B;Pg2,Ln12-13, Accused had no idea of what to do, what to expect, had no opportunity to receive advice or even seek competent counsel, what the charges were, and therefore, Accused kept his mouth shut.

Ms. Coburn said nothing further to Accused, except a quick exit.

Ms. Coburn responded to a question asked by The COURT, The HONORABLE ROGER FISHER; saying "There are STIPULATIONS" to probable cause for the purposes of this hearing, Your Honor."see Attachment B;pg2Ln10-11

Ms. Coburn, the unidentified Deputy Prosecutor(see Attachment B,cover page and throughout), nor The COURT; entered the Disputed and or Undisputed FACTS and or "STIPULATIONS" in the transcript; as well NO "STIPULATIONS", NO FACTS, NO Information, NO Complaint, NO Affidavit, and NO evidence of any Determination of Probable Cause was identified and or preserved in the record of this said cause for the purposes of this hearing and or proceeding.see Attachment B;pg2. Accused sent Ms. Coburn the letter(Attachment A) in an effort to obtain time stamped information that she had referenced concerning the "Stipulations" addressed and or any FACTs addressed on the 12th day of January 2012; requiring Accused to answer to such charges, and as well any other contractual and or qualification/certification compliant information that she could provide.

Accused received no return response, nor a Notice of Return to Sender.

Without the Accused knowing, agreeing to, and or being advised by Ms. Coburn to any "STIPULATIONS", Ms. Coburn addressed such on the record, thus diminishing and or negligently prejudicing this Accused and Although the Accused now comprehends this not to be the only violation of his rights in this nonadversarial proceeding, it is clear that the Snohomish County Superior COURT induced Ms. Coburn to manipulate and persuade the proceeding, that Ms. Coburn mentioned "STIPULATIONS" to FACTs of charges establishing probable cause without HIS consent and without any apparent facts to stipulate to on the 12th day of January 2012 in support of any charges and or probable cause.

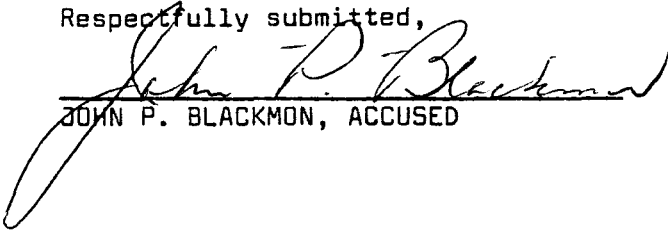
It is clearly established by The COURT and Ms. Coburn's knowing and persuasive actions on the record; that Ms. Coburn and possibly others acted fraudulantly on Accused's behalf(as well as 15-20 others that morning) and misrepresented HIM and HIS liberty at this proceeding in violation of RPC 1.6, RPC 8.4(c),(d), as well as those in support of the American Disabilities Act;as Accused has been permanently disabled by the State of Washington since 2003.

Accused is requesting that THE WSBA now accept this complaint and investigate,inquiring and requiring this Attorney, Ms. Coburn prove that she was fulfilling her ministerial duties in representing the Accused; as it has caused the loss of his freedom, his right to effective Assistance of Counsel required by the 6th Amendment and 14th Amendment; this burden, The Accused respectfully request be placed on Ms. Linda Coburn.

I hereby declare under the penalty of perjury under the LAws of The State of Washington that the foregoing is TRUE and CORRECT to the best of The Accused's ability.

DATED this 25th day of Feruary,2015,at Connell,WA.

Respectfully submitted,


JOHN P. BLACKMON, ACCUSED

JOHN P. BLACKMON # 367781

Coyote Ridge Corrections Center

PO Box 769 HB0824

Connell, WA 99326-0769

Linda Coburn, Honorable Judge. WSBA # 36902

Edmonds Municipal Court

250 5th Ave N

Edmonds, WA 98020

February 10, 2015

Honorable Judge L. Coburn;

I am requesting the following information and appreciate your time and consideration.

1. A signed Certification of Compliance with your Applicable Standards and qualifications during, on, and around January 12, 2012.

2. Identify authority and to what capacity you represented said defendant in PC12-0134 cause of the Snohomish County Superior Court.

3. Identify any and ALL terms of contract, notice of appearance, notice of withdrawal confirming authorization to represent defendant in cause PC12-0134.

4. Identify position you held on January 12, 2012.

5. Request "ALL WRITINGS"; certified copies, time stamped and filed with the Snohomish County Superior Court and or elsewhere on the 12th day of January 2012, identifying the stipulations to Probable Cause that you addressed in the Preliminary Hearing of SCSC Cause PC12-0134.

Sincerely and Respectfully Yours,

John P. Blackmon

JOHN P. BLACKMON #367781

cc: Elizabeth Twigg / Agnes P. Blackmon

APR 27 2015

DECLARATION OF MAILING

Ronald R. Carpenter
Clerk

GR 3.1

I, JOHN P. BLACKMON on the below date, placed in the U.S. Mail, postage prepaid, 3 envelope(s) addressed to the below listed individual(s):

<u>Ronald Carpenter, Clerk</u>	<u>Snohomish County Prosecutor</u>
<u>League of Justice</u>	<u>3000 Rockefeller Ave. MS504</u>
<u>PO Box 40929</u>	<u>Everett, WA 98201-4046</u>
<u>Olympia, WA 98509-0929</u>	<u>Attn. ALSDORF</u>

Cynthia Jordan, Attorney
921 W Broadway Ste 205B
Spokane, WA 99201
Please send copies to Florida @ Skelcoom, WA.

I am a prisoner confined in the Washington Department of Corrections ("DOC"), housed at the Coyote Ridge Correctional Complex ("CRCC"), 1301 N. Ephrata Avenue, Post Office Box 769, Connell, WA 99326-0769, where I mailed said envelope(s) in accordance with DOC and CRCC Policies 450.100 and 590.500. The said mailing was witnessed by one or more staff and contained the below-listed documents.

1. Motion To STAY APPELLANT REVIEW
2. APPENDIX D - CONFORMED MOTION TO DISMISS
3. APPENDIX R - ARGUMENT
4. _____
5. _____
6. _____

I hereby invoke the "Mail Box Rule" set forth in General Rule ("GR") 3.1, and hereby declare under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.

DATED this 23rd day of April, 2015, at Connell WA.

Signature John P. Blackmon