

JUN 22 2015

IN THE SUPREME COURT OF WASHINGTON
TEMPLE OF JUSTICE

Ronald R. Carpenter
Clerk

John Blackman,
Petitioner,

vs.

State of Washington,
Respondent.

MOTION TO SHOW CAUSE
FOR THE ORDER OF STAY
OF PROCEEDINGS.

Case #: 91269-6

I. Facts.

The Petitioner now comes forth and States that the following should be considered:

- (1). That there is action in the Lower Courts that must now be addressed properly prior to this courts decision; and
- (2). The State has failed to properly show cause of why this matter should not be put at Stay.

II. Argument.

Does This Petitioner Have
Substantial Merit To Now
Request An Order Of Stay?

It is clear that when you review these matters

at least that the procedure in this case in which would like to do nothing more than be able to "arbitrate" all the lower Courts authority to rule on the issues at hand. In re Marcalides, No.02-1189-10junk(9th.Cir. 2009); Rein v. United States Patent & Trademark office, 553 F.3d.353, 89 U.S.P.Q.2d.1961(4th.Cir.2009); Daniel T. Galena, Individually and on behalf of the citizens of Erie V. Fiore Leana, Chairman, Joseph Giles, vice-Chairman, No.10-1914(3d.Cir.2011).

This motion that was filed with a "Notice of Appeal" had lacked this motion to show the cause of why this order of Stay is actually being requested and that the State and the Assigned counsel of Record had actually committed mismanagement and Gross Negligence. Wernsing v. Thompson, 423 F.3d.732(7th.Cir.2005); Langford v. Norris, 614 F.3d.445(8th.Cir.2010); Smith v. Central Dauphin School Dist. No. 07-3022(3rd.Cir.2009); Luh v. J.K. Huber Corp., 211 Fed.Appx.143(4th.Cir.2006); Cindrich v. Fisher, No. 06-2615 (3rd. Cir.2009); Munley v. Dept. of Justice, 425 F.3d.1132(8th.Cir.2005); Fiber Systems International Inc. v. Roehrs, 470 F.3d. 1150, 80 U.S.P.Q. 2d.1902(5th.Cir.2006).

This court after reviewing this letter to show cause of why this order of Stay should be placed should now place the order of Stay and not waive this issue

as most due to there is substantial merit. State v. Smith, 135 wash.App.259, 144 P.3d.331(2006); Childs v. King County, 116 wash.App.1067(2003); Babcock v. St. of WA., 112 wash.2d.83, 768 P.2d.481(1989); Estate of Maxwell F. Kepl v. State, 34 wash.App.5, 659 P.2d. 1108(1983); Citizens for Fairshare v. Dept. of Corrections, 117 wash.App 411, 72 P.3d.206(2003); Stover v. Pierce County Corrections Health Clinic, 151 wash.App. 1017(2009).

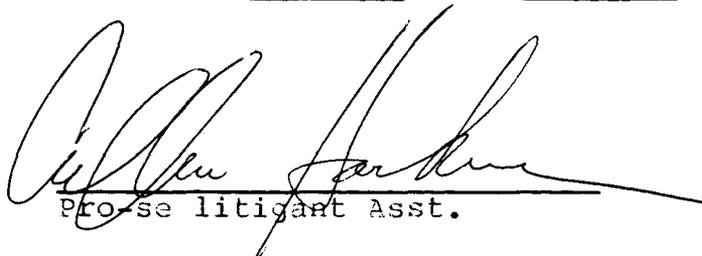
III. Conclusion.

The Petitioner now wants to correct the Deficiency by Stating that the motion and Notice of Appeal was only to represent this motion to show cause, not to file in this court as an actual appeal and ask that this court direct itself to the Attached Appendix and implicate the Previous motion and Notice of Appeal and to this motion at hand and would like to also make Note to this court that the Pro-se litigant Assistant was not available to Assist in these matters for the last (11 days) and is now able to clarify and correct all errors herein, and

ask this Court to grant the motion of order of Stay til the completeness of the Lower Courts.

I swear under penalty of perjury that all
Statements are true to the best of my knowledge.

DATED this 17th day of June, 2015.


Pro-se litigant Asst.


Petitioner

APPENDIX

THE SUPREME COURT

STATE OF WASHINGTON

RONALD R. CARPENTER
SUPREME COURT CLERK

SUSAN L. CARLSON
DEPUTY CLERK / CHIEF STAFF ATTORNEY



TEMPLE OF JUSTICE

P.O. BOX 40929
OLYMPIA, WA 98504-0929

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e-mail: supreme@courts.wa.gov
www.courts.wa.gov

June 9, 2015

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

Andrew Edward Alsdorf (sent by e-mail only)
Snohomish County Prosecutors' Office
3000 Rockefeller Avenue
Everett, WA 98201-4046

Re: Supreme Court No. 91269-6 - State of Washington v. John Patrick Blackmon
Court of Appeals No. 70955-1-I

Counsel and Mr. Blackmon:

On June 8, 2015, the Petitioner's "NOTICE OF APPEAL" was received in regards to this case.

The purpose in filing a document entitled "NOTICE OF APPEAL" is not clear. This matter was initiated by the filing of a notice of appeal in the superior court and the case was reviewed by the Court of Appeals. The Petitioner now seeks review of the Court of Appeals decision. The Rules of Appellate Procedure do not provide for the filing of a notice of appeal in the Supreme Court, nor at this stage of the review. Although the notice has been placed in the file for such information as the Court deems appropriate, no further action will be taken as to it.

Sincerely,

Susan L. Carlson
Supreme Court Deputy Clerk

SLC:kmt

DECLARATION OF MAILING

JUN 22 2015

GR 3.1

Ronald R. Carpenter
Clerk

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

<u>Ronald R. Carpenter, COURT Clerk</u>	<u>Andrew E. Alsdorf, Attorney</u>
<u>SUPREME COURT OF WASHINGTON</u>	<u>Snohomish County Prosecutor</u>
<u>TEMPLE OF JUSTICE</u>	<u>3000 Rockefeller Ave., M/S 504</u>
<u>P.O. Box 40929</u>	<u>Everett, WA. 98201</u>
<u>Olympia, WA. 98504-0929</u>	

<u>Sonya Kraski, COURT Clerk</u>	<u>Cynthia Jordan, Attorney at LAW</u>
<u>Snohomish County Superior COURT</u>	<u>921 W Broadway, Ste., 205 B</u>
<u>3000 Rockefeller Ave., M/S 506</u>	<u>Spokane, WA. 99201</u>
<u>Everett, WA. 98201</u>	

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. Declaration of Service, June 17, 2015
2. MOTION TO SHOW CAUSE FOR THE ORDER OF STAY OF PROCEEDINGS
3. APPENDIX: SUPREME COURT June 9, 2015 Missive
4. SUPPLEMENTAL TABLE OF APPENDIX: Pages 110-104
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 17th day of June, 2015 at Connell WA.

Signature John P. Blackmon