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IN THE SUPREME COURT OF WASHINGTON

JOHN WORTHINGTON,	)	No. 95330-9
	)	
Petitioner,	)	REPLY IN SUPPORT OF
	)	MOTION TO STRIKE
v.	)	LETTER OF PROTEST
	)	
WEST NET,	)	
	)	
Respondent.	)	

**I. IDENTITY OF MOVING PARTY**

The respondent, WESTNET, asks this Court for the relief designated in Part II of this motion.

**II. STATEMENT OF RELIEF SOUGHT**

WestNET respectfully asks the Court to strike the Letter of Protest which was filed by Petitioner Worthington on March 20, 2018.

**III. IV. FACTS RELEVANT TO MOTION**

Mr. Worthington has filed a "Letter of Protest" with the Court wherein he asserts facts and presents argument related to the issues he has raised on appeal. WestNET

1 moved to Strike the letter because it asserted facts not supported by the record and  
2 presented argument outside of the formal briefing process as proscribed by the Rules of  
3 Appellate procedure. In answering WestNET's motion, Mr. Worthington failed to  
4 address the merits of WestNET's motion to strike, but instead utilized the responsive  
5 pleading as a platform to present further argument on the issues raised in his Letter of  
6 Protest.  
7  
8

9  
10 **IV. GROUNDS FOR RELIEF AND ARGUMENT**

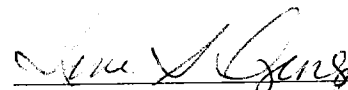
11 The factual matters and argument asserted in both Mr. Worthington's Letter of  
12 Protest and his Reply to WestNET's Motion to strike the letter have been presented to  
13 this court in contravention of the rules of appellate procedure. Mr. Worthington's efforts  
14 to argue the issues and present factual matters outside the scope of these rules, via both  
15 his Letter of Protest and his Reply to the motion to strike, should be stricken from  
16 consideration by this Court.  
17

18  
19 **V. CONCLUSION**

20 Based upon the foregoing, WestNET respectfully requests that the relief sought be  
21 granted, and the Letter of Protest and the extraneous content related thereto should be  
22 stricken from the record and from consideration by this Court.  
23

24 DATED this 26<sup>th</sup> day of March, 2018.

25 TINA R. ROBINSON  
26 PROSECUTING ATTORNEY

27   
28 \_\_\_\_\_  
29 IONE S. GEORGE, WSBA NO. 18236  
Chief Deputy Prosecuting Attorney

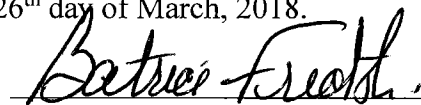
CERTIFICATE OF SERVICE

I, Batrice Fredsti, declare, under penalty of perjury under the laws of the State of Washington, that I am now and at all times herein mentioned, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the above document in the manner noted upon the following:

John Worthington 4500 SE 2nd Place Renton, WA 98059 <u>Worthingtonjw2u@hotmail.com</u>	<input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email: <input type="checkbox"/> Via Hand Delivery
Peter B. Gonick Deputy Solicitor General 1125 Washington Street SE P.O. Box 40100 Olympia, WA 98504-0100 <u>PeterG@ATG.WA.GOV</u>	<input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email: <input type="checkbox"/> Via Hand Delivery
Joseph Thomas 14625 SE 176 <sup>th</sup> St, Apt. N101 Renton, WA 98058-8994 <u>joe@joethomas.org</u>	<input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email: <input type="checkbox"/> Via Hand Delivery

SIGNED in Port Orchard, Washington this 26<sup>th</sup> day of March, 2018.



Batrice Fredsti, Legal Assistant  
Kitsap County Prosecuting Attorney  
614 Division Street, MS-35A  
Port Orchard, WA 98366-4676  
(360) 337-4992

**KITSAP COUNTY PROSECUTING ATTORNEY'S OFFICE - CIVIL DIVISION**

**March 26, 2018 - 11:33 AM**

**Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 95330-9  
**Appellate Court Case Title:** John Worthington v. WestNet  
**Superior Court Case Number:** 11-2-02698-3

**The following documents have been uploaded:**

- 953309\_Answer\_Reply\_20180326113155SC576117\_9237.pdf  
This File Contains:  
Answer/Reply - Reply to Answer to Motion  
*The Original File Name was Reply re Motion to Strike Letter of Protest.pdf*

**A copy of the uploaded files will be sent to:**

- joe@joethomas.org
- thelittlewho@hotmail.com
- worthingtonjw2u@hotmail.com

**Comments:**

Reply in Support of Motion to Strike Letter of Protest

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Sender Name: Batrice Fredsti - Email: bfredsti@co.kitsap.wa.us

**Filing on Behalf of:** Ione Susan George - Email: igeorge@co.kitsap.wa.us (Alternate Email: )

Address:  
614 Division Street, MS-35A  
Port Orchard, WA, 98366  
Phone: (360) 337-4992

**Note: The Filing Id is 20180326113155SC576117**