

2018 NOV 19 AM 8:42

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

MARCIA MILES,)	No. 76875-1-1
)	
Appellant,)	
)	
v.)	UNPUBLISHED OPINION
)	
BEN A. GOOLD, M.D., et al.,)	
)	
Respondents.)	
_____)	FILED: November 19, 2018

PER CURIAM — Marcia Miles appeals a 2016 summary judgment order dismissing her complaint against respondents for negligent medical care, disability discrimination, and other causes of action. She also appeals a 2017 order denying her motion to vacate the summary judgment order under CR 60(b)(11). We affirm.

Miles cannot appeal the 2016 order since she previously appealed it to the Washington State Supreme Court, which dismissed the appeal and issued a mandate. See RAP 12.2. She also cannot appeal the 2016 order because our review is limited to the decision denying her motion to vacate the judgment, not the underlying judgment. Bjurstrom v. Campbell, 27 Wn. App. 449, 450-51, 618 P.2d 533 (1980).

Miles’s appeal from the 2017 order denying her motion to vacate fails because her briefs contain no assignments of error, argument, or authority

No. 76875-1-I/2

relating to that order or CR 60(b) (11). See RAP 10.3(a). Saunders v. Lloyd's of London, 113 Wn.2d 330, 345, 779 P.2d 249 (1989) (appellate court need not consider issues unsupported by adequate argument and authority); Norcon Builders, LLC v. GMP Homes VG, LLC, 161 Wn. App. 474, 486, 254 P.3d 835 (2011) ("We will not consider an inadequately briefed argument.").

Miles's attempt to appeal GR 33 orders "made throughout the case" fails because any such orders filed prior to the Supreme Court's mandate are final, and because the court below *granted* Miles's GR 33 request. RAP 3.1 ("[o]nly an aggrieved party may seek review by the appellate court.").

Affirmed.

For the Court:






