

**IN THE COURT OF APPEALS OF THE
STATE OF WASHINGTON DEVISION 1.**

ANTHONY SABEGH

APPELLANT

LEILA JAHEAD

RESPONDENT

APPEAL FROM KING COUNTY SUPERIOR COURT
REGARDING DIVORCE ISSUES (Parenting plan/Domestic
violence) **MADE BY AN ARBITRATOR**

**TRIAL COURT NO. 09-3-04345-4-SEA
APPELLATE COURT NO. 66606-1**

1

BRIEF OF APPELLANT

Counsel for Respondent:

Name, address and phone number

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Appellant:

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I. Nature of the case:

In our final divorce, an arbitrator/ mediator assessed and finalized his decision on our parenting plan. I am the biological father to my only son. I was denied to have normal visitation time with my five years old child until he is eighteen. No evidence or proof of any wrong doing during my five years of marriage. No conviction of record of any kind for past thirteen years.

II. Assignment of error:

The mediator/arbitrator has made the following errors.

- /1/ The mediator/arbitrator based his final decision on the report that was generated erroneously by a family court services case evaluator.
- /2/ Neither family court services case evaluator nor the mediator/arbitrator have use any recording devices or request a court reporter to document the proceedings.
- /3/ At the time of our scheduled “mediation hearing” for our divorce, the mediator surprisingly called for opposing witnesses. I was not aware we can have witnesses at the mediation hearing. I was not given a chance to introduce my legitimate witnesses.
- /4/ One of the witnesses (my sister suppose to witness against me) regarding an incident with my child which she specifically mentioned that she did not observe or be at the site of the incident. She said she is assuming her statement. The mediator concluded

our final parenting plan based on my sister assumption statement and inadmissible document in the court evaluator report.

/5/ My sister testified a couple events in our five years marriage with no prove of any evidences or even observing the incident that she stated to the mediator.

/6/ My wife testified one incident which was a true statement but she added that this is a play that families conduct with kids while playing with children (Either party take turn touching the back of other party's hand to win the game).

/7/ The court evaluator report was based on my previous divorce case 13 years ago because the "court evaluator had no evidence or supporting material to use against my current divorce case".

III. Statement of the case:

The negotiator/arbitrator in this divorce case produced a final parenting plan based on court evaluator's erroneous report that was made with no

evidence but “thirteen years old document from my previous divorce” and a phony “typed” restraining order that was made by the opposing attorney.

The negotiator/arbitrator tried to use my sister as a witness testifying against me so he could use it as evidence against me. My sister testimony was not out of line but the arbitrator’s final report was 180 degree opposite of what my sister stated at the arbitrator hearing (No recording devices or court recorder was present) CP 66-88.

I was not allowed to use my witnesses CP 35-36, CP 26-28, CP 23-25, CP29-31, and CP 32-34.

The superior court has ordered me to begin unsupervised visitation with my child when I successfully complete the one year DV treatment class CP 37-44, CP 62-65, CP 46-58.

I am requesting this court very respectfully to order my request, CP91-131, CP134-137, CP 138-140.

IV. Argument:

My wife, my five years old child, and I have very nice and peaceful life for duration of our marriage. My fifty two years old sister is a single woman costing me my divorce. She always has issues to be with any one man for few months. She always wishes to have a chilled with a man, but with no success to date. Therefore, she always has an eye to take my child away from my family. In many occasions she would ask my son to call her second mother (I was opposing the term). My sister always tried to mediate in our personal marriage life each time she came to our home for a visit (I was opposing her effort).

One year before our separation, I had argument with my sister due to the similar attempt and was forced to ask her to leave and stay away from my family. She stop coming to our home, but she never quit texting to my wife and asking her to bring our son to my sister home to visit. I was not aware of these visits. My sister was abusing the situation, taking my beautiful and inexperienced wife under her wrong influences by providing her with nice and expensive gifts.

In one occasion my wife told me that your sister is offering me and asking me to start dating other guys and leave her brother because “her brother” is , workaholic, and not good for you.

My wife revealed that she can not stop my sister to talk negative about you but since your sister purchase those nice gift for me I go to her house with Cameron “our son” so she can have visit with Cameron. My wife and my child are the sweetest and innocent people that reluctantly got involve in this ordeal.

Due to my accent, the family court evaluator and the arbitrator misunderstood of what I tried to portray in either hearings about my past five years marriage and my sweet wife and son. The report that the court evaluator and the mediator developed was not relevant to my trait but 180 degree different than what I tried to demonstrate at both hearings with court evaluator and with the mediator.

I am a very optimistic and honest person so is my wife and my child. My wife is from very respectful family that never lies. She witnessed the truth at the mediators hearing but the information for some reason twisted 180 degree against me in the final report (that could be due to her accent too). No recording devices were used as hard evidence in either hearing.

V. Conclusion:

My sister is the main cause to our divorce and separation of my beautiful son with his biological father. I am requesting this court to assign a trial judge re-evaluating our documents and interview with our legitimate witnesses such as my ex-wife, my ex-wife parents, which happens to be in our family home 70% of the time caring of our child Cameron while we were at work for a true and accurate testimony and ultimate findings by an honorable superior court judge.

Best Regards;

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct:

DATED this 5TH day of July, 2011.

By: A. Sabegh

Anthony Sabegh

6413 Lake WA BLVD N.E.

Kirkland WA, 98033

425-830-2269

DECLARATION 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 5th July, 2011, I arranged for service of the foregoing Brief of Appellant to Court of Appeals, Division I, to the court and to the parties to this action as follows:

Office of Clerk Superior court of the state of Washington king county . 516 3rd Ave, RM E609- Seattle, WA 98104-2361	<input type="checkbox"/> Facsimile <input type="checkbox"/> Messenger <input type="checkbox"/> U.S. Mail <input checked="" type="checkbox"/> Hand Delivered
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Name of Opposing Counsel Ms. Sharon Blackford PLLC 1100 Dexter Avenue N. , #100 Seattle, WA 98109 206-459-0441	<input type="checkbox"/> Facsimile <input type="checkbox"/> Messenger <input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Hand Delivered
--	--

DATED at Seattle, Washington this 5TH day of July,

2011.

A. Sabegh

Anthony Sabegh