

# SMITH GOODFRIEND, P.S.

CIVIL APPEALS

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Jan 20, 2016, 3:23 pm  
BY RONALD R. CARPENTER  
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January 20, 2016

Mr. Ronald R. Carpenter  
Washington Supreme Court Clerk  
Temple of Justice  
P.O. Box 40929  
Olympia, WA 98504-0929

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*Re: Binschus, et al. v. Skagit County and Okanogan County, Cause No. 91644-6*  
Oral Argument, January 14, 2016

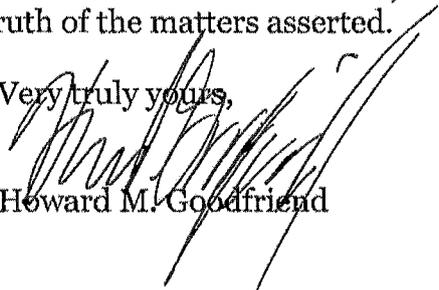
Dear Mr. Carpenter:

I am counsel for petitioner Skagit County. I write in response to respondents' counsel's letter of January 15, 2016, alleging that "Zamora threatened his girlfriend with a knife and was subject to a no-contact order." (citing CP 1968, 1970)

The respondents' citation does not support their position at argument that Zamora had a violent history that was known to Skagit County. Respondents cite to a December 2, 2008 forensic psychiatric evaluation, conducted after Zamora's arrest for murder in September, 2008. The psychiatrist in fact states that "Mr. Zamora was without a history of threatening or violent behavior toward other persons." (CP 1968; see Petition for Review 3) He further stated that "his former girlfriend Connie alleged that he threatened her verbally with a knife . . . during 2003" (CP 1968) and that the relationship "eventuated in No Contact Orders between them . . ." (CP 1970) There is no evidence of any no contact order in the record, however, and no indication that the former girlfriend reported this to Skagit County police or to the jail.

Moreover, the report itself is hearsay and the allegations from the former girlfriend are double hearsay. While the psychiatrist may have based his opinion regarding Zamora's mental condition on inadmissible evidence, those underlying statements may not be relied on for the truth of the matters asserted.

Very truly yours,

  
Howard M. Goodfriend

HMG/tdf  
cc: All counsel of record

 ORIGINAL

**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 January 20, 2016, I arranged for service of the foregoing letter to Ronald R. Carpenter, to the Court and to the parties to this action as follows:

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**DATED** at Seattle, Washington this 20<sup>th</sup> day of January,  
2016.

  
Tara D. Friesen

## OFFICE RECEPTIONIST, CLERK

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**Subject:** RE: Binschus, et al. v. Skagit County, et al. Case No. 91644-6

Received on 01-20-2016

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**Subject:** RE: Binschus, et al. v. Skagit County, et al. Case No. 91644-6

Attached for filing is a letter to Ronald R. Carpenter, Court Clerk, in *Binschus, et al. v. Skagit County, et al.*, Supreme Court Cause No. 91644-6.

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