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No. 92675-1

(Court of Appeals no. No. 45575-7-II)

SUPREME COURT
IN THE STATE OF WASHINGTON

DEBORAH PERALTA,

Petitioner,

v.

STATE OF WASHINGTON and WASHINGTON
STATE PATROL,

Respondent.

PERALTA'S REPLY TO CROSS-PETITION FOR REVIEW

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ARGUMENT WHY CROSS-PETITION SHOULD BE DENIED

WSP's cross-petition is not review-worthy. It involves the specific wording of a request for admission that was held factually insufficient to establish that plaintiff was "under the influence" for purposes of RCW 5.40.060. The Court of Appeals opinion explained why the request's wording was factually insufficient, ensuring that, going forward, other litigants will not make the same mistake.

Contrary to WSP's claim, this is not an issue that rises to the level of "substantial public interest that should be determined by the Supreme Court." RAP 13.4(b)(4). It is an issue that involves the application of settled law to particular facts that is not likely to recur in future cases.

CONCLUSION

The Court should deny WSP's cross-petition. It is not review-worthy.

Respectfully Submitted,

s/ Michael H. Bloom
Michael H. Bloom
Donald L. Jacobs
Attorneys for Petitioner

CERTIFICATE

I certify that I mailed a copy of PERALTA'S REPLY TO CROSS-PETITION FOR REVIEW to Steve Puz and Patricia Todd, Respondents' attorneys, Box 40126 Olympia, Washington 98504-1103, Attorneys for Respondents, postage prepaid, on April 1, 2016.

s/ Michael H. Bloom
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Dear Clerk

Attached please find Peralta's Reply to Cross-Petition in Supreme Court Case no. 92675-1, Court of Appeals Case no. 45575-7-II.

Thank you.

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