

SUPREME COURT
OF THE STATE OF WASHINGTON

PALMER D. STRAND, et al.) No. 94313-3
)
) Petitioners
v.) **SUPPLEMENTAL BRIEF OF**
) **RESPONDENTS**
)
SPOKANE COUNTY, et al.)
)
) Respondents.

* * * * *

FACTS

The facts before the Court are set forth the Court of Appeals *sua sponte* rulings and the Supreme Court ruling filed June 16, 2017.

ISSUE

Whether a judgment that reserves for future determination an award of penalties is a “final judgment [that] reserves for future determination an award of attorney fees or costs” within the meaning of RAP 2.2(a)(1).”

LAW AND ARGUMENT

The Court of Appeals ruling that entry of an order that awards costs and other penalties does not extent the time to file a notice of appeal of other earlier

orders under RAP 2.2(a)(1) seemed plausible for the reasons set forth in the County's Memorandum on Issue of Untimeliness of Appeal.

Upon further review of case law and rules of statutory construction, it becomes apparent that the partial summary judgment order reserving the issue of costs and penalties was not a final order under RAP 2.2(a)(1).

DATED this 5th day of October, 2017

LAWRENCE HASKELL
Prosecuting Attorney


ROBERT B. BINGER, WSPA# 10774
Deputy Prosecuting Attorney

PROOF OF SERVICE

I hereby declare under the penalty of perjury and the laws of the State of Washington that the following statements are true.

On the 5th day of October, 2017, I caused to be served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

Palmer D. Strand	<input type="checkbox"/>	Personal Service
Patricia N. Strand	<input checked="" type="checkbox"/>	U.S. Mail
P.O. Box 312	<input type="checkbox"/>	Hand-Delivered
Nine Miles Falls, Washington 99026	<input type="checkbox"/>	Overnight Mail
(Plaintiffs Pro Se)	<input type="checkbox"/>	Facsimile
	<input checked="" type="checkbox"/>	E-Mail

Dated this 5th day of October, 2017, in Spokane, Washington.


Donna Monroe

SPOKANE COUNTY PROSECUTOR

October 05, 2017 - 2:06 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 94313-3
Appellate Court Case Title: Palmer D. Strand and Patricia N. Strand v. Spokane County et al.
Superior Court Case Number: 16-2-01079-7

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