

66059-4

66059-4

FILED
COURT OF APPEALS DIV. #1
STATE OF WASHINGTON

2011 JUN 20 10:45

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

STATE OF WASHINGTON)
)
 Respondent,)
)
 v.)
 CAROL MAGEE)
 (your name))
)
 Appellant.)

No. 66059-4-1

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, CAROL MAGEE, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

JUDGE CHURCHILL WOULD NOT RECUSE
HERSELF - JUDGE HANCOCK WAS THE
ORIGINAL JUDGE
CHURCHILL IS BIASED AND HAD PREVIOUSLY
RULED AGAINST ME ON THE SAME CASEMENT
WITH THE LETTERS I MAINTAIN SWEAR TO THE
FACT THAT PREVIOUS TRANSCRIPTS HAVE BEEN
CHANGED AS THESE WERE

Additional Ground 2

THE PROSECUTING ATTORNEY PROCEEDED
AS IF NO ARRANGEMENT HAD BEEN FOR
RESTITUTION OF THE DAMAGE TO TRANSCRIPTION
IT WAS ON MY REGULAR POWER ALL - PAID
ON MONTHLY

If there are additional grounds, a brief summary is attached to this statement.

Date: 6/13/11

Signature: Carol Magee

RULE OF APPELLAGE PROCEDURE 10.10
STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW

(a) Statement Permitted. A defendant/appellant in a review of a criminal case may file a pro se statement of additional grounds for review to identify and discuss those matters which the defendant/appellant believes have not been adequately addressed by the brief filed by the defendant/appellant's counsel.

(b) Length and Legibility. The statement, which shall be limited to no more than 50 pages, may be submitted in handwriting so long as it is legible and can be reproduced by the clerk.

(c) Citations; Identification of Errors. Reference to the record and citation to authorities are not necessary or required, but the appellate court will not consider a defendant/appellant's statement of additional grounds for review if it does not inform the court of the nature and occurrence of alleged errors. Except as required in cases in which counsel files a motion to withdraw as set forth in RAP 18.3(a)(2), the appellate court is not obligated to search the record in support of claims made in a defendant/appellant's statement of additional grounds for review.

(d) Time for Filing. The statement of additional grounds for review should be filed within 30 days after service upon the defendant/appellant of the brief prepared by defendant/appellant's counsel and the mailing of a notice from the clerk of the appellate court advising the defendant/appellant of the substance of this rule. The clerk will advise all parties if the defendant/appellant files a statement of additional grounds for review.

(e) Report of Proceedings. If within 30 days after service of the brief prepared by defendant/appellant's counsel, defendant/appellant requests a copy of the verbatim report of proceedings from defendant/appellant's counsel, counsel should promptly serve a copy of the verbatim report of proceedings on the defendant/appellant and should file in the appellate court proof of such service. The pro se statement of additional grounds for review should then be filed within 30 days after service of the verbatim report of proceedings. The cost for producing and mailing the verbatim report of proceedings for an indigent defendant/appellant will be reimbursed to counsel from the Office of Public Defense in accordance with Title 15 of these rules.

(f) Additional Briefing. The appellate court may, in the exercise of its discretion, request additional briefing from counsel to address issues raised in the defendant/appellant's pro se statement.

ADDITIONAL GROUND 1

AFTER SEATING THE JURY MR MITCHELL WAS ASKING A JUROR IF HE THOUGHT IF ~~RE~~ HAD AN EASEMENT DID THEY OWN THE PROPERTY?

THE JUROR ANSWERED YES.

CHURCHILL SPoke SAYING WE "WERE NOT TO DEFINE EASEMENT"

"SHE WOULD DO IT IN HER FINAL INSTRUCTION"

SHE NEVER DID AND THIS IS NOT THE RECORDED LANGUAGE IN THE TRANSCRIPT BY KAREN SHIPLEY.

I REQUESTED THIS CONVERSATION, FROM KAREN 3 TIMES, SHE NEVER PROVIDED IT.

IN PREVIOUS CASES SHE HAS CHANGED TESTIMONY AND I HAVE OTHER LITIGANTS WHO WILL ATTEST TO THE SAME EXPERIENCE

WHEN I TOLD JENNIFER WALLACE ABOUT THIS AND ANOTHER CASE OF FRAUD AT THE END OF THE TRIAL WHERE CHURCHILL SAYS YOU HAVE 30 DAYS TO APPEAL - IT NEVER HAPPENED.

THE PAPERWORK GIVEN ME BY DEBRA VAN PELT (CLERK) SAID 48 DAYS

MS WINKLER SAID IT WAS IRRELEVANT BECAUSE THE APPEALS COURT DECIDED TO HEAR MY CASE -

IRRELEVANT THAT IM CALLING THE JUDGE A LIAR.

WHEN THE JUDGE TOLD US WE
COULD NOT DEFINE EASEMENT SHE
TOOK AWAY MY RIGHT TO DEFEND
MYSELF WITH FREE SPEECH

EASEMENT LAW:

THE LIMITED USE OF ANOTHERS
REAL PROPERTY FOR A RIGHT OF WAY.

ENCLOSED IS THE PROSECUTING ATTORNEYS
OFFER FOR A GUILTY PLEA.

ENCLOSED IS A COPY OF THE PSE
BILL THAT ALREADY INCLUDED THE TRANSFORMER
DAMAGE.

ENCLOSED IS A COLLECTION NOTICE ABOUT THE
REGULAR PSE BILL.

I PROVIDED THIS INFO TO THE PROSECUTOR
STATING I DID NOT BELIEVE THEY ^(PSE) WERE
AWARE THAT THE STATE WAS OFFERING
ME THIS OR THAT ANYONE OTHER THAN
THE BILLING DEPT REVIEW OF THE
ONGOING PROSECUTION OF ME OVER
A CIVIL ISSUE.

(THE LEONARDIS & SHERIFF LINDNER
GENERATED THIS CASE. EVEN THOUGH I
PROVIDED THE PROSECUTOR WITH THIS
INFO AND THE ENCLOSED LETTER ABOUT
SHERIFF LINDNER AND HIS AGENDA.

MY CONCERNS WERE NEVER
ADDRESSED.

HIS FRAUDULENT TESTIMONY
WAS ADMITTED.

WHY DID HE RETIRE THE DAY
I DELIVERED MY LETTER TO MR BANKS?

ISLAND COUNTY PROSECUTING ATTORNEY
GREGORY M. BANKS

David L. Jamieson, Jr., *Chief Civil Deputy*

Caroline J. Morse, *Office Administrator*

Deputy Prosecutors
Eric M. Ohme
Peter J. Simpson
Colleen S. Kenimond
Daniel B. Mitchell
David E. Carman
Erin M. Lewis
Kailin James

June 4, 2010

Carol Magee
543 Houston Road
Coupeville, WA 98239

Re: State v. Carol Anne Magee
Island County Superior Court Cause No. 10-1-00100-1

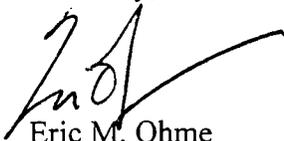
Dear Ms. Magee:

Thank you for meeting with me on June 2, 2010. As we discussed, the State's main concern in regard to this case is restitution to Puget Sound Energy in the amount of \$1382.80.

In exchange for a plea of guilty to an amended charge of Malicious Mischief in the Third Degree (a gross misdemeanor), the State would agree to a joint recommendation of 365 days in jail with 365 days suspended (which means you would not serve any jail time), a \$500 Victim Compensation Fine, restitution in the amount of \$1382.80, and all other fines would be waived. The 365 days would be suspended on conditions that you have law abiding behavior for one year.

If you are convicted of Malicious Mischief in the Second Degree (a class C felony), the standard range is 0 – 60 days in jail and you would likely be assessed significantly more in fines and fees. Please let me know how you wish to proceed.

Sincerely,



Eric M. Ohme
Deputy Prosecuting Attorney

EMO/jw



PUGET SOUND ENERGY

The Energy To Do Great Things

URGENT NOTICE

June 4, 2010

Account Number: 805-735-371-9

Customer: CAROL A MAGEE

Total Account Balance: \$1,891.95

I AM ALREADY PAYING FOR FORMER TRANS ON my bill

Our records indicate that there is a past due amount of \$1,875.69 on the service address listed below. If payment has been mailed, thank you.

If payment hasn't been made, call 1-888-225-5773 to inquire about payment options for the following charges. Failure to pay the minimum amount due or to contact Puget Sound Energy immediately to make mutually satisfactory payment arrangements will result in service disconnection without further notice.

Electric Service at 543 E HOUSTON RD COUPEVILLE, WA 98239

Minimum Amount Due: \$320.71

DO NOT MAIL ABOVE PORTION OF PAYMENT. Please call 1-888-225-5773 to inquire about payment options.

In addition, payment of the following past due charges, or mutually satisfactory payment arrangements, must be received by the date shown or service may also be disconnected. Mail payment for the amount below today in the envelope provided.

Electric Service at 543 E HOUSTON RD COUPEVILLE, WA 98239

\$227.62 by June 21, 2010

Important: If service is disconnected for non-payment, a minimum reconnection charge of \$37 plus an additional deposit is required for reconnection. Appointments for reconnection are subject to scheduling availability. Please note that there is a \$13.00 charge for a field representative visit.

Sign up for "My PSE Account", a convenient online account

For information, emergencies, to report an outage or for changes to your account, please call 1-888-225-5773.

When paying in person, please present both portions. When mailing remittance, please mail to Puget Sound Energy, BOT-01H, P.O. Box 91269, Bellevue, WA 98009-9269

Please detach here and return this portion with your payment

URGENT NOTICE



PUGET SOUND ENERGY Account: 805-735-371-9

The Energy To Do Great Things

Current Bill Due Date Now

Total Amount Due
\$1,875.69

Please make checks payable to Puget Sound Energy

007789 1 AT .357 POL8T5 **R002
CAROL A MAGEE
543 E HOUSTON RD
COUPEVILLE WA 98239-9606

Puget Sound Energy
BOT-01H
P.O. Box 91269
Bellevue, WA 98009-9269

010272

805739244

0001 01 00008057353719 000000187569 000000187569

FINAL REQUEST FOR PAYMENT

Account Number: 805-735-371-9
 Customer: CAROL A MAGEE
 Service Address: 543 E HOUSTON RD, COUPEVILLE, WA 98239

We wish to bring to your attention that as of today, April 26, 2010, your account has an outstanding balance of \$1,327.36. This amount may include a 1% late payment fee. An explanation of this fee is on the back of this notice.

Although we have mailed you an original closing bill, your account remains unpaid.

We would appreciate your prompt attention to this matter. Unless payment is received by May 3, 2010, your account is subject to referral to a collection agency and/or a credit reporting agency.

Please protect your credit rating by returning your remittance in the enclosed envelope. You may also pay by credit card (a convenience fee applies) by calling 1- 888-225-5773.

If you have any questions, please call our Customer Access Center at 1- 888-225-5773 or from out-of-state at 1-425-452-1234. We are available Monday through Friday, 7:30 a.m. to 6:30 p.m. The Center is available for emergency services 24 hours a day. You may also reach us via our website: www.pse.com.

For information, emergencies, to report an outage or for changes to your account, please call 1-888-225-5773.

When paying in person, please present both portions. When mailing remittance, please mail to Puget Sound Energy, BOT-01H, P.O. Box 91269, Bellevue, WA 98009-9269

Please detach here ↑ and return this portion with your payment

FINAL REQUEST



PUGET SOUND ENERGY
The Energy To Do Great Things

Account: 805-735-371-9

Current Bill Due Date
Now

Total Amount Due
\$1,327.36

Please make checks payable to Puget Sound Energy

022591 1 AT .357 P0KZV9 **R002

 CAROL A MAGEE
 543 E HOUSTON RD
 COUPEVILLE WA 98239-9606

Puget Sound Energy
 BOT-01H
 P.O. Box 91269
 Bellevue, WA 98009-9269

036358



PO Box 6030
 Hauppauge NY 11788-0154
 FORWARD SERVICE REQUESTED



ER Solutions, Inc. 800 SW 39th St.
 PO Box 9004 -Renton, WA 98057
 Mon-Fri 8AM-5PM

G-15984268-G131 337500197



Carol A Magee
 543 Houston Rd
 Coupeville WA 98239-9606

Date: 05/18/2010

Creditor: Puget Sound Energy
 Client Account #: 805-735-371-9
 ERS Account #: G-15984268

Principal: \$1,327.36
 Total Balance: \$1,327.36

Dear Carol A Magee:

This notice is being sent to you by a collection agency. The records of Puget Sound Energy show that your balance of \$1,327.36 is due in full for utility service at the following address:

543 E Houston Rd Coupeville

To resolve your account, please contact either ER Solutions, Inc. at 800-327-8038, ERS, PO Box 9004, Renton, WA 98057 or contact PSE directly at 1-888-225-5773 Toll Free

Or by mail at: Puget Sound Energy
 BOT-01H
 PO Box 91269
 Bellevue, WA 98009-9269

Sincerely,

Bonnie Rhae
 Debt Collector

This is an attempt to collect a debt and any information obtained will be used for that purpose. This communication is from a debt collector.

NOTICE: PLEASE SEE REVERSE SIDE FOR IMPORTANT CONSUMER INFORMATION.

222ATERS001G131

Please detach the bottom portion of this letter and return it with your payment in the enclosed envelope.

Date: 05/18/2010
 Creditor: Puget Sound Energy
 Client Account #: 805-735-371-9
 ERS Account #: G-15984268

G-15984268-G131
 Carol A Magee
 543 Houston Rd
 Coupeville WA 98239-9606

Total Balance: \$1,327.36
 Amount Enclosed: US _____

*THIS MY
 WAS
 REBUILT
 POWER BILL
 MOVED TO
 COLLECTION*

New Address:

Address: _____
 City: _____ ST _____ Zip: _____
 Daytime Phone: (____) _____ - _____
 Evening Phone: (____) _____ - _____

Puget Sound Energy
 BOT -01H
 PO Box 91269
 Bellevue WA 98009-9269



Oreg Banks
Prosecuting Att.

CAROL MAGEE
543 HOUSTON RD.
COWDVILLE 98243
360 678 9123
6/24/10

MR BANKS

I WOULD LIKE TO FILE A COMPLAINT AGAINST
COWDVILLE'S SHERIFF LINDNER.

MR LINDNER HAS SYSTEMATICALLY ATTEMPTED
TO PORTRAY ME AS A PERSON WHO IS HARASSING
HER NEIGHBORS; WHEN IN FACT THE OPPOSITE IS
TRUE, THEY HAVE BEEN PERSECUTING ME AIDED
AND ABETTED BY MR LINDNER.

OUR FIRST OFFICIAL ENCOUNTER OCCURRED ON
JAN. 21ST WHEN HE ARRESTED AND BOOKED ME
INTO THE JAIL FOR TRANSFORMER DAMAGE ON
MY OWN PROPERTY. HE JUSTIFIED HIS
INVOLVEMENT BY CITING IT AS A "TRAFFIC ACCIDENT."
HE CAME TO MY GATE, WOULD NOT COME IN
BUT REQUESTED I FOLLOW HIM TO THE JAIL
OR HE WOULD COME BACK WITH THE SWAT TEAM
(ONE OF THE OTHER SHERIFFS SCOFFED AT THIS
SAYING "WE DONT HAVE A SWAT TEAM")

WHEN I PROTESTED THE SWAT TEAM FOR A
67 YEAR OLD FEMALE AND HE SAID "I HEAR
YOU HAVE GUNS"

I ASKED WHO CALLED HIM AND WHAT WERE
THE CHARGES.

HE SAID HE WAS RESPONDING TO A 911 CALL
FOR THE LEWARDS WHO LOST THEIR POWER BECAUSE
I HAD PARKED INTO THE TRANSFORMER ON
THE ROAD EASEMENT.

I ASKED HIM IF REE (COUNCILS TRANSFORMER)
HAD CALLED HIM & HE SAID NO I ASKED
WHO WAS BRINGING THE CHARGES - HE WAS -

I MADE NUMEROUS ATTEMPTS TO SPEAK TO
HIS SUPERIORS ABOUT THE "VAULT PROJECT"

FINALLY UNDERSHERIFF MARK RESPONDED AND SAID IT WAS ONLY A MISCHIEVOUS MISCHIEF CHARGE. (NOTHING IMMOBILIZING SINCE I WASN'T BEING PROSECUTED)

NOW FORWARD TO PERMANENT - WHEN A NEIGHBOR (JOE BLACK) ASSAULTED ME OF THE EMBROIDERY AS I WAS CLOSING A LEGAL GATE (AS LONG AS THERE IS NO LOCK - ONLY A CHAIN + CLIP)

WHEN I REPORTED THE ASSAULT TO THE SHERIFF DETS. THEY TOLD ME TO GO INSIDE AND THEY WOULD SEND AN OFFICER.

I LOOKED OUTSIDE AN HOUR LATER AND A SHERIFF CAR IS AT MY GATE, I WALKED OUT AND ONCE AGAIN IT IS LINDNER.

I ASKED IF HE WANTED TO COME IN (NO) AND "TAKE MY STATEMENT"

HE SAID HE HAD ALREADY TALKED TO JOE BLACK (A FRIEND'S SON - FORMER SHERIFF BLACK) AND HE HAD A DIFFERENT STORY. HE ALSO WARNED ME AGAINST CARRYING THIS FURTHER BECAUSE OF THE TRANSFORMER INCIDENT.

CHECK THE POLICE REPORT. HE FILED NO STATEMENT FROM ME. 2/23/10 + 10102968

THE NEXT DAY THE GATE WAS MISSING AS JOE PROMISED - I CALLED THE SHERIFF & WAS ADVISED BY OFFICER CROGANOVER TO FILE AN ANTI HARASSMENT.

I WAITED FOR A WEEK HOPEING TO GET AN APOLOGY OR MY GATE BACK - (NEITHER)

I FILED MY ANTI HARASSMENT ON 3/15/10 IT WAS JUDGED 3/18/10.

THE BLACKS & LEONARDS FILED A COUNTER ANTI HAR. AGAINST ME SAYING OFFICER LINDNER SUGGESTED IT.

WHEN I WENT IN FOR THE HEARING COMMISSIONER CLIPPING SAID SHE WAS GOING TO POSTPONE IT SO WE COULD ALL ADDRESS THIS AT THE SAME TIME

IN THE SUBSEQUENT HEARING WHICH LASTED 2 1/2 HOURS MY PHYSICAL ASSAULT WAS NEVER ADDRESSED INSTEAD IT BECAME A HEARING ON MY EASEMENT RIGHTS

I AM NEVER TO PLACE A GATE BACK ON THE EASEMENT & STAY 30 FEET FROM THEIR RESIDENCE.

NOTHING ABOUT MY ASSAULT!

IN THE HEARING MR LEONARD BROUGHT UP THAT 3 TIMES THEY HAD CALLED MR LINDNER (GOT TO GET THEIR MONEYS WORTH) AND INTIMIDATED I WAS THE PERSON.

ONCE AGAIN THE HAVING GUNS WAS MENTIONED NOT THAT JOE REGULARLY SHOTS COYOTES, TURKEYS & TARGET PRACTICES BUT THAT I HAD GUNS!

MR LEONARD ALSO LOOKED OVER AT ME AND SAID I WAS GOING TO BE CRIMINALLY PROSECUTED FOR THE TRANSFORMER.

HOW DID HE KNOW - LINDNER SOLICITED FROM PSE BILLING DEPT AND PRESENTED IT TO THE PROSECUTOR'S OFFICE AS IF HE WAS REPRESENTING PSE.

IS THIS MAN OUT OF CONTROL

A NEW ABRIDGED FICTIONAL NARRATIVE HAS BEEN PRESENTED ON THE TRANSFORMER ARREST A FULL 3 MONTHS LATER

I THINK MR LEONARD NEEDS TO UNDERGO A LIE DETECTOR TEST.

HE IS THE KIND OF COP THATS GIVES EVERYONE ELSE A BUCK EYE. (HE NEEDS TO RETIRE)

I AM REPRESENTING MYSELF IN COURT AND WELCOME THE CHANCE TO TELL MY SIDE.

I AM TAKING MY STORY TO THE TV, NEWSPAPERS AND ON MY FENCE IN FRONT OF MY PROPERTY

I WOULD LIKE TO DISCUSS THIS WITH YOU PERSONALLY.

I ASSURE YOU I AM NOT UNHINGED & LOOK FORWARD TO HEARING FROM YOU.

Sincerely, CAROL MARSH



ISLAND COUNTY SHERIFF'S OFFICE

Deputy Report for Incident 10-I01152

*NOT ON
THEIR PROPERTY*

Nature: MVA Unk Injury
Location: SPAT

Address: 1542 GRATEFUL ACRE PL
COUPEVILLE WA 98239

Offense Codes:

Received By: D68

How Received: 9

Agency: ICSO

Responding Officers:

Responsible Officers: LINDNER R

Disposition: ACT 01/21/10

When Reported: 09:47:28 01/21/10

Occurred Between: 09:46:51 01/21/10 and 09:46:59 01/21/10

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant: 102839

Last: [REDACTED] *LEONARD*

First: [REDACTED] *LIBBY*

Mid: [REDACTED]

DOB: [REDACTED]

Dr Lic: [REDACTED]

Address: [REDACTED]

Race: [REDACTED]

Sex: [REDACTED] *?*

Phone: [REDACTED]

City: [REDACTED]

Offense Codes

Reported: TRAE Traffic Accident, Pers Injury

Observed: PRDA Property - Damaged

Additional Offense: TRAE Traffic Accident, Pers Injury

Circumstances

Responding Officers:

LINDNER R

Unit :

V12

Responsible Officer: LINDNER R

Agency: ICSO

Received By: D68

Last Radio Log: **:**:** **/**/**

How Received: 9 911 Line

Clearance: A Criminal, Physical Arrest Made

When Reported: 09:47:28 01/21/10

Disposition: ACT Date: 01/21/10

Judicial Status:

Occurred between: 09:46:51 01/21/10

Misc Entry:

and: 09:46:59 01/21/10

Modus Operandi:

Description :

Method :

Involvements

*ARRESTED N MY OWN PROPERTY !!
(LEONARD SAID THEY
CHECKED Lindner)*

03/10/10

I WAS NOT THERE WHEN LINDNER ARRIVED

Narrative

Pending statements/report. Subject booked/released MalMis 2nd - RL1081 01/21/10

Responsible LEO:

Approved by:

Date

never investigated
who brought charges? Under
Nurelle was 30 days later

TRANSFORMER IS ON MY PROPERTY
543 HOUSTON RD.
ON THE 1998 ROAD EASEMENT
KNOWN AS GRADYD ACRES
IT SHOULD BE ON THE LEARDS
PROPERTY WHILE THE PSE COMMIT IS

FULL 500 AYS

HAFTL
ARREST

Narrative

ISLAND COUNTY SHERIFF'S OFFICE
DEPUTY R.O. Lindner #1081
CASE NUMBER: 10-I01152

I am employed by the Island County Sheriff's Office as a commissioned law enforcement officer holding the rank of Sergeant and enforcing the laws of the State of Washington and Island County. At the time of this investigation I was on duty, uniformed, and driving a marked police vehicle. The following incident occurred at 1542 Grateful Acre Place, located in the unincorporated area of Coupeville, Island County, Washington.

01-21-10/0947: ICOM dispatch advised of an incident at 1542 Grateful Acre Place. Larry Leonard, the reporting party, stated he was witnessing his neighbor Carol Magee attempting to damage the power pedestal servicing the neighborhood homes. Leonard said Magee was using her white Dodge truck to ram the pedestal off of it's mount. Prior to my arrival Leonard said Magee retreated to her home on Houston Road, adjacent to the Leonard's home.

ICOM dispatch further advised that Puget Sound Energy (PSE) had concurrently called into ICOM to advise that they had contacted Magee to advise her of their intent to disconnect her power for non-payment of services. PSE told ICOM that Magee said she was intending to "do this" to their equipment.

1004: I arrived at the scene and contacted Larry and Mary Leonard. Puget Sound Energy was already on scene working on the displaced pedestal. I also observed a phone pedestal belonging to Verizon telephone to also be damaged.

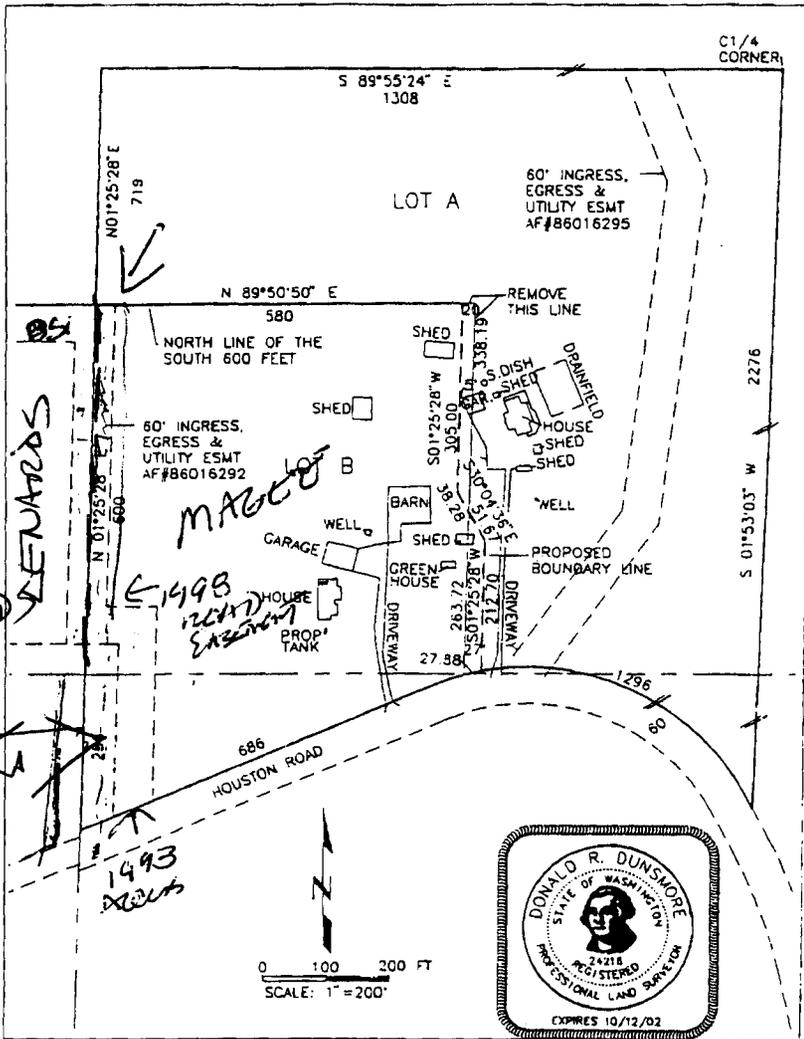
The Leonard's advised me that they witnessed Magee pull up with her truck and back into the pedestals numerous times. I asked how they know it was Magee behind the wheel. The Leonard's said that after she struck the boxes about six times, she got out of her truck to walk back and look at the damage. They both said Magee then got back into her truck and started striking the boxes again; probably another six times. She finally drove back to her residence. Mary Leonard showed me a video of Magee striking the box that she took with her cell phone. She provided me a copy of same which was entered into evidence at ICSO.

1034: I arrived at the Magee residence. I could see Magee's white Dodge truck in the driveway. I could not see any damage to the vehicle due to the positioning.

Magee met me at her locked gate but stayed behind it. I advised Magee of the nature of the call. Magee replied that power pedestal was illegally placed on her property and she advised PSE to move it. Magee claimed that PSE told her they would move it if she paid twenty five hundred dollars. Magee said she told PSE to move it, or she would move it for them. I advised Magee that she shouldn't say anything else and that she did have the right to remain silent. She chose to do so.

I asked Magee to step outside her gate as I needed to arrest her for the property damage. Magee said no. I advised Magee that I only needed to book and release her for the property damage charge. I further added that the Sheriff's

4836778
 Page: 6 of 8
 11/08/2002 10:20A
 ISLAND COUNTY AUDITOR B.L.R.



EXISTING LOT A: R23120-216-2021 CURRENT AREA: 34.36 ACRES PROPOSED AREA: 34.36 ACRES
 EXISTING LOT B: R23120-157-1620 CURRENT AREA: 10.08 ACRES PROPOSED AREA: 10.08 ACRES

APPLICANTS SIGNATURE:

LOT A: *[Signature]* DATE: 4/10/02

LOT B: *[Signature]* DATE: 4-10-02

BOUNDARY LINE ADJUSTMENT	DWN BY: DRD
PORTIONS OF THE SW1/4	DATE: 4/02
SEC. 20, T.31N., R.2E.W.M.	SCALE: 1" = 200'
DUNSMORE & ASSOCIATES	WO: 1315
901 GRACE ST/PO BOX 1403	
COVINGTON, WA 98239	
360-578-1428	

BL# 135102 PAGE 13 OF 14 APPROVED 10/15/02 BY: *[Signature]*

Sally Keys
3339 Day Rd
Greenbank, Wa 98253

I am an uninvolved party with 20 years of experience as a surveyor. I am not registered, but my experience is both as a construction and a land surveyor, and I worked for some time for Golden Valley Electric Association as a surveyor. I looked at Carol Magee's west property line where her road and utility easement are. Puget Sound Electric had recently done a survey and their survey stakes were still in place.

The PSE stakes, Carol's written Platt, and what is on the ground, all show the same thing. There is an electric transformer on the west side of the road, but it is on Carol's property when it should be in the utility easement which is adjacent to the road easement and in fact appears to be where the rest of the underground power is as evidenced by the electric meter which is present there.

This electric transformer is the only thing that protrudes from the road easement and could be in the way for road maintenance, (mowing or grading). The Platt clearly shows, as does PSE's survey, that at the location of the transformer the road easement is on Carol's side and the utility easement is on the neighbor's side. It does not make sense, nor is it normal or safe to mix the two easements together when there is room for both separately.

Sally Keys

Jail's no place for an older woman

I am embarrassed to live on an island that would put a 68-year-old woman in jail (Whidbey News-Times, Aug. 28) for a month for running into a transformer (the power was shut off) that was on her own property.

No one was hurt. I don't understand why it was a criminal matter. It should have been a civil matter between Carol Magee and Puget Sound Energy. The transformer is in an odd place. It is in the easement dedicated to the road, while there is plenty of room for it on the adjoining power easement.

Puget Sound Energy could not explain the reason for this location to Carol nor was Carol allowed to discuss easements at all during the trial.

Judge Churchill had recently ruled against Carol on another matter and should have recused herself as she was no longer impartial. Carol admits that she did run into the transformer, but the jury never got to hear anything else, not even state law about easements.

Coupeville jail is not a safe place for an old woman and I hope Judge Churchill will be satisfied with her pound of flesh should something happen to Carol while she is in there. At least we know the streets will be safe from one cranky old woman and our money is being spent protecting out-of-place transformers.

Sally Keys
Greenbank

ADDITIONAL GROUNDS

Court Ordered Treatment: If any court orders mental health or chemical dependency treatment, the defendant must notify DOC and the defendant must release treatment information to DOC for the duration of incarceration and supervision. RCW 9.94A.562.

4.3 Legal Financial Obligations: The defendant shall pay to the clerk of this court:

THE TRANSFORMER

JASS CODE

<i>PCV</i>	\$ <u>500.00</u>	Victim assessment	RCW 7.68.035
	\$ _____	Domestic Violence assessment	RCW 10.99.080
<i>CRC</i>	\$ <u>217.00</u>	Court costs, including	RCW 9.94A.760, 9.94A.505, 10.01.160, 10.46.190
		Criminal filing fee \$ <u>200.00</u>	FRC
		Witness costs \$ _____	WFR
		Sheriff service fees \$ <u>17.00</u>	SFR/SFS/SFW/WRF
		Jury demand fee \$ <u>Reserved</u>	JFR
		Extradition costs \$ _____	EXT
		Other \$ _____	
<i>PUB</i>	\$ _____	Fees for court appointed attorney	RCW 9.94A.760
<i>FCM/MTH</i>	\$ _____	Fine RCW 9A.20.021; [x] VUCSA chapter 69.50 RCW, [] VUCSA additional fine deferred due to indigency RCW 69.50.430	
<i>WFR</i>	\$ _____	Court appointed defense expert and other defense costs	RCW 9.94A.760
	\$ _____	DUI fines, fees and assessments	
<i>CLF</i>	\$ _____	Crime lab fee [] suspended due to indigency	RCW 43.43.690
<i>DNA</i>	\$ <u>100.00</u>	DNA collection fee	RCW 43.43.7541
<i>FPV</i>	\$ _____	Specialized forest products	RCW 76.48.140
<i>RTN/RJN</i>	\$ _____	Emergency response costs (Vehicular Assault, Vehicular Homicide, Felony DUI only, \$1000 maximum) Agency: _____	RCW 38.52.430
<i>DFA</i>	\$ _____	Contribution to Island County Drug Fund, Revenue Code 133-000-35150	RCW 9.94A.030(27)
	\$ _____	Other fines or costs for: _____ Including booking fees per RCW 70.48.390	
<i>RTN/RJN</i>	\$ <u>1382.80</u>	Restitution to: Puget Sound Energy, PO Box 90868, Bellevue, WA 98009-0868	
	\$ _____	Restitution to: _____	
	\$ _____	Restitution to: _____ (Name and Address--address may be withheld and provided confidentially to Clerk of the Court's office.)	
	\$ _____	Total	RCW 9.94A.760

← WHO'S VICTIM

JANUARY 10, 2011
CASE # 66059-4-1

STATE OF WASHINGTON

V. CAROL MAGEE Appellant

ISLAND COUNTY SUPERIOR COURT # 10-1-00100-1

NOTIFICATION OF CLERK'S PAPERS WAS FILED WITH
ISLAND COUNTY FOR TRANSFERENCE OF EXHIBITS ONLY
PART 6 (a)

I HAVE ARRANGED FOR JAREN SHARPEY - COURT REPORTER
FOR JUSTICE CHURCHMAN TO PROVIDE FOR THE SECTION
& INSTRUCTION FOR JURY ON AUG 18TH 2010
FOR CASE # 10-1-00100-1

1. I PLAN TO PROVE THAT PSE IS WRONG. IT PLACED
A TRANSFERRED 8 FEET INTO A 1998 ROAD EASEMENT.
2. I PLAN TO SHOW THAT SHERIFF LINDNER HAD A
PERSONAL AGENDA AGAINST ME AND NO JURISDICTION
ON MY PROPERTY IN A CIVIL DISPUTE BETWEEN MYSELF
AND PSE, THE PUBLIC UTILITY. SHERIFF LINDNER
INSINUATED HIMSELF BY SAYING IT WAS A TRAFFIC
ACCIDENT ON 1542 GRATEFUL ACRES - IT WAS ON
AN ROAD EASEMENT OF 543 HOUSTON RD,
3. SUDGE COUNCILMAN SHOULD HAVE RECUSED HIMSELF
(AS I REQUESTED) BECAUSE SHE HAD PREVIOUSLY AWARDED

(2)

THE LEASES \$ 100 / DAY FOR A HORSE TRAILER
I CURBED & HAD PARKED ON THE SIDE OF THE
30' EASEMENT IN THE TREES + IN DIRECT LINE
WITH THE TRANSFORMER - NOT BLOCKING THE ROAD
DOESN'T PUGET SOUND OWE ME \$100 / DAY
FOR THE TRANSFORMER. COERCION ON THE ROAD
EASEMENT?

3. FOR MY FIRST OFFENSE WITH NO MALICE
INTENDED - ONLY AN ATTEMPT TO PROTECT MY
PRIVATE PROPERTY FROM AN OBSTRUCTION AND
TO ESTABLISH MY CIVIL RIGHT TO RESIST
TRESPASS THAT PREVENTED ME FROM RECEIVING
MONEY FOR A LOT I HAD A BUYER FOR -

4. CUSTOMER SERVICE INFORMED ME THAT THE
TRANSFORMER DAMAGE HAD BEEN PREVIOUSLY
PLACED ON MY REGULAR BILL WHEN I COMPLAINED
ABOUT MY PROSECUTION FOR MALICIOUS Mischief
BY THE ISLAND COUNTY PROSECUTING ATTORNEY
(I AM ENCLOSED A COPY OF LETTER I PERSONALLY
PRESENTED TO MR BANKS OFFICE & A COPY
TO DEPUTY ATT. O'HANES.

MR O'HANES INFORMED ME THAT THE SHERIFF -
(LINDNER) HAD SUDDENLY TENDERED HIS RESIGNATION
THAT SAME WEEKEND.

Am I to PAY TWICE FOR THE DAMAGE?

5. THE REPARE BILL SHOWS THAT MY DAMAGES

WAS MINIMAL THE PROBABILITY OF GETTING FEEL

REPAIRING IT (WHILE IT DOESN'T FEELING IN FIRST PLACE)

6. THE SAID LETTER FROM THE LAW OFFICE STATES

THAT I HAD ASKED THEM TO ADDRESS MY CONCERNS

ABOUT THE PLACEMENT OF THE TRANSFORMER

I NUMEROUS TIMES ASKED THEM TO MOVE

THE TRANSFORMER AND SAID I WAS GOING TO

MOVE IT IF THEY DIDN'T.

IT WAS NOT MANDATORY OR MISCARRIED

2. PUCT SAID ENERGY NEVER CONTACTED THE

STATE ON 1/21 OR REQUESTED MY ASSIST.

STATE LAWYER CONTACTED THEM A FULL

3 MONTHS AFTER THE FACT.

AN ENCLOSED THE LETTER TO MR. BANKS

HE NEVER RESPONDED TO ME OR MY CIVIL RIGHTS.

8. MY FURNITURE SITS ON IS THAT I CAN'T AFFORD

AN ATTORNEY BUT HAVE TO MUCH MONEY TO GET BACKWARD.

I RAISE RENTS AND I CAN'T JUST BRACK THEM

AND NOT FEEL THEM

I AM 68 YEARS OLD AND MAKE A 10 GENRAL MONTH

ON MYSELF - I HAVE NO COMPUTER SKILLS AND

DOESN'T GIVE A TYPEWRITER.

(SO YOU GET A HANDWRITTEN LETTER PER)

9. I INFORMED JUDGE CHURCHILL THAT I WOULD LIKE TO HAVE A HOME MONITOR BECAUSE OF THE HARDSHIP THIS INCARCERATION WOULD CAUSE ME.

SHE SAID I SHOWED NO REMORSE AND THAT THIS WAS A CIVIL ISSUE I SHOULD NOT PRESS CO. JUST GO STRAIGHT TO JAIL

10. TWICE I REQUESTED TO REMAIN OUT WHILE I APPEALED:

(DENIED BECAUSE I DIDNT HAVE THE PROPER FORM)

11. NOW I AM PUBLIC ENEMY #1 JUST TRYING TO CLEAR MY NAME AND BE ABLE TO VOTE AGAIN -

12. IN OCTOBER MY NEIGHBOR (MELNARD) WHO FIRST CALLED THE SHERRIFF CHARGED ME, WHAT ABOUT SAYING I TROU SPONGED NO HIS FACE ON MY PROPERTY AS HE ACCOSTED ME.

NOW MR. BANKS HAS DECIDED TO PROSECUTE ME ONCE AGAIN AS A FELONY

13. AND WHAT IS A LITTLE OF THE JUSTICE IN THE JUSTICE SYSTEM THAT KEEPS HARASSING ME. Respectfully, Carol Moore

I REGRET IT THAT EVERYONES ASSUMES
THAT I AM THE ONE WHO IS WRONG -
THAT THE ENERGY COMPANY CANT BE
THE ONE MAKING THE MISTAKE

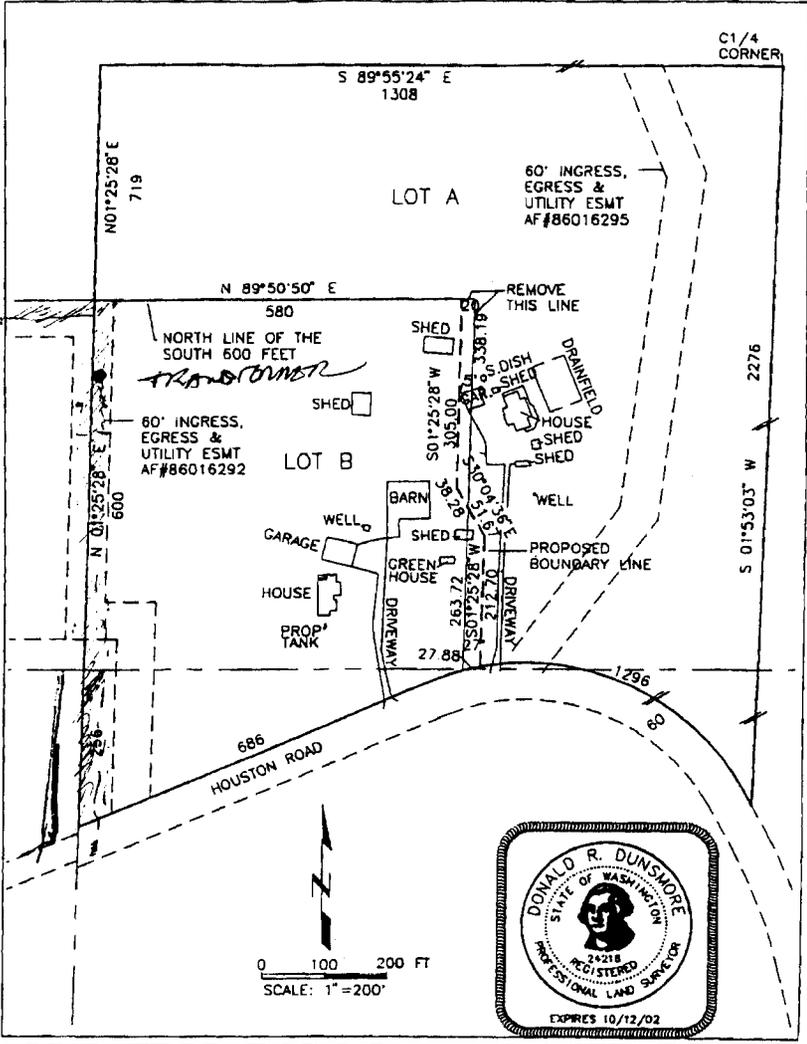
I REGRET THAT MR BANKS NEVER ONCE
ADDRESSED MY CIVIL RIGHTS - IS IT BECAUSE
IM NOT THE ONE CONTRIBUTING TO HIS
CAMPAIGN?

I REGRET THAT OUR JUSTICE SYSTEM (OXYMORON)
IS NOW SO COMPLICATED THAT I CANNOT DEFEND
MYSELF BY JUST SPEAKING THE TRUTH.

(MAYBE THE REASON OUR COUNTRY IS IN SUCH
A MESS IS BECAUSE OF ALL THE LAWYERS
RUNNING IT)

IM A BELIEVER IN KARMA AND IF
I HAVE TO WAIT FOR THAT JUSTICE - I WILL
BE DISAPPOINTED BUT I KNOW THERE IS
A LARGE CAN OF WHOOP ASS HEADING
SOMEONES WAY -

4636778
 Page: 6 of 6
 11/08/2002 10:20A
 ISLAND COUNTY AUDITOR BLA

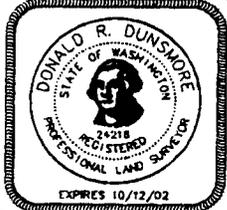


EXISTING LOT A: R23120-216-2021 CURRENT AREA: 34.36 ACRES PROPOSED AREA: 34.36 ACRES
 EXISTING LOT B: R23120-157-1620 CURRENT AREA: 10.08 ACRES PROPOSED AREA: 10.08 ACRES

APPLICANTS SIGNATURE:
 LOT A: *[Signature]* DATE: 4/10/02
 LOT B: *[Signature]* DATE: 4/10/02

BOUNDARY LINE ADJUSTMENT	DWN BY: DRD
PORTIONS OF THE SW1/4 SEC. 20, T.31N., R.2E.W.M.	DATE: 4/02
DUNSMORE & ASSOCIATES 901 GRADE ST/PO BOX 1403 COURSEVILLE, WA 98239 360-878-3459	SCALE: 1" = 200' WO: 1315

BLA# 135102 PAGE 15 OF 16 APPROVED 10/5/02 BY: *[Signature]*





PUGET SOUND ENERGY

The Energy To Do Great Things
Puget Sound Energy, Inc.
1660 Park Lane
Burlington, WA 98233

copy
CASE 4660594-1

October 14, 2008

RW-070233

Carol Magee
543 Houston Road
Coupeville, WA 98239

Re: PSE Transformer within non-exclusive easement

Dear Ms. Magee:

Thank you for your continued attempts to communicate your frustration with the location of the transformer on your property.

Puget Sound Energy has heard your request to move the transformer located within the non-exclusive easement for ingress, egress and utilities located on the West 30 feet of your property. This easement was created for the benefit of property to the west and north of your property. There are several documents and a court judgment that confirms the validity of the easement. Additionally, Puget Sound Energy has an easement for an underground electric system over the West 60 feet of your property as recorded under Island County Auditor's File No. 4055975.

NOW 30' AS ON LEONARD'S PROPERTY SINCE 2004.
The transformer can be moved at your request if you agree to pay for that movement and all associated costs, as well as provide Puget Sound Energy with operating rights in its new location.

Please be aware that Puget Sound Energy owns this transformer and the high voltage electrical wires connected to and contained within it. The transformer cannot be moved except by qualified electrical workers who are Puget Sound Energy personnel.

If you have any questions, please call me at 360-766-5455.

Sincerely,

Faye Ryan
Real Estate Representative
Northern Region