

FILED
SUPREME COURT
STATE OF WASHINGTON
6/3/2024 2:59 PM
BY ERIN L. LENNON
CLERK

IN THE
SUPREME COURT OF THE
STATE OF WASHINGTON

Case Number: 102950-1

ZACKARIAH BENNETT

Appellant

and

MELVINA MANNING

Respondent

MOTION FOR SANCTIONS

I, Zackariah Jeremiah Bennett, hereby submit a Motion for Sanctions against the Respondent, supported by additional evidence.

Introduction

This motion seeks to sanction the Respondent for false statements made, supported by new evidence that demonstrates a pattern of dishonest declarations and conflicting statements made by the Respondent in this and related cases. moves this Court to impose sanctions on Respondent ****Melvina Catherine Manning**** for her fraudulent actions, and for the undue burden placed on Appellant who is disabled and indigent. Appellant seeks sanctions against Respondent due to Respondent's misuse of the legal process and fraudulent actions therein.

Facts

- Respondent has repeatedly filed false and unsupported allegations against Appellant and has not rectified or withdrawn these claims despite being presented with counter-evidence.
- Respondent's behavior unnecessarily complicates and delays the proceedings, and these actions are undertaken with no legitimate or lawful purpose.
- Appellant, constrained by disability and indigence, has struggled to access justice and has been forced to represent himself pro se.

Details of New Evidence

The newly presented evidence includes:

1. ****Email Correspondence****: An email from the Respondent's counsel, Nancy Gass, dated May 20, 2024, acknowledging that the video surveillance system deletes recordings every 30 days and that the only preserved video was recorded on a cell phone. (Attached as Exhibit A)

2. ****Motion for Renewal of Protection Order****: A Motion for Renewal of Protection Order filed by the Respondent on May 1, 2023, showing intent to continue the order despite claiming the issue is moot. (Attached as Exhibit B)

Argument

- Under Washington State Civil Rule 11, sanctions should be imposed on Respondent for filing frivolous and fraudulent motions ([see CR 11]).
- Respondent's conduct has prejudiced the Appellant and undermined the integrity of the judicial process.
- The Court should recognize the undue burden placed on Appellant.

Legal Justification

The repeated filing of contradictory statements not only damages the opposing party but also degrades the integrity of the legal system. This conduct should be sanctioned under relevant local rules or statutes, which empower the court to maintain order and respect for court proceedings.

Conclusion and Relief Sought

In light of this demonstrated pattern, sanctions against the Respondent are justified to deter future misconduct and to uphold the integrity of the court.

The Appellant respectfully requests that this Court impose appropriate sanctions on the Respondent and/or her counsel, award attorney fees and legal costs to Appellant, and grant any other relief the Court deems just and proper.

I, Zackariah Jeremiah Bennett,

Do certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

Zackariah Bennett

A handwritten signature in black ink, appearing to read 'Zackariah Bennett', written in a cursive style.

05/31/2024

At Goldendale, WA

566 words

Exhibit A

On Mon, May 20, 2024, 14:46 Tolt Law dba OW Hollowell & Associates <carnationlaw@comcast.net> wrote:

We sent you the only video my client has.
Her system deletes videos every 30 days.

The only way she knew how to preserve the video was to record it on her cell phone.

You have what you asked for to the extent my client has it in her possession.

Nancy Gass
Attorney at Law
O.W. Hollowell & Associates
4471 Tolt Avenue
P.O. Box 1041
Carnation, WA 98014
Tel: (425) 333-4848
Fax: (425) 333-4884

Exhibit B

Superior Court of Washington, County of King

Melvina Manning	05/13/1959	No.22-2-09380-3 KNT
Petitioner	DOB	Motion for Renewal of Protection
vs.		Order (MTDRPO)
Zackariah J Bennett	01/07/1981	<input checked="" type="checkbox"/> [X] Domestic Violence
Respondent	DOB	<input type="checkbox"/> [] Stalking
		<input type="checkbox"/> [] Vulnerable Adult
		<input type="checkbox"/> [] Sexual Assault
		<input checked="" type="checkbox"/> [X] Unlawful Harassment

Motion for Renewal of Protection Order

1. The *Protection Order* granted on (date) 08/05/2022, will expire on (date) 08/05/2022
2. I want to renew the protection order and any weapons surrender order because:

Zackariah J Bennett currently has a case with the Court of Appeals (Appellate Court Case Number 84450-4) to have the current Protection Order dismissed. No ruling has been made by the Appeals Court as it is still pending.

I have received over 20 E-Service notifications from documents that Zackariah J Bennett has filed with the Courts since the Protection Order was granted including Cause No. 22CV12186KCX filed on 08/04/2022 seeking an injunction on any prevention of communication.

On 04/24/2023, I accepted E-Service from Zackariah J Bennett for King County Superior Court Cause No. 08-3-03956-4 Under this Cause No. I was granted custody of Timothy Bennett. I do not know the purpose of this filing as I have only received an E-Service notification.

The above actions taken by Zackariah J Bennett are why I am requesting that the Protection Order be renewed. He has made every effort to have the Protection Order dismissed and is making contact with me through the Courts with all of the Motions he has filed and continues to file. If the Protection Order is not renewed, he will try to make contact with myself and/or Timothy Bennett at our home or the school Timothy attends.

RCW 7.105.410
Mandatory (07/2022)
PO 050

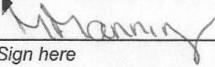
Motion for Renewal of Protection
Order
p. 1 of 2

3. I want the renewed order to stay in place [x] for (number) 1 year/s [] permanently.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city and state): Carnation, WA

Date: 05/01/2023

Sign here 

Print name Melvina Manning

You must provide an address where you will receive legal documents. You have a right to keep your residential address confidential. If you have one, you may provide an address, other than your residence, where you will receive legal documents:

**This document must be served on the other party, and
proof of service must be in the court file prior to the hearing.**

ZACKARIAH BENNETT - FILING PRO SE

June 03, 2024 - 2:59 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 102,950-1
Appellate Court Case Title: Melvina Manning v. Zackariah Jeremiah Bennett

The following documents have been uploaded:

- 1029501_Motion_20240603145647SC649452_4671.pdf
This File Contains:
Motion 1 - Strike
The Original File Name was MOTION TO STRIKE.pdf
- 1029501_Motion_20240603145647SC649452_9586.pdf
This File Contains:
Motion 2 - Sanctions
The Original File Name was MOTION FOR SANCTION.pdf

A copy of the uploaded files will be sent to:

- carnationlaw@comcast.net

Comments:

Sender Name: Zackariah Bennett - Email: zackjbennett@gmail.com
Address:
17 Old Mountain rd
Goldendale, WA, 98620
Phone: (541) 300-8792

Note: The Filing Id is 20240603145647SC649452