

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**

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Case Number: 102950-1  
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ZACKARIAH BENNETT

Appellant

and

MELVINA MANNING

Respondent  
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MOTION TO STRIKE FALSE STATEMENTS AND INCORPORATION OF NEW  
EVIDENCE

I, Zackariah Jeremiah Bennett, hereby file a Motion to Strike to include new evidence crucial for the Court's consideration.

### **Introduction**

This motion seeks to strike false statements made by the Defendant, supported by new evidence that demonstrates a pattern of dishonest declarations and conflicting statements made by the Defendant in this and related cases.

### **New Evidence of Conflicting Declarations**

#### **1. \*\*Email Correspondence\*\*:**

Recent email from the defendant's counsel, Nancy Gass, reveals that the video surveillance system automatically deletes recordings every 30 days and that the only preserved video was recorded on a cell phone. This contradicts earlier claims regarding the availability of video recordings. (Attached as Exhibit A)

#### **2. \*\*Motion for Renewal of Protection Order\*\*:**

The Defendant filed a Motion for Renewal of Protection Order on May 1, 2023, despite the assertion that the issue is moot. This shows intent to continue the order beyond the alleged mootness. (Attached as Exhibit B).

### **Argument**

The conflicting declarations and newly presented evidence are indicative of a pattern of unreliable statements, undermining the credibility of the Defendant's submissions in the current proceeding. Such discrepancies can significantly prejudice the fair assessment of this case, warranting their removal from the record.

### **Relief Sought**

Accordingly, Plaintiff respectfully requests that the Court strike the false statements from the record to preserve the integrity of this judicial process.

Respectfully submitted,

Zackariah Bennett

A handwritten signature in black ink, appearing to read 'Zackariah Bennett', written over a light blue horizontal line.

05/31/2024

351 words

## **Exhibit A**

On Mon, May 20, 2024, 14:46 Tolt Law dba OW Hollowell & Associates <[carnationlaw@comcast.net](mailto: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

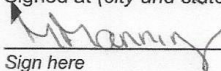
Motion for Renewal of Protection  
Order  
p. 1 of 2

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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:

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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**