

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
5/13/2024  
BY ERIN L. LENNON  
CLERK

FILED  
Court of Appeals  
Division I  
State of Washington  
5/13/2024 4:39 PM

**NO. 85280-9**  
Case #: 1030673

**COURT OF APPEALS, DIVISION ONE  
OF THE STATE OF WASHINGTON**

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**STEVE HAILEY**

**Appellant**

**v.**

**WASHINGTON STATE EXECUTIVE ETHICS BOARD**

**Respondent**

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**PETITION FOR REVIEW**

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**STEVE HAILEY**  
*Appellant Pro Se*

Phone: 425.905.0605  
Fax: 360.785.2043  
steve.hailey@cybersecurityacademy.com

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## **REGULATIONS**

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## **I. INTRODUCTION**

A party should be allowed to continue proceedings in which they could not participate due to matters outside of their control. Whether a party has missed a hearing or a filing date, if bona fides show that the underlying cause(s) were outside their control, a superior court should allow continuances, even if the requests are untimely. Matters outside of one's control are by nature untimely and inconvenient; this is a fact of life.

This appeal arises from the Snohomish County Superior Court's denial of my request for a continuance and dismissal of the matter for review with prejudice. The dismissal came after my petition for judicial review had been pending for over a year. During that time, I was under a psychiatrist's care for Major Depressive Disorder, was actively involved in therapy, and was working towards starting Transcranial Magnetic Therapy treatments, which

were being hindered by the fact that I am in a wheelchair and need assistance with transportation.

Based on my state of mental health at the time with depression that had worsened with the death of my mother, I was advised by my therapist that I should not participate in a March 2023 hearing and to request a continuance.

## **II. IDENTITY OF PETITIONER**

Steve Hailey, the plaintiff, seeks a review of the Court of Appeals' decision identified in Part III below.

## **III. COURT OF APPEALS DECISION**

Division I of the Court of Appeals issued a decision in Cause No. 85280-9-I on April 12, 2024, denying my motion for reconsideration.

## **IV. ISSUE PRESENTED FOR REVIEW**

Should this Court affirm the dismissal of my petition for judicial review when I could not meet procedural requirements based on matters outside of my control and

was acting in good faith?

## **V. STATEMENT OF THE CASE**

The Executive Ethics Board (the Board) received a referral from Edmonds College in June of 2020 that alleged, along with another faculty member, I may have violated the Ethics in Public Service Act, RCW 42.52, by using state resources to promote and support an outside business. CP 93.1

The complaint submitted to the Board did not meet the requirements of WAC 292-100-030 and should have been dismissed (this information was communicated to the board's director but was ignored).

The Board found reasonable cause to believe that a violation of RCW 42.52 was committed. CP 93. I requested a hearing, which was held on December 10, 2021, via Zoom. CP 93. I had requested a continuance because I was still convalescing from a hospital stay for a

ruptured colon and was still working with my psychiatrist on medication adjustments for my depression. The continuance was denied. I did an extremely bad job representing myself at the hearing.

The Board issued its Findings of Fact, Conclusions of Law, and Final Order after the hearing. It held that I had violated RCW 42.52.160 by using state resources for my personal benefit and to support my outside business.

I then filed a Petition for Judicial Review in Snohomish County Superior Court. CP 90 – 92. Although my briefing deadline had passed, on March 15, 2023, I moved for a continuance. CP 41. I also filed a motion to “Seal Court Records Containing Personal Medical Information,” as I wished to keep my included medical records private. CP 41, 25. In my declaration, I discussed medical issues I have had since 2019, and medical issues I was diagnosed with as of January 2023. CP 28 – 29. The

superior court denied the continuance. CP 20. The superior court noted that in the preceding three months, I did not raise issues or concerns about my ability to file a brief timely or proceed with a hearing. CP 21. The court also noted that I had over twelve months to file a brief and prepare for a hearing on the merits. *Id.* Please see **EXHIBIT 1** for a copy of the documentation I submitted regarding my issues.

## **VI. ARGUMENT**

My argument for the matter before the court is not with the Executive Ethics Board and is both a legal and procedural matter. Despite how things may look on the surface, I have always acted in good faith. During the year preceding the March 2023 hearing, I was experiencing debilitating bouts of depression where I was barely able to function, at some points being suicidal. I was working on my brief from time to time while this was going on. Knowing

that I needed expert help, I acted and started seeing a therapist in addition to my medication regimen. I could not, in the past, nor can I now, control when I become extremely depressed.

## **VII. CONCLUSION**

I am doing much better now and would be able to fully participate in a hearing on the merits of my case versus having it dismissed due largely to procedural issues. I am being penalized for debilitating issues that were entirely outside of my control.

I request that my case be remanded to the Snohomish Superior Court and that its outcome be decided based on its merits.

## **RAP 18.17 COMPLIANCE**

I certify under RAP 18.17 that this petition contains no more than 1000 words, excluding the parts of the document exempted from the word count by RAP 18.17(c).

Respectfully submitted this 13<sup>th</sup> day of May 2024 by:

A handwritten signature in black ink, appearing to read "Steve Hailey", written over a horizontal line.

Steve Hailey  
*Appellant Pro Se*

Phone: 425.905.0605

Fax: 360.785.2043

steve.hailey@cybersecurityacademy.com

# EXHIBIT 1

EXHIBIT 1

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
COUNTY OF SNOHOMISH

In re:  
Steve Hailey,

Petitioner

vs.

WA State Executive Ethics Board,

Respondent

No. 22-2-00656-31

PETITIONER'S MOTION TO SEAL COURT  
RECORDS CONTAINING PERSONAL MEDICAL  
INFORMATION

☒ COURT CLERK'S ACTION REQUIRED

[Notice to Respondent: Attached to this motion is a Sealed Personal Health Care Records (SEALPHC) Cover Sheet, requesting action by the Court Clerk for the enclosed court record that consists of a declaration titled **PETITIONER'S DECLARATION IN SUPPORT OF MOTION FOR CONTINUANCE**. This court record contains information of a personal medical nature for which I am moving the court to protect. The court record will be provided to the Respondent after the Court rules, and then it must be kept confidential (if so ordered).]

Steve Hailey declares: I am over the age of 18 and competent to testify. The facts set out in this Declaration are based on my personal knowledge.

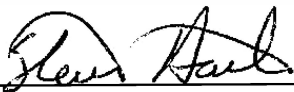
I am the Petitioner Pro Se in this matter. I move the court to allow me to file the enclosed court record (declaration) containing personal medical information under seal, to keep the court record confidential, and not let it be disclosed to the public. I ask that the court record only be viewed by the court, the parties in this case, and their attorneys. In making this request, I am not waiving my right to keep this personal medical information confidential and private.

I am filing a court record (a declaration titled **PETITIONER'S DECLARATION IN SUPPORT OF MOTION FOR CONTINUANCE**) containing personal medical information for the court to review in this case, as the personal medical information within the record is relevant to whether or not I have established just cause for a continuance.

1 My privacy concerns are reasonable given the nature of the personal medical information  
2 contained in the court record I seek protection for, and I believe that these concerns outweigh the  
3 public interest in keeping the record open.

4 I respectfully ask the Court to maintain the confidentiality of court records containing my  
5 personal medical information and keep said court records under seal.

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8 DATED this 14th day of March, 2023, in Snohomish, Washington.

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11 Steve Hailey  
12 Petitioner Pro Se  
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6 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
7 COUNTY OF SNOHOMISH

8 In re:  
9 Steve Hailey,

Petitioner

10 vs.

11 WA State Executive Ethics Board,

12 Respondent

No. 22-2-00656-31

**SEALED PERSONAL HEALTH CARE  
RECORDS (SEALPHC) COVER SHEET**

☒ **COURT CLERK'S ACTION REQUIRED**

13  
14  
15 **Sealed Personal Health Care Records**  
16 **(Cover Sheet)**

17 The documents attached to this cover sheet to be sealed contain health records and  
18 correspondence related to a person's physical or mental condition.

19 Submitted by Petitioner Pro Se, Steve Hailey  
20

21  
22   
23 Steve Hailey  
24  
25  
26  
27  
28

# SEALED

## IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON COUNTY OF SNOHOMISH

In re:  
Steve Hailey,

Petitioner

vs.

WA State Executive Ethics Board,

Respondent

No. 22-2-00656-31

PETITIONER'S DECLARATION IN SUPPORT OF  
MOTION FOR CONTINUANCE

Steve Hailey declares: I am over the age of 18 and competent to testify. The facts set out in this Declaration are based on my personal knowledge.

In 2019 I was diagnosed with the following by my psychiatrist at the time, Doctor Christopher Wilson of the Everett Clinic: 1.) Current severe episode of major depressive disorder without psychotic features without prior episode; and 2.) Attention and concentration deficit.

As of January 31<sup>st</sup>, 2023, my current mental health diagnoses are: 1.) Major depressive disorder, recurrent, moderate; and 2.) Attention deficit hyperactivity disorder predominantly inattentive. Please see **EXHIBIT 1** for my current Patient Details from New Era Mental Health.

Currently, my physical health is such that I experience excruciating pain when standing from a seated position, walking, and performing rudimentary tasks. Due to possible drug-drug interactions with the 9 medications I am currently taking on a daily basis, I have not been prescribed pain medication at this point. **EXHIBIT 2** is a letter from my current Primary Care Physician at the Everett Clinic. I am currently scheduled for an appointment on March 23, 2023, to have the letter updated, as my condition has worsened since September 2022.

# SEALED

On December 31<sup>st</sup>, 2022, my mother passed away - please see **EXHIBIT 3**. I was very close to my mother, and with the help of my wife, was her caregiver for many months before she moved into the Martha and Mary Health and Rehabilitation Center in Poulsbo, Washington. Her death had a tremendous impact on me. To add insult to injury, my eldest brother refuses to tell me the whereabouts of my mother's cremated remains - another legal matter that I now need to deal with.

The week of February 19, 2023, I was working on the case brief which I planned to have submitted by February 24, 2023, at the latest. On Wednesday of the week, February 22, 2023, I experienced what I can only describe as a "mental and physical breakdown." After consulting with my therapist, I ultimately decided to request a continuance - please see **EXHIBIT 4**.

A continuance would allow me enough time to undergo transcranial magnetic stimulation (TMS) therapy. Many months ago, I consulted with my psychiatrists and therapist, and we were in agreement that TMS would be of benefit to me and would likely reduce or possibly eliminate my bouts of depression. I was approved for the therapy and I am now waiting to hear from my medical insurance company for transportation assistance - please see **EXHIBIT 5**.

Numerous factors that include dealing with pain on a daily basis, my mother's death, and severe bouts of depression have contributed to a situation whereas I have been unable to complete the work necessary to properly represent myself in *Steve Hailey v. Washington State Executive Ethics Board* in a timely fashion. To illustrate, I have been working on this declaration since the 7<sup>th</sup> of this month.

I declare under penalty of perjury that the foregoing is true and correct, and would be my testimony if I were in a court of law.

DATED this 14th day of March, 2023, in Snohomish, Washington.



Steve Hailey  
Petitioner Pro Se

SEALED

# EXHIBIT 1

EXHIBIT 1

# SEALED

## NEW ERA MENTAL HEALTH PLLC

STE F  
4630 200TH ST SW  
LYNNWOOD, WA 98036-6608

[\(425\) 670-0280](tel:(425)670-0280)

### Patient Details

**Patient :** STEVEN P HAILEY  
17716 TROMBLEY RD  
SNOHOMISH, WA, 98290  
tel(Cell Phone): +1-425-905-0605  
  
email: steve.hailey@cybersecurityacademy.com

**MRN :** n/a  
**Birthdate :** June 15, 1965  
**Sex :** Male  
**Race :** n/a  
**Ethnicity :** n/a  
**Preferred Language :** en  
**Previous Name :** n/a  
**Previous Address :** n/a

### Care Provision

from 01/31/2023  
**Service Event:** ARNP DNP MERCY N WAINANIA  
01/31/2023

**Author:** MERCY N WAINANIA  
4630 200TH ST SW STE F LYNNWOOD, WA  
98036-6608

**Problem Code** F33.1-MAJOR DEPRESSIVE DISORDER,  
RECURRENT, MODERATE  
**Problem Description** MAJOR DEPRESSIVE DISORDER,  
RECURRENT, MODERATE  
**Problem Status** Current  
**Problem Date** 01/31/2023

**Problem Code** F90.0-ATTN-DEFCT HYPERACTIVITY  
DISORDER, PREDOM INATTENTIV  
**Problem Description** ATTN-DEFCT HYPERACTIVITY  
DISORDER, PREDOM INATTENTIV  
**Problem Status** Current  
**Problem Date** 01/31/2023

SEALED

# EXHIBIT 2

EXHIBIT 2

**SEALED**

Name: Steve P Hailey | DOB: 6/15/1965 | MRN: 13445697 | PCP: Brian Shull, MD | Legal Name: Steven P Hailey

## Letter Details

### The Everett Clinic

Part of Optum®

3901 Hoyt Avenue ■ Everett, WA 98201 ■ 425-259-0966

Steven P Hailey  
17716 Trombley Rd  
Snohomish WA 98290-6331

9/8/2022

To Whom It May Concern:

Steven P Hailey is under our medical care for several health issues, including the inability to walk without significant pain. This limits his ability to leave the house at this time. He is currently working with home physical therapy over the next several months to help get him mobile to eventually be able to work from outside the home.

For this reason, please allow him to continue to work from home and not come into the office for the next 6 months, until March 10, 2023

Sincerely,

Brian Shull, MD  
MILL CREEK FAMILY MEDICINE  
Department Phone: 425-225-8004  
Page 1 of 1

[www.everettclinic.com](http://www.everettclinic.com)

13445697

*This letter was initially viewed by Steve P Hailey at 9/9/2022 7:10 PM.*

SEALED

# EXHIBIT 3

EXHIBIT 3

## LIFE STORY

## MEMORY BOARD

## Elaine Alice Hailey



## View memory board

Share a memory, offer a condolence



## Share obituary

Let your community know



## Listen to this story

Hear your loved one's obituary



## Send flowers

Let the family know you are thinking of them



Elaine Alice Hailey, age 83, passed away peacefully on the morning of December 31, 2022, of natural causes. She was born March 9, 1939, in Missoula, Montana to Juliana (Bierwagen) Jacober and Otto Henry Jacober.

Elaine was very proud of the fact that she was a majorette during her high school years. Her eyes would light up when she talked about it. She was a big fan of country music, especially anything by Johnny Cash and Waylon Jennings. She was especially fond of Roger Whittaker's ballads and folk music. She was a devout Christian, active in her church, and loved listening to Billy Graham. She was an avid dog lover, and often referred to her numerous dogs over the years as her "kids." Her favorite dishes were German Grits, German Nifla, and Party Mix.

In the early sixties, Elaine and her husband Mitchell Dan Hailey Sr. enjoyed spending time in Fall City, Washington, with their three sons and daughter. It is here that they started a lifelong friendship with Jack and Lola Bush and their family. Elaine worked at Chinese restaurants in Bellevue and Everett Washington at the time.

After moving to Yakima, Washington in the late sixties, Elaine worked with her friend Marge Weeber at the Chalet Convalescent Home as a nursing assistant. After moving to Belfair, Washington in the mid-seventies, she worked for the Bergquist Family in Bremerton, Washington supporting both Kitsap Radio TV & Appliance and Bergquist Reality. She eventually became the Office Manager for Bergquist Rainbow Vacuum on Callow Avenue, working for Henry "Hank" Bergquist in Bremerton for many years until she retired.

Elaine is survived by sons Steven Patrick Hailey Sr. (wife Patricia), Michael David Shortridge (wife Laure), Mitchell Dan Hailey Jr. (wife Joan), and daughter Rita Buckles (husband Bud deceased), as well as many grandchildren, great-grandchildren, great-great-grandchildren and nieces, and nephews.

Elaine is preceded in death by Mother and Father Juliana and Otto Jacober, brother Leslie George Jacober Sr., sister Glenna Jacober Barnes, first husband David Shortridge, and husband Mitchell Dan Hailey Sr.

The family would like to thank Martha & Mary Health and Rehab Center in Poulsbo, Washington for the excellent care they provided her.

We love you, Mom.

SEALED

# EXHIBIT 4

EXHIBIT 4

# SEALED



**LEGEND THERAPY, Clinical Therapy Services**

Legendtherapy471@gmail.com

AZ Licensure: LCSW-20661  
WA Licensure: LW 61348483

28 February 2023

Steve Hailey  
17716 Trombley Road  
Snohomish, WA 98290

Mr. Hailey:

I recommend that you submit a Request for Continuance for your pending court hearing. In addition to your mother's recent death, and the severity of your medical condition, it is my observation that the intensity, duration, and frequency of your anxiety has elevated to a Post-Traumatic Stress Disorder (PTSD) diagnosis.

Moving forward, at this time, by participating in the intensity of a court hearing, will potentially exacerbate your emotional trauma and likely result in regression in the treatment process. Exposure to disturbing thoughts, feelings and experiences cause physical stress and trauma-related cuing factors that may impact the complexity of your current diagnosis. The multiplicity of dynamics occurring in your life can be overwhelming, and proceeding with an experience, as critical as a court hearing, equals exposure to a traumatic event.

This letter represents my clinical recommendation to prevent regression and to support efforts to establish and maintain stabilization.

Respectfully,

Jan Barber, LCSW  
Legend Therapy

SEALED

# EXHIBIT 5

EXHIBIT 5

**LAKHANI, ROZINA, MD**  
**10333 19TH AVE SE**  
**EVERETT, WA 98208-4267**

**SEALED**

**Phone: (425)742-4600**  
**Fax: (425)225-6859**

**Hailey, Steven Patrick - DOB: 6/15/1965**  
**letter/Drs note - 3/13/2023**

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Re: Transportation needed for medical Treatment

To whom it may concern,

My name is Rozina Lakhani. I am a board certified psychiatrist. I am writing this letter to advise that Mr. Steven Patrick Hailey has been under treatment for his medical condition with our clinic.

We have recommended a medically necessary treatment (TMS) that would require him to commute to the clinic 5 days a week for 6-9 weeks for 30-120 min.

As he is not able to commute by himself, he needs transportation support.

Please allow him to get the transportation support so he can get the necessary medical treatment.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Rozina Lakhani, MD MPH  
Psychiatrist

## CERTIFICATE OF SERVICE

I declare that I served a true and correct copy of the motion titled *PETITIONER'S MOTION TO SEAL COURT RECORDS CONTAINING PERSONAL MEDICAL INFORMATION* on all parties or their counsel of record on the date below as follows (I am withholding the court record containing the personal medical information titled *PETITIONER'S DECLARATION IN SUPPORT OF MOTION FOR CONTINUANCE* until the Court rules on the Motion.)

Joshua E. Campbell, AAG  
Office of the Attorney General  
P.O. Box 40100  
Olympia, WA 98504

- ☐ ABC/Legal Messenger
- ☐ First Class Mail
- ☐ Certified Mail, Return Receipt
- ☐ Courtesy Copy Via Facsimile
- ☒ E-mail, pursuant to an existing Electronic Service

Agreement:

**Joshua.E.Campbell@atg.wa.gov**

DATED this 14th day of March, 2023, in Snohomish, Washington.



Steve Hailey  
Petitioner Pro Se

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

STEVE HAILEY,

Appellant,

v.

WASHINGTON STATE EXECUTIVE  
ETHICS BOARD,

Respondent.

No. 85280-9-I

DIVISION ONE

UNPUBLISHED OPINION

MANN, J. — Steve Hailey appeals the trial court’s decision to deny his motion to continue. We affirm.

I

Following a hearing in 2022, the Executive Ethics Board (Board) concluded that Hailey, a full-time faculty member at Edmonds Community College, violated the Ethics in Public Service Act, ch. 42.52 RCW, by utilizing state resources to promote and support an outside business. The Board ordered Hailey to pay a civil penalty of \$5,500.

Hailey petitioned for judicial review in Snohomish County Superior Court. After the agency record was filed, the Board moved to set a briefing schedule and set a hearing date for June 2, 2022. Hailey did not respond to the motion but filed a notice of unavailability covering the dates of June 22 to September 5, 2022. Hailey did not

appear at the hearing on June 2 and the Board was advised to file a note for trial setting later that fall.

A judge was assigned in December 2022. Hailey and the Board agreed to a briefing schedule that mirrored a CR 56 briefing schedule with a hearing on the merits on March 27, 2023.

Hailey's brief was due on February 27, 2023, but he failed to meet this deadline. The Board e-mailed Hailey on March 1, stating they had not received his brief and they would be filing a responsive brief asking the court to dismiss the appeal. On March 6, Hailey responded stating that he would be submitting a motion to request a continuance. The Board informed Hailey that they would oppose his motion.

Hailey filed a motion for continuance on March 15, 2023, but failed to properly note it before the court. The trial court denied his motion on March 21, 2023.

Hailey failed to appear on March 27, 2023. Before the hearing, Hailey submitted an amended motion renewing his request for a continuance. Again, Hailey did not properly note the motion before the court.

The trial court found there was no good cause for a continuance and dismissed Hailey's petition for review with prejudice. Hailey appeals.

## II

"Continuances may be had upon a showing of good cause." Bramall v. Wales, 29 Wn. App. 390, 393, 628 P.2d 511 (1981). A trial court has the "discretionary authority to manage its own affairs so as to achieve the orderly and expeditious disposition of cases." Woodhead v. Disc. Waterbeds, Inc., 78 Wn. App. 125, 129, 896 P.2d 66 (1995). We review a trial court's decision to deny a motion to continue for an

abuse of discretion. State v. Kelly, 32 Wn. App. 112, 114, 645 P.2d 1146 (1982). A trial court manifestly abuses its discretion if no reasonable person would take the view adopted by the court. Eagle Pac. Ins. Co. v. Christensen Motor Yacht Corp., 85 Wn. App. 695, 709, 934 P.2d 715 (1997), aff'd, 135 Wn.2d 894, 959 P.2d 1052 (1998).

In denying his motion for a continuance, the trial court found that Hailey failed to file a brief within 45 days after filing his petition on February 4, 2020.<sup>1</sup> For 10 months, Hailey did not advise anyone that he could not proceed with the case due to health or other reasons. In December 2022, both parties agreed to a briefing schedule and a hearing on the merits on March 27, 2023. Hailey “raised no issues or concerns about his ability to timely file a brief or proceed with the hearing.” Hailey filed the motion to continue on March 15, 2023, but did not properly note it before the court.

The trial court explained, “[a]lthough it appears that [Hailey] may have some underlying health issues that may make it somewhat difficult for him to prepare his case, he has had over 12 months to file a brief and prepare for a hearing on the merits, during which time he did neither. The Court notes that this is the same pattern of behavior that he exhibited during the underlying proceeding before the Board.” The court concluded that Hailey “failed to present good cause as to why this matter should be continued further.”

Hailey also attempted to amend his motion to continue right before the March 27 hearing. Again, Hailey failed to properly note the motion. The trial court found “there is

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<sup>1</sup> Under the rules for appeal of decisions of courts of limited jurisdiction, the brief of an appellant is due within 45 days after filing the notice of appeal with the superior court. RALJ 7.2(a). The court may also issue a briefing schedule. RALJ 7.2(d).

no good cause for a continuance of proceedings as [Hailey] has had over a year to prepare his case and/or obtain legal counsel.”

Significantly, Hailey did not assign error to any of the trial court’s findings and conclusions, and as such, they are verities on appeal. Cowiche Canyon Conservancy v. Bosley, 118 Wn.2d 801, 808, 828 P.2d 549 (1992). And Hailey cites no authority in his opening brief. This court “will not consider an inadequately briefed argument.” Norcon Builders, LLC v. GMP Homes VG, LLC, 161 Wn. App. 474, 486, 254 P.3d 835 (2011); see also Cowiche Canyon, 118 Wn.2d at 809 (arguments unsupported by reference to the record or citation to authority will not be considered).

When a party had approximately one year to prepare a brief, knew of the deadline for two months, failed to meet the deadline before attempting to continue the hearing, and failed to properly note the hearing, we cannot say that the trial court abused its discretion by denying their motion to continue.

In his reply, Hailey emphasizes that he appears here pro se, however, it is well settled in the State of Washington that we hold pro se litigants to the same standards as attorneys. In re Decertification of Martin, 154 Wn. App. 252, 265, 223 P.3d 1221 (2009).

Hailey has failed to demonstrate that no reasonable judge would have reached the same conclusion as the trial court. The trial court did not manifestly abuse its discretion by denying Hailey’s motions to continue.<sup>2</sup>

---

<sup>2</sup> In his conclusion, Hailey asks this court to reverse the trial court’s decision to dismiss his case with prejudice. However, Hailey has provided no argument on the dismissal and instead focused on his motions to continue. An issue not discussed in a party’s brief is considered abandoned. Greensun Grp., LLC v. City of Bellevue, 7 Wn. App. 2d 754, 780 n.11, 436 P.3d 397 (2019).

We affirm.<sup>3</sup>

Mann, J.

WE CONCUR:

Birk, J.

Smith, C.G.

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<sup>3</sup> Following submission of his reply brief and amended reply brief, Hailey moved to seal both filings because they contain medical and health information. The Board has not opposed Hailey's motion. But the records referenced throughout Hailey's reply brief, and attached as exhibits, were publicly filed in the trial court. Hailey does not address the trial court record in his motion to this court. To the extent Hailey wants these records sealed, he may bring a GR 15 motion before the trial court and then file a redacted version of his reply brief with this court. Upon filing a redacted brief, Hailey's earlier submissions will be sealed. As a result, we deny Hailey's motion to seal without prejudice.

## **CERTIFICATE OF SERVICE**

I hereby certify that on the date stated below, I caused the foregoing brief to be served via the Washington State Appeals Court I Filing Portal and to the last known email address of all counsel of record.

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

May 13, 2024

  
Steve Hailey

# STEVE HAILEY - FILING PRO SE

May 13, 2024 - 4:39 PM

## Transmittal Information

**Filed with Court:** Court of Appeals Division I  
**Appellate Court Case Number:** 85280-9  
**Appellate Court Case Title:** Steve Hailey, Appellant v. WA State Executive Ethics Board, Respondent  
**Superior Court Case Number:** 22-2-00656-9

### The following documents have been uploaded:

- 852809\_Petition\_for\_Review\_20240513163815D1239981\_4250.pdf  
This File Contains:  
Petition for Review  
*The Original File Name was 85280-9 PETITION FOR REVIEW 5-13-2024.pdf*

### A copy of the uploaded files will be sent to:

- julia.eisentrout@atg.wa.gov
- shayla.staggers@atg.wa.gov

### Comments:

---

Sender Name: Steve Hailey - Email: steve.hailey@cybersecurityacademy.com

Address:

17716 Trombley Road

Snohomish, WA, 98290

Phone: (425) 905-0605

**Note: The Filing Id is 20240513163815D1239981**