

FILED
SUPREME COURT
STATE OF WASHINGTON
12/23/2024 8:00 AM
BY ERIN L. LENNON
CLERK

SUPREME COURT OF THE STATE OF WASHINGTON

NO. 1033222

Review of Division II Cause 57601-5
22-2-02806-34
Before the Honorable Judge Wilson
Thurston County

Joe Patrick Flarity, a marital community
v.
Unknown Officials, in their official and personal capacities,
State of Washington, Et Al.

REPLY TO ANSWER CONTESTING INCLUSION

OF

VACATED MANDATE.

1. REPLY TO ANSWER

Comes Joe Patrick Flarity, a marital community, hereafter Flarity, Replies to State's Answer contesting inclusion in the decision. All emphasis is added.

2. TIMING OF DECISION

The Clerk's swift move to Vacate the Mandate issued in error occurred after briefing. *Whitehall v. Emp. Sec. Dep't*, 25 Wn.App.2d 412, 419 n.3, 523 P.3d 835 (2023), does not apply since the Clerk's error IN THIS CASE would have been included in the briefing had it been timely.

3. ORDERS FROM ANOTHER CASE

The State relies on *Brewer v. Fibreboard Corp.*, 127 Wn.2d 512, 531, 901 P.2d 297 (1995). This case does not apply here for two reasons. 1):

That case [Findley] has been **previously noted in the record** before us and does not constitute "additional authorities".

2):

...we reject any interpretation of RAP 10.8 which would allow filing of a **368-page document**.

4. MANDATE ARGUMENT

The term Mandate has wide ranging judicial applications. In recent news, the President-Elect claims a "mandate" to weaponize the justice system against personal targets because he was elected with a 1%

popular vote after making that clear promise. With similar logic, this Panel uses “clear mandate” and “strongly worded mandate” in numerous decisions.¹ The people expect the Panel’s June 4, 2020 letter to lower courts is likewise a Mandate prohibiting court separation of the people into disfavored classes. The Panel should take action here to bolster that Mandate, or notify the people their letter is withdrawn.

Because a one-legged stool is unstable, the people demand equal standing in the judicial branch. This is especially important here because our opponents swore an oath to defend the personal rights in the Constitution.

No jury would accept this outcome. This “inviolable right” protection also involved death from asbestos poisoning, *Sofie v. Fibreboard Corp.*, 771 P. 2d 711 - Wash: Supreme Court 1989.

5. CONCLUSION

From the State’s own citations, their legal logic is flawed and not applicable to these circumstances. From Flarity’s citations, Div. II is in defiance of this Panel’s Mandate and considers the State a favored party.

¹ *Hearst Corp. v. Hoppe*, 580 P. 2d 246 - Wash/ Supreme Court 1978; *Thompson v. St. Regis Paper Company*, 685 P. 2d 1081 - Wash/ Supreme Court 1984.

CERTIFICATION OF WORD LIMIT. The Word Count is 307 words and is within the limit of the RAP for Supplemental Authorities.

CERTIFICATION AND SIGNING:

Per RCW 9A.72.085, I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct and I have followed the RAP 13 to the best of my knowledge for this Motion.

Date of Signing: December 23, 2024

Signature of plaintiff: /S/

Joe Flarity
101 FM 946 S.
Oakhurst, TX 77359
piercefarmar@yahoo.com

FLARITY FARM

December 23, 2024 - 6:33 AM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 103,322-2
Appellate Court Case Title: Joe Patrick Flarity v. State of Washington, et al.
Superior Court Case Number: 22-2-02806-5

The following documents have been uploaded:

- 1033222_Answer_Reply_20241223063012SC624465_4804.pdf
This File Contains:
Answer/Reply - Reply to Answer to Motion
The Original File Name was Reply to Answer on Vacate Mandate.pdf

A copy of the uploaded files will be sent to:

- Andrew.Krawczyk@atg.wa.gov
- danielle.anderson@atg.wa.gov
- matthew.kernutt@atg.wa.gov
- revolyef@atg.wa.gov

Comments:

Reply to State Answer contesting inclusion of Mandate issued in error and the ease of vacating the Mandate when requested by the State.

Sender Name: Joe Flarity - Email: piercefarmer@yahoo.com
Address:
249 Main Ave S. STE 107 #330
North Bend, WA, 98045
Phone: (253) 951-9981

Note: The Filing Id is 20241223063012SC624465