

**SUPREME COURT
OF THE STATE OF WASHINGTON**

TAMARA LOVE,

PETITIONER,

V.

STATE OF WASHINGTON,
EMPLOYMENT SECURITY
DEPARTMENT

RESPONDENT.

**RESPONDENT'S
ANSWER IN
OPPOSITION TO
PETITIONER'S
MOTION FOR
RELIEF AND
MOTION FOR
JURY TRIAL**

I. IDENTITY OF MOVING PARTY

Comes now the State of Washington Employment Security Department by and through its attorney, Assistant Attorney General Caleb W. Gieger on behalf of Attorney General Nicholas W. Brown.

II. STATEMENT OF RELIEF SOUGHT

Neither the Administrative Procedure Act nor Rules of Appellate Procedure allow for jury trial or money damages at

this stage of litigation. *See* RCW 34.05.558 The Court should deny Ms. Love's motions for both.

To the extent these motions address the merits of Ms. Love's appeal, these arguments are an improper attempt to supplement her Petition for Review, and the Court should disregard them.

III. FACTS RELEVANT TO MOTION

This is a Petition for Review of a decision by the Court of Appeals terminating review under RAP 12.3(a). After filing her Petition for Review, Ms. Love filed two motions for money damages and a jury trial. Pet'r's Mot. for Relief; Pet'r's Mot. for Jury Trial.

IV. GROUNDS FOR RELIEF

This is a Petition for Review of a decision by the Court of Appeals terminating review under RAP 12.3(a). Neither the APA nor the Rules of Appellate Procedure allow for money damages or a jury trial at this stage of litigation. Nor does the APA allow for jury trials in any of the proceedings below.

RCW 34.05.558 (“Judicial review of disputed issues of fact shall be conducted by the court without a jury. . .”). Accordingly, the Court should deny Ms. Love’s motions.

V. CONCLUSION

Because neither money damages nor a jury trial is permitted at this stage of litigation, the Court should deny Ms. Love’s motions for both.

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CERTIFICATION

I certify that this document contains 266 words, excluding the parts of the document exempted from the word count by RAP 18.17.

RESPECTFULLY SUBMITTED this 07TH day of May, 2025.

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PROOF OF SERVICE

I, Maritza Sierra, certify that I caused to be served a copy of **Respondent's Answer in Opposition to Petitioner's Motion for Relief and Motion for Jury Trial** on all parties or their counsel of record on the date below as follows:

E-Served via Washington State Appellate Courts' Portal

TAMARA LOVE
TKLWA26@YAHOO.COM

E-filed via Washington State Appellate Courts' Portal

SARAH PENDLETON, CLERK
WASHINGTON STATE SUPREME COURT
<https://ac.courts.wa.gov/>

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 07TH day of May 2025, in Olympia,
Washington.


MARITZA SIERRA, Paralegal

AGO/LICENSING AND ADMINISTRATIVE LAW DIV

May 07, 2025 - 9:25 AM

Transmittal Information

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Appellate Court Case Number: 104,056-3
Appellate Court Case Title: Tamara Love v. State of WA, Employment Security Dept.
Superior Court Case Number: 23-2-09501-0

The following documents have been uploaded:

- 1040563_Answer_Reply_20250507092415SC554699_8033.pdf
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