SUPREME COURT CASE NO. **1044445**
Court of Appeals Case No. **603519**

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

ISAAC M. NSEJJERE,
Petitioner,

v.

CARYN M. ANDERTON,
Respondent.

PETITION FOR REVIEW
of the Court of Appeals of The State of Washington
Division II

[originally filed as petition for writ of certiorari]

ANSWER TO RESPONDENT'S MOTION TO SEAL PETITION

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I. INTRODUCTION.

WHEREFORE, "in determining whether court records may be sealed from public disclosure, the court starts with the presumption of openness." *Rufer*, 154 Wn.2d at 540. Our state constitution provides that "[j]ustice in all cases shall be administered openly." Const. art. I, § 10. The public's right of access may be limited to protect other significant and fundamental rights, such as a defendant's right to a fair trial but here, respondent offers no compelling reason to overcome openness.

Rather than addressing the SUBSTANCE of the Petition for Review, respondent incoherently circles the wagon in the attempt to create a discourse and woefully fails to negate petitioner's primary issues that are the genesis of the three (3) questions presented, and the reasons to review lower courts' opinions - then asks that petition be sealed, which as argued herein is grounded on issues dear and indispensable to

especially African men - an ethnic group respondent dehumanizes "in her own communications" as CRIMINALS by virtue of being Africans. (CP 77), in addition to dehumanizing petitioner as an uneducated Nigga (CP 76), stripping humanity from him and justifying cruelty.

Respondent's motion to seal falls short of overcoming our state constitutional high bar of presumption of openness. Critically, the SUBSTANCE of the petition discussed below squarely aligns with what is constitutionally accorded the public.

Respondent makes much of "*admonished and resolutely condemned*" tone by petitioner. Should a self-admitted pedophile in his 50s confessing to having sexual intercourse with a 16-year-old child and admittedly preferring sex with minors (pursuant to appeals court opinion) be admonished and resolutely condemned? YES! If so, should a party that deliberately fabricates such a grotesque act and perpetuates it through multiple adjudications under penalty of perjury be even more admonished and resolutely condemned?

YES! ABSOLUTELY YES!

In fact, the biggest impediment to effective mitigation and potential eradication of this menace, and thus the biggest impediment to this Court's June 2020 letter to the judiciary and the legal community is the persistent abuse and violation of condor toward the tribunal by officers of the court that do so with impunity. *Here, court officers* ***Coleen A. Lovejoy***, ***James G. Fick***, *and* ***Brian C. Nadler*** *actions are beneath contempt, devoid of dignity, beyond redemption and must be held accountable. Petitioner asks that the reviewing panel opines on this specific substance of the petition.*

While this ought to be admonished and resolutely condemned, to the actual victims such as petitioner, it is demonic to its core because it fully and summarily degrades, devalues and destroys a man's life to a point that his community, family, economic and financial partners avoid him like the plague - precisely what this court's June 2020 open letter sought to eradicate. This is the case with petitioner, and hence asserting "final nail in the judicial coffin" and thereby transcending egregious judicial lynching.

This Court's Valiant effort expressed in its June 2020 Open letter is undermined by officers of the court when they not only deny allegations expressly and explicitly underpinned by racial conjectures (CP 76 - 77), but actually fabricate falsehoods against the same African man that leads to not just degrading and devaluing his life, but destroying it in a way that he cannot even walk his community.

Officers of the court spearheaded this sheer abuse of condor towards the tribunal – the basis for affording them the privilege to practice law, and they're now undeserving of that privilege. If there is no accountability to their actions, we African men cannot then expect preventability – AND CYNICALLY, RESPONDENT WANTS THIS SEALED.

In this instant case however, respondent's incoherent justification by ineffectively citing privacy and safety as basis to seal the petition boils down to one issue, i.e., ***"potential embarrassment",*** which does not meet this high standard, especially considering that the sought document to be sealed has no bearing on the moving party's substantive rights.

Nearly all circuit courts have held that there is no good cause to seal documents because they would be embarrassing. *Callahan v. United Network for Organ Sharing*, 17 F.4th 1356 (11th Cir. 2021). The public's right to access court proceedings and records is protected by both the First Amendment and common law. See *Foltz,* supra, 331 F.3d at 1136. See also *Kamakana*, supra, 447 F.3d at 1178; *San Jose Mercury News Inc. v. U.S. Dist. Court,* 187 F.3d 1096, 1102 (9th Cir. 1999).

This cynical pedophilia allegation by a white woman against a black man she dehumanized as an uneducated nigga (CP 77) and African criminal (CP 77), and now stunningly memorialized by appeals court opinion after dismissing the complaint AT PLEADING STAGE as frivolous, was deliberately fabricated and perpetuated in multiple adjudications, and should be intolerable to any fair-minded jurist and certainly enlist Visceral disgust to this panel.

Respondent and counsels alike counted on lack of pushback because an African man generally lacks the resources, the know-how or temerity to do so, and thus the common theme

in our community that once accused of anything by a white woman, simply tuck your tail between your legs and walk away – no matter what.

While this stands out, the rest of lower courts' decisions under review are similarly characterized and - among other review conclusions, fully justify a finding of sheer Fraud on the Court. Respondent is asking this panel to not believe its lying eyes.

Petitioner's unanimous favorable disposition of the Petition for Review is unquestionably warranted, is in the public's interest, and respondent has not provided a compelling reason to overcome openness.[1]

Dismissed case was at a ***PLEADING STAGE***.

"A Rule 12(b)(6) motion must be made before the responsive pleading." *MacDonald v. Grace Church Seattle,* 457 F.3d 1079, 1081 (9th Cir. 2006) (quoting *Elvig v. Calvin Presbyterian Church,* 375 F.3d 951, 954 (9th Cir. 2004). Because respondent filed the answer prior to her 12(b)(6) motion, her rule 12(b)(6) motion was untimely and should have not been considered. Respondent's 12(b)(6) motion was filed on 05/01/2024 (CP 27), almost two (2) months AFTER the responsive pleading was filed on 03/15/2024. (CP 58).

A Rule 12(b)(6) motion to dismiss questions only the legal sufficiency of the allegations in a pleading, asking whether there is an insuperable bar to relief. *Contreras v. Crown Zellerbach Corp.,* 88 Wn.2d 735, 742, 565 P.2d 1173

II. ARGUMENT.

A. Respondent's motion to seal incorrectly asserts that this Supreme Court's June 2020 Open Letter does not apply to petitioner because it concerned a crime against George Floyd, not a civil matter as in this instant case and therefore not of public interest.

i. Respondent position actually strengthens petitioner's pleading that this court needs to expressly reassert that the letter urged every member of the legal community to "reflect on this moment" and work together to "eradicate racism". This call to action applies to the broader legal field, which includes **both** criminal and civil matters.

The letter expressly calls for mitigating the ""***degradation and devaluation of Black lives***" and calls for judges to "recognize the role [w]e have played in devaluing Black lives"?

(1977). It is improper to assume the truth of a defendant's issues if such assumptions serve to dispute facts stated in a well- pleaded complaint – *as was the position in this instant case*. This admonition is, of course, consistent with the prohibition against resolving factual disputes at the pleading stage. See *In re Tracht Gut, LLC*, 836 F.3d 1146, 1150 (9th Cir. 2016).

Mindful of this valiant effort, consider the following FACTS:

a). **Society abhors Pedophilia!!!!** Appeals court Opinion condemned Petitioner to Pedophilia and he is shunned by his society and business community. Here, a black life is summarily degraded and devalued.

b). This condemnation is premised on petitioner's supposed ADMISSION that in his 50s, he had sexual intercourse with a 16-year-old child and that he likes having sex with minors (Appeals court opinion).

c). The genesis of petitioner's claim is that he NEVER did so and that there is no evidence to such a grotesque admission. In fact, the so-called 16-year-old child was born in 1999 (Exhibit A filed under seal), immigrated to America on September 10th, 2018 (Exhibit B filed under seal), and met petitioner in 2019 when she was almost 20 years old. She expressed this!!! (CP 74). **Respondent and respondent's counsels alike are deserving strong**

condemnation for boldly, aggressively and consistently pedaling such a grotesque falsehood against a dehumanized uneducated nigga criminal in their capacity as court officers. If this isn't deplorable, what is?

d). Lower courts opine that petitioner does not allege falsity. However, the record reflects that he alleges falsity numerous times. (CP 71 at 13; CP 72 at 23-27; CP 76).

e). Underpinning the above, the record reflects respondent's toxic racial conjectures characterizing petitioner as Criminal by default because he is African (CP 77), and dehumanizing him as an uneducated Nigga (CP 77). In fact, respondent also dehumanized the so-called 16-year-old child as a criminal (African criminal) when she resisted respondent's manipulation. (CP 16). Respondent's allegations must be looked at through that lens. See *Jinro America Inc. v. Secure Investments, Inc.*, 266 F.3d 993 (2001).

The Substance of the Petition and what it means to the African community renders sealing it unjust and prohibitive. Respondent is asking this panel to do something against its own position. Let me please phrase it as a question?

> **How can this panel let the clear and unambiguous degrading and devaluing of a black life expressed above denominated by nasty racial conjectures stand? How can the panel uphold this sheer degrading and devaluing of a black life and in the same token honor this Court's June 2020 Open Letter that explicitly aims to eradicate this precise outcome? It CANNOT!!!**

Respondent now asks this panel to uphold this naked racial injustice and *seal* the petition, which would make a mockery of the Supreme Court June 2020 open letter to the judiciary and to the legal community.

This is why the last question in Petition for Review is absolutely relevant and critical, i.e., We black men (specifically African men) ask ourselves if it is even worth seeking justice in the current legal system. Is it??[2]

ii. Respondent claim that petitioner's pleading is not criminal falls flat and does not meet the bar to deny openness.

Besides supreme court's clear stipulation that the sought racial injustice eradication is also applicable to civil matters, in essence, appeals court opined that petitioner admitted to RCW 9A.44.093 violation (a class C felony) and added that he admitted to preferring sexual intercourse with minors. This is SOOOOOOOOOO SICKENING!!!!

Now despite petitioner's education including a Doctorate and his business acumen that includes consummating Hundreds of Millions of Dollars in Mergers & Acquisitions, consulting on two (2) Billion Dollar transactions, everyone in his society and business circle avoids him like the plague. If this is not degrading and devaluing black lives (as this court explicitly warns in its Open letter), then what is? It is an absolute

indictment of respondent's despicable allegations, HENCE THE DESIRE TO SEAL THE PETITION.

Notably, racial injustice is not just in the criminal justice system. In fact, more black lives are degraded and devalued in civil cases. This said, admitting to violations of RCW 9A.44.093, which is the default conclusion of appeals' court decision, is a class C felony. In other words, this is modern day "Groveland Four" but perhaps worse because the third-party accuser asserts that the accused ADMITTED to such conduct.

Petitioner's unanimous favorable disposition of the Petition for Review is unquestionably warranted, is in the public's interest, and respondent has not provided a compelling reason to overcome openness. [2]

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[2] Respondent's pleading emphatically presses the impression on the court that the so-called 16-year-old child with whom petitioner supposedly admittedly had sexual intercourse with should be totally left out of this and should not testify at all. (CP 7).

Her testimony would have been an absolute indictment of respondent's grotesque allegations and this tactical and vehement avoidance of her testimony implies that respondent deliberately fabricated the pedophile allegations with a *conscious* and *affirmative* mindset to abjectly mislead the court to such grotesque injustice against.

B. Respondent falsely argues that this incident was on only the petitioner and has no effect on the public.

This silly but cynical claim insinuates to any informed party that counsel is either blind or - more likely, knows the opposite is true but must lie in order to win – which given the facts before the court, this is to be expected. In fact, respondent dehumanized the so-called 16-year-old child as a criminal (African criminal) when she resisted respondent's manipulation. (CP 16).

In addition to countless Africans that warn each other to simply put the "tail between your legs" and walk away if you're accused of anything by a white woman – (regardless of how glaringly false the accusations are – as here), consider the following FACTS:

i. Innocent Black people are significantly more likely to be wrongfully convicted of sexual assault. The Innocence Project. March 2017. ****This is tantamount to the instant appeals court opinion under, review holding that petitioner admitted to something tantamount to a felony under RCW 9A.44.093.

https://www.theguardian.com/world/2025/feb/07/youth-culture-experts-could-help-avoid-stereotyping-of-young-black-men-say-lawyers

ii. Black men are so often accused of crimes they did not commit. Dr. Allison Wiltz. Dec 23rd, 2023.

https://medium.com/afrosapiophile/why-black-men-are-so-often-accused-of-crimes-they-didnt-commit-5b8435641d3c

iii. The case before this court represents what we regularly endure with these all-too-common wrongful stereotypes of Black and African men portray them as criminals, dangerous, and unintelligent.

https://www.google.com/search?q=afrucan+men.wringfylly+stereotype&ie=UTF-8&oe=UTF-8&hl=en-us&client=safari

iv. 15 Times White Women's Lies and Hysteria Hurt People of Color. By Kalyn Womack. August 4th, 2023. The case before this court

a). Proves that this is still ongoing and

b). Proves that our Supreme Court was correct about its Open letter but given formidable Tradewinds backed by legal practitioners whose conduct is unbecoming of officers of the court, the battle to eradicate this cynicism has a long way to go. If these were the 40s/ 50s, petitioner would be condemned as much as: *Emmett Till,*

Clarence Norris, Jr., Charlie Weems, Ozie Powell, Andrew Wright, Leroy Wright, Olen Montgomery, Willie Roberson, Haywood Patterson and Eugene Williams and countless more. We must adhere to the valiant supreme court Open Letter and stop this menace!!

https://www.yahoo.com/lifestyle/15-times-white-womens-lies-213000695.html

v. While this specific section is about a white woman falsely accusing a 50-year-old uneducated nigga, a criminal by virtue of being African for having sexual intercourse with a sixteen-year-old child, it is still common and something that we all in the African community makes us wish we had what it takes to have our sons grow up in Africa.

White woman arrested after falsely accusing two innocent black men. Indisputable with Dr. Rashad Richey. Jun 16, 2025 https://m.youtube.com/watch?v=FDFzdjlmm8U

Unanimous disposition in favor of petitioner is unquestionably warranted and the foregoing makes the public interest in this case clear and unambiguous. Respondent might offer a good reason, but has not offered a compelling reason to overcome openness.

C. The utterly contradicting lower court's opinion regarding 3rd party communication enhances the need to openness, not to sealing of the record.

i. Respondent admitted and in fact boasted about communicating the defamatory statements to third parties, one of which was Guild mortgage (CP 75 at 19; 76)

ii. Appeals court held IN ITS OWN OPINION that petitioner claimed that respondent communicated the alleged defamatory statement(s) to a third party (Guild mortgage)

iii. Quite puzzlingly, in the same opinion, appeals court concludes that dismissal AT THE PLEADING STAGE was proper because communications were not to third parties, but between petitioner and respondent.

The foregoing should puzzle each and every reasonable jurist because one would actually need to not believe his/ her lying eyes and again beg the question: "We black men (specifically African men) ask ourselves if it is even worth seeking justice in the current legal system. Is it???

Guild mortgage is just one example of a 3rd party communication of defamatory statements but petitioner listed more (CP 72 at 24).

Unanimous disposition in favor of petitioner is unquestionably warranted. Respondent fails to show a compelling reason to seal petition.

D. As if grotesquely and unjustifiably degrading and devaluing a black life as a self-admitted pedophile is not enough, appeals court opined that petitioner stole respondent's car and he is therefore a thief.

We have unfortunately come to expect such utter disregard of African men's pleadings. Here, court fully ignored petitioner's allegations that the parties had an agreement where petitioner was to pay for the car via Zelle to respondent, an amount of $395.64 on every 16th of the month (CP 21). Petitioner provided the court with evidence of their arrangement, evidence of $395.64 Zelle to respondent (CP 21), and that petitioner may have had a claim for promissory estoppel against respondent. As expected by now, this too was fully disregarded.

To ignore this especially at the ***pleading stage*** as lower court did is unequivocally unjust, but perhaps deserving of a dehumanized uneducated Nigga and a Criminal by virtue of being African.

Granting motion to seal for example, is tantamount to granting motion to keep the African community (so-called criminals by default by respondent) in the dark as they get abused. Courts have repeatedly ruled that matters of significant public interest (as this instant case), including those involving national importance, should not be sealed from public view unless there is a compelling and narrowly defined reason to do so. *FCA U.S. LLC v. Ctr. for Auto Safety*, 137 S. Ct. 38 (2016).

E. Communications from Respondent's Family.

Like the puzzling foregoing contradictions to lower courts' opinions, petitioner presented preliminary evidence by way of ***screenshots*** ISO allegations against the harassment of respondent's family. For example, Text messages from Brett Johnsen, Cyndi Ayers and Kendall Anderton, Jordan Anderton (CP 17; 22; 48) accusing petitioner of similar allegations as respondent because they evidently worked in concert. Despite

these "written" messages, lower courts again puzzlingly held that they did not exist, improperly dismissing the case at the **pleading stage**.

Potential embarrassment, especially due to parties that demonstrably harassed petitioner and propounded discovery that directly sought to counter the harassment, woefully falls short of the standard that must be met to justify shielding the public from judicial interests. See *Kamakana v. City and County of Honolulu*, 447 F.3d 1172,1179 (9th Cir. 2006); *Rushford v. New Yorker Magazine, Inc.*, 846 F.2d 249, 252 (4th Cir. 1988); *Dreiling v. Jain*, 151 Wash.2d 900, 93 P.3d 861, 867 (2004). [3]

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[3] The Supreme Court held in *Ashcroft* that [i]f defendants are permitted to present their own version of the facts at the pleading stage – and district courts accept those facts as uncontroverted and true – it becomes near impossible for even the most aggrieved plaintiff to demonstrate a sufficiently "plausible" claim for relief. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citing *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 556 (2007)) (articulating standard for "plausible" claim for relief at pleading stage).

This echoes the error in this instant case when in the light of an abundance of facts, the case was dismissed at the **PLEADING STAGE.**

On Discovery abuse, respondent points out that petitioner propounded discovery on respondent's dating life and thus sanctioned/ fined because of it. To enlist sympathy and slander petitioner, respondent pleaded that petitioner cheated on her and thus the breakup; here, discovery would have demonstrated to court that the respondent herself was dating other people during the same period, thereby pushing back on the sympathy-seeking allegation as respondent's defense. Sanctioning petitioner on such relevant discovery was unjust and one must again ask if a dehumanized uneducated nigga and criminal deserved such at the pleading stage.

F. Petitioner's unrelated cases relative to Service by way of Letters Rogatory.

Finally, respective to petitioner's unrelated litigations in other courts, again, the record reflects that petitioner VOLUNTARILY withdrew his cases due to a complex, comprehensive and complicated process of serving foreign defendants by way of Letters Rogatory because their nations were not signatory to The Hague Service Convention. This technicality has since been cured. But again, lower courts rendered petitioner vexatious partly based on this, which again

is demonstrably false much as admitting to sexual intercourse with a minor was demonstrably false – now they want the petition sealed.

The case before this court represents what we regularly endure with this all-too-common wrongful stereotypes of Black and African men, portraying us as criminals, dangerous, and unintelligent, and thus fully deserving of our lives degraded, devalued – a direct result of unjust condemnations such as condemnation of Pedophilia.

It is absolutely imperative (because thousands of Africans have given up) to clearly answer the question: We black men (specifically African men) ask ourselves if it is even worth seeking justice in the current legal system. Is it???

G. Finally, contrary to respondent's claim, trial court prohibited [a]ll contact, which impliedly included contact respective to a criminal probe, where respondent stole petitioner's identity and maliciously changed his DMV record. Trial court had no jurisdiction over this criminal investigation matter and the order prohibiting the victim from aiding in the investigation (CP 25 at 24) should be reversed. This includes

parties like Adaptive Technologies, whose phone number respondent listed as contact; Merck Pharmaceutical, whose email address domain and work computer respondent used to commit the alleged crime.

As she changed appellant's DMV record and set up a new account, she was prompted to provide a new phone number to which notifications would be sent. The phone number she first thought of was (206)659-0067, which was her former employer (Adaptive Biotechnologies). In her sick twisted mind, because she likes the word "LICK" as demonstrated in her text messages, she changed petitioner's email address on his DMV record to Pedlicker72@gmail.com, implying Pedophile licker born in 1972 (petitioner). (CP 78). How sick is that?

Respondent's motion to seal immediately cites dismissal due to a frivolous lawsuit. NOW, before this court is the appeals court's opinion holding that petitioner admitted to sexual intercourse with a 16-year-old child and that he likes having sex with minors, contrary to petitioner's pleadings and the to the co called 16-year old's vehement denial.

So, the substantive question to this material contradiction is: How do you reconcile a finding of a Frivolous lawsuit at the **pleading stage** with this? **You CANNOT**. And this is

indicative of all the ill-gotten gains by respondent that must be reversed.

Rather than sealing the petition, this should be a study case on the civil aspect of the Supreme Court's June 2020 open letter, and on the naked racial injustice as a direct product of Fraud on the Court.

If this racial injustice is not resolutely condemned, it would fully justify the persistent corrosive lack of faith in the judiciary by African men, who for now and by further example of this instant case, conclude that seeking any semblance of justice is detrimental and not for us.

III. CONCLUSION

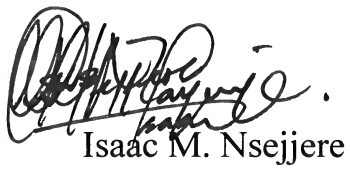
"Neither a reason, nor ***even a good reason*** (not to say that respondent provided one) would be sufficient to rebut the public-disclosure presumption. The reason must be 'compelling.'"). *Rufer v. Abbott Labs.,* 114 P.3d 1182, 1192 (Wash. 2005).

Nothing in respondent's motion to seal demonstrates that there is an interest compelling enough to overcome the constitutional high bar on presumption of openness. See, e.g., *Foltz v. State Farm Mut. Auto. Ins. Co.,* 331 F.3d 1122, 1135 (9th Cir. 2003); *Kamakana v. City & Cnty. of Honolulu,* 447 F.3d 1172, 1178 (9th Cir. 2006). The substance of the petition is indispensable to eradicating judicial decay that has made us African men give up hope and faith in the judicial system. Absent accountability, effective enforcement of the June 2020 open letter would be a Practical Impossibility.

Unanimous disposition in favor of petitioner is unquestionably warranted and we need a ray of hope that lady justice is indeed blind. Respondent has not offered a "*compelling*" reason to overcome openness. Motion to seal should be DENIED.

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

Respectfully Submitted,



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CERTIFICATE OF COMPLIANCE

Pursuant to RAP 18.17 of the Rules of this Court, I certify that this Answer to Motion to Seal Petition, which was prepared using Times New Roman 14-point typeface, contains 3,998 words, excluding parts of the document that are excluded by RAP 18.17(c). This certification is in reliance on the word-count function of the word-processing system (Microsoft Word) used to prepare the document.

Respectfully Submitted,

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VIII. CERTIFICATE OF SERVICE

I certify under penalty of perjury of the State of Washington that pursuant to the parties' service agreement, on September 23rd, 2025, I served the document titled ANSWER TO MOTION TO SEAL PETITION and Declaration and Exhibits A&B ISO Answer to Motion to Seal Petition via email to:

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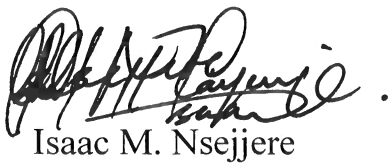
Respectfully,



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