SUPREME COURT NO. 1044445
Court of Appeals No. 603519

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

ISAAC M. NSEJJERE,

Petitioner,

v.

CARYN ANDERTON,

Respondent.

ON APPEAL FROM THE COURT OF APPEALS OF THE STATE OF WASHINGTON, DIVISION II

ANSWER TO PETITION FOR WRIT OF CERTIORARI

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I. INTRODUCTION.

Nsejjere fails to identify any basis for review and cites no relevant legal authority. There is nothing for the Supreme Court to review. The writ is just more false, outrageous, offensive and harassing rhetoric intended to harm Anderton and her family. The lower courts have not only found Nsejjere's claims against Anderton frivolous, but have also found that Nsejjere has been using the legal system to harm Anderton. This is no different.

II. RESTATEMENT OF THE ISSUES.

Whether Nsejjere has provided sufficient basis under RAP 13.4 for Supreme Court review? No.

Failure to assign error to, and provide argument or citations to authority regarding, an issue precludes review. Nsejjere identifies no basis for review, nor, on the whole, does he apply the facts to any instructive legal precedent. This Court should deny review.

III. RESTATEMENT OF THE CASE

Petitioner Nsejjere filed a frivolous and vengeful lawsuit against Respondent Anderton for defamation "with the intent to hurt and publicly shame Ms. Anderton." CP 27. After Respondent moved to dismiss, Petitioner's response "contained personal attacks on Anderton's character." Ex. A, at 4. The trial court dismissed all of Petitioner's claims with prejudice and ordered Petitioner to pay Respondent Anderton $15,000.00 for violations of CR 11 for filing a baseless complaint for an improper purpose. CP 4. The trial court also found Petitioner to be a vexatious litigant as to Respondent Anderton and those associated with her. CP 5. Petitioner was found to be "utilizing the court system for the improper purpose of harming Ms. Anderton and invading her privacy and the privacy of others." CP 5.

The Appellate Court affirmed the trial court's rulings, noting that "the [trial] court's unchallenged findings amply support both the imposition of CR 11 sanctions and the

conclusion that Nsejjere was a vexatious litigant." Ex. A at 12. The Appellate Court similarly found the appeal to be frivolous and awarded reasonable attorney fees to Respondent Anderton, stating that "Nsejjere's claims are completely without merit and he does not challenge the [trial] court's finding that he filed his 'frivolous and offensive' complaint for an improper purpose." Ex. A, at 13.

In Petitioner's request for review, he included false and defamatory statements about Anderton's family and included the home address for Anderton's daughter. Anderton filed a motion to seal the writ and all associated filings. Respondent incorporates that Motion by reference herein.

IV. ARGUMENT

RAP 13.4(b), entitled *Considerations Governing Acceptance of Review,* states:

A petition for review will be accepted by the Supreme Court only: (1) If the decision of the Court of Appeals is in conflict with a decision of the Supreme Court; or (2) If the decision of the

Court of Appeals is in conflict with a published decision of the Court of Appeals; or (3) If a significant question of law under the Constitution of the State of Washington or of the United States is involved; or (4) If the petition involves an issue of substantial public interest that should be determined by the Supreme Court.

Nsejjere's writ does not reference these considerations for review. Appellant identifies no conflicts in decisions in the Supreme Court or the Court of Appeals, and he does not suggest there are any Constitutional questions at issue. Instead, Nsejjere baldly claims this is a matter of Public Interest because the Court of Appeals must have been racially bias in their decision.

To determine whether there is an issue of continuing and substantial public interest, the Court considers (1) the public or private nature of the question presented, (2) the desirability of an authoritative determination for the future guidance of public officers, and (3) the likelihood of future recurrence of the question. This is a non-exhaustive list. *Randy Reynolds &*

Assocs., Inc. v. Harmon, 193 Wn.2d 143, 152, 437 P.3d 677, 682 (2019)(cleaned up).

The public has no interest whatsoever in Nsejjere's claims of reputational damage. There is no way in which this case might affect anyone in the future. Nsejjere seems to suggest that this matter is of public interest simply because he is African and because Respondent's name is Caryn.

The fact that Nsejjere is an African man is not relevant to his claim of defamation against Anderton. Moreover, it's been repeatedly found that Anderton did not defame Nsejjere. The public has no interest in the private text messages between the parties. *Even if* defamation had occurred here, still the public has no interest in harm to Nsejjere's reputation. There is no version of the facts that would interest the public. The purpose of this entire litigation is to embarrass, harm and threaten Anderton and those around her.

Nsejjere starts his writ by suggesting his case is comparable to the George Floyd case, where Mr. Floyd, a black

man, was murdered by a police officer. Nsejjere references numerous criminal matters and random publications about systemic racism, which are completely irrelevant to this case. To be clear: Nsejjere is the Plaintiff in this matter. He sued Anderton, a private citizen, for defamation. Nsejjere's lawsuit was meant to coerce money out of Anderton, ruin her reputation and threaten her family. These facts are **nothing** like what happened to George Floyd.

Nsejjere insists that the Court of Appeals decision has somehow precluded him from investigating the crime of a *changed email address* and this, he concludes, is "another nail in a black man's judicial coffin." *See* Pg. 18 of Writ. His complaints are unreasonable, unsupported, and completely irrelevant to his frivolous defamation lawsuit. Even if it were true that his email address was changed, that is unrelated to issues of defamation or systemic racism. Nsejjere cannot just say "George Floyd" and expect that buys him a ticket to the Washington Supreme Court. Nsejjere is required to explain why he is entitled to review.

"Rules of Appellate Procedure are intended to enable the court and opposing counsel to efficiently and expeditiously review the accuracy of the factual statements made in the brief and to efficiently and expeditiously review the relevant legal authority. *Litho Color, Inc. v. Pac. Emps. Ins. Co.*, 98 Wn. App. 286, 305-06, 991 P.2d 638 (1999). For this reason, courts should not consider issues that lack adequate, cogent argument and briefing. *Satomi Owners Ass'n v. Satomi, LLC*, 167 Wn.2d 781, 808, 225 P.3d 213 (2009); *Schmidt v. Cornerstone Invs., Inc.*, 115 Wn.2d 148, 160, 795 P.2d 1143 (1990); *Saunders v. Lloyd's of London*, 113 Wn.2d 330, 345, 779 P.2d 249 (1989); *see also United States v. Dunkel*, 927 F.2d 955, 956 (7th Cir. 1991) ("Judges are not like pigs, hunting for truffles buried in briefs.")" *McKee v. Dep't of Corr.*, 2023 WL 312881, at*2 (Div. 3 2023) (unpublished).

Mr. Nsejjere has extensive experience as a pro-se litigant and is well aware of the Court's expectation that he identify the claim and legal authority that supports his filing. For example,

in 2021, Division I Court of Appeals emphasized to Nsejjere that it "will not review issues for which inadequate argument has been briefed or only passing treatment has been made." *Nsejjere v. AFC Leopards Football* Club, 2021 WL 1533681, at *2 (Div. 1 2021) (unpublished) (emphasis in original). The Court confirmed the importance that the appellant "has the burden to provide authority supporting his legal theories on appeal." *Id*.

In this case, Nsejjere again fails to provide legal authority or intelligible argument to support his filing. The best that Respondent can understand, Nsejjere's "public interest" argument is that there is a presumption of systemic racism if the Court rules against him. There is no legal authority for this presumption and no facts in this case that suggest systemic racism was an issue.

V. CONCLUSION

Nsejjere does not cite any legal basis for review because review by the Washington Supreme Court is not the point. Nsejjere makes these filings to harass, threaten and harm Ms.

Anderton. The Court should deny review and seal all filings as requested in Anderton's motion to seal, filed contemporaneously with this Answer.

This document contains 1,326 words, excluding the parts of the document exempted from the word count by RAP 18.17.

Respectfully submitted: September 5, 2025.

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By: */s/ Colleen A. Lovejoy*

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CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the State of Washington that I am an employee at Schlemlein Fick & Franklin, PLLC, over the age of 18 years, not a party to nor interested in the above-entitled action, and competent to be a witness here. On the date stated below, I caused to be served a true and correct copy of the above document on the below-listed attorney(s) of record by the method(s) noted:

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September 05, 2025 - 1:21 PM

Transmittal Information

Filed with Court:	Supreme Court
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Appellate Court Case Title:	Isaac M. Nsejjere v. Caryn M. Anderton
Superior Court Case Number:	24-2-01311-1

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