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SUPREME COURT
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No. 1045131

WASHINGTON SUPREME COURT

IN THE MATTER OF
THE ESTATE OF DARRELL BRYANT,
RUSSELL BRYANT and KENNETH BRYANT,

Respondents,

v.

ROBERT CADRANELL II

Petitioner.

ANSWER TO PETITION FOR REVIEW

William John Crittenden, #22033
Attorney at Law
12345 Lake City Way NE 306
Seattle, Washington 98125-5401
(206) 361-5972
bill@billcrittenden.com

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I. INTRODUCTION

Petitioner Robert Cadranell is an attorney who was appointed to act as an administrator of the Estate of Darrel R. Bryant. The respondents are brothers of decedent Darrel R. Bryant.

In this action under the Trusts & Estates Dispute Resolution Act, Chap. 11.96A RCW (TEDRA), the trial court found that petitioner's appointment as co-administrator of the Bryant estate violated various notice requirements. The trial court removed Cadranell. The trial court also found that his actions as putative administrator were inexcusable, and it ordered Cadranell to pay respondents' reasonable attorney's fees. *Unpublished Opinion* at 4-5.

Cadranell appealed, presenting "a litany of disparate arguments" while ignoring the relevant provisions of TEDRA. *Unpublished Opinion* at 6-7, 9. The Court of Appeals affirmed

the TEDRA court's order to remove Cadranell. It awarded respondents their reasonable attorney's fees on appeal. *Id.* at 12.

Cadranell's *Petition* presents no meritorious issues, much less any issue that would warrant this Court's review under RAP 13.4(b). The *Petition* should be denied, and this Court should award respondents' their reasonable attorney's fees for answering the *Petition*.

II. ANSWER TO STATEMENT OF THE CASE

Petitioner Cadranell was appointed as co-administrator of the underlying Bryant estate while a separate TEDRA action to remove the existing administrator was pending. *Unpublished Opinion* at 2. Although the probate court had jurisdiction to issue such an order, Cadranell's appointment violated numerous statutes requiring specific notice to interested parties, including the decedent's brothers, before such an order could be issued. *Id.* at 5-6.

As required by the TEDRA, RCW 11.96A.090, respondents brought this new civil action in the King County

superior court to remove Cadranell. *Unpublished Opinion* at 2,

9. The TEDRA court correctly ruled that Cadranell was not properly appointed:

Mr. Cadranell and Ms. Fieldhouse violated several statutes affecting the estate in the process of having Mr. Cadranell appointed and issued Letters of Administration. The violated statutes include the failure to provide the Bryant heirs with statutorily required advance notice of the Motion to Appoint [Mr. Cadranell] Co-Administrator and Mr. Cadranell's Petition for Letters of Administration (RCW 11.68.041); the failure to state the names, ages, and addresses of the heirs of the deceased in the Motion to Appoint Co-Administrator (RCW 11.28.110); the failure to have either Mr. Cadranell or his attorney sign and verify the Motion to Appoint Co-Administrator (RCW 11.28.110); the failure to note an oral hearing for either the motion to appoint Mr. Cadranell Administrator or Mr. Cadranell's Petition for Letters of Administration (RCW 11.68.050), and the failure to serve the heirs with notice of Mr. Cadranell's alleged appointment and the pendency of the probate proceedings in compliance with RCW 11.28.237.

Id. at 5-6.

The TEDRA court held Cadranell responsible for the numerous violations of statutes that have been in the books for decades:

The wholesale failure to comply with the statutes reflects either a lack of due diligence or an attempt to deprive the Bryant heirs of notice and opportunity to be heard. As a putative Administrator, Robert Cadranell's role was that of an "officer of the court and a fiduciary for the heirs." *Hesthagen [v. Harby]*, 78 Wn.2d [934,] 941 [481 P.2d 4 38 (1971)]. "The personal representative stands in a fiduciary relationship to those beneficially interested in the estate." *Estate of Larson*, 103 Wn.2d 517, 521, 694 P.2d 1051 (1985). Mr. Cadranell is held to the rule of strict accountability, *Stewart v. Baldwin*, 86 Wn. 63, 69, 149 P. 662 (1915), and is "obligated to exercise the utmost good faith and diligence" and to use "skill, judgment, and diligence" in the best interests of the heirs. *Hesthagen*, 78 Wn.2d at 942. **In addition to being the Administrator, Mr. Cadranell is himself an attorney, and was also represented by an attorney. This Court finds no reason to excuse the violations of the statutes.** (Emphasis added).

Id. at 6.

Finally, the TEDRA court "exercised [its] broad authority under TEDRA to remove Cadranell as co-administrator of the Estate based on statutory notice violations." *Unpublished Opinion* at 5. The TEDRA court also awarded respondents their reasonable attorney's fees pursuant to RCW 11.96A.150. *Id.* at 6.

Cadranell appealed the award of attorney's fees, presenting a litany of meritless arguments. The Court of Appeals affirmed, specifically noting Cadranell's sloppy briefing, RAP violations, and the lack of merit in his convoluted appeal:

The court has endeavored to identify Cadranell's arguments despite numerous deficiencies in his appellate briefing. Among other deficiencies, Cadranell did not specify the requested relief until he filed his reply brief (as discussed in section II above), in violation of RAP 10.3(a)(7). He lists 16 assignments of error and then fails to elaborate on many of them in the body of his briefs. He often raises the same or similar arguments in piecemeal fashion in different sections of his briefs. Many of his arguments fail to cite to the record or legal authority. When he does cite legal authority, the cited authority is insufficient to support the corresponding assertion. **And for virtually all his arguments, he fails to explain how the trial court erred and what remedy he is seeking.** (Emphases added)

Unpublished Opinion at 7 n.4. Like the TEDRA court, the Court of Appeals awarded respondents their reasonable attorney's fees pursuant to RCW 11.96A.150. *Id.* at 12.

Cadranell now seeks review in this Court.

III. ARGUMENT

A. The *Petition* is meritless and presents no issue that warrants review by this Court.

Like his unsuccessful appeal, Cadranell's *Petition* is incompetently drafted and plagued by factual inaccuracies and slipshod legal arguments.¹ Furthermore, the *Petition* is meritless and presents no issues that warrant review under RAP 13.4. Cadranell does not even cite or analyze the RAP 13.4(b) criteria for this Court's review.

¹ For example, Cadranell claims that Fieldhouse served her motion to appoint Cadranell on the attorney who represented all three brothers in a different TEDRA Petition and in the probate Estate, citing CP 996-97 and CP 1291. *Petition* at 4-5. This statement is inaccurate, and the citations to the Clerk's Papers do not establish otherwise. CP 996-97 is a self-serving declaration by Cadranell; it is not a source of fact with respect to whom the attorney was representing. CP 1291 is an order entered in another proceeding, which order was filed into the underlying proceeding by Cadranell's attorney, Dennis McGlothlin. CP 1283. The statement is also without legal relevance, for RCW 11.68.041 mandates the form of notice and methods of service. As the trial court concluded, service on an attorney who may represent the heir in a different proceeding does not comply with the statute. CP 899-901. The Court of Appeals affirmed. *Unpublished Opinion* at 6.

The single specific issue identified in the *Petition* is:

Whether the probate judge had the power to grant the surviving spouse's motion to appoint Petitioner to be her co-administrator.

Petition at 4. No such issue is presented in this case. No party disputes the probate court's jurisdiction to appoint an administrator. Neither the TEDRA Court nor the Court of Appeals held that the probate court lacked "jurisdiction" to appoint Cadranell.

On the contrary, Cadranell challenges the authority of the TEDRA court to subsequently *remove* him on grounds that he was improperly appointed by the probate court. Throughout this case, Cadranell erroneously has argued that the TEDRA court had no authority to remove him. Cadranell's *Petition* fails to cite any part of TEDRA, which disposes of Cadranell's argument.

Rather than addressing TEDRA, Cadranell's *Petition* suggests that the trial court and the Court of Appeals failed to recognize the probate court's "original jurisdiction" to appoint him as an administrator of the estate. *Petition* at 10. This is

entirely incorrect. No doubt the probate court had jurisdiction to appoint him. Likewise, the TEDRA court had the jurisdiction and obligation to remove him because he failed to provide statutory notice to the decedent's brothers.

As the Court of Appeals explains, Cadranell ignores RCW 11.96A.090(2), which *required* respondents to bring a new civil action in the same superior court, which they did:

To establish that Cadranell should be removed as co-administrator, Russell and Kenneth commenced a new action under 11.96A.090(2). Objecting to granting Cadranell's letters of administration in a new action under a new cause number was not an attempt to interfere with any particular judge's authority but was instead meant to comply with TEDRA procedure. Thereafter, although the statute permitted a party or the court to propose consolidation, to the extent of our record it was neither requested nor granted. Accordingly, the petition remained under its own cause number for adjudication. Cadranell's jurisdictional argument thus fails.

Unpublished Opinion at 9-10.

The Court of Appeals decision is based on TEDRA, which Cadranell ignores. It is not inconsistent with any decision of this Court. RAP 13.4(b).

Cadranell challenges the determination that he was required to provide notice to the decedent's brothers. *Petition* at 11-12. He first asserts that the surviving spouse was not required to provide notice pursuant to RCW 11.28.131. This argument has been rejected repeatedly, because that statute provides for special notice to the surviving spouse where the spouse is not the party to petition for letters of administration with the will annexed. It is wholly inapplicable to this case, because Darrel Bryant died intestate. The provisions of RCW 11.68.041 control. And as the trial court declared, that statute was violated in multiple ways. CP 897-899.

Cadranell then argues that respondents somehow “waived” their statutory right to notice. *Id.* at 12-13. But this incoherent assertion, like his RCW 11.28.131 argument, directly contradicts numerous specific findings of fact by the TEDRA court—*findings which Cadranell has not challenged*. See *Unpublished Opinion* at 6-7, n. 4.

The Court of Appeals disposed of Cadranell's meritless arguments about notice. *Id.* at 8-9. Even if Cadranell's appeal had arguable merit (which it does not), Cadranell has not explained how any of his many issues would warrant further review under RAP 13.4(b).

Finally, Cadranell argues that there is a "Conflict in the Understanding of Jurisdiction Amongst the Divisions of the Court of Appeals." *Petition* at 13. Cadranell cites numerous cases in an attempt to establish conflict regarding when judgments are void, but never explains how any of those cases conflict with the *Unpublished Opinion* in this case for purposes of RAP 13.4(b)(2).

The *Petition* presents no issue that warrants review by this Court. The *Unpublished Opinion* is not in conflict with any decision of the Supreme Court. Nor is it in conflict with any published decision of the Court of Appeals. There is no significant question of law under the Constitution of the State of

Washington or of the United States. And the *Petition* involves no issue of substantial public interest. RAP 13.4(b).

Rather, the *Petition* is the swan song of an attorney who refuses to accept that his own violations of statutes caused him to be removed as an estate administrator and led to orders requiring him to pay fees incurred by heirs to whom he failed to give notice. The *Petition* must be denied.

B. Respondents request an award of reasonable attorney's fees for answering the *Petition*.

Pursuant to RAP 18.1(j) respondents request an award of reasonable attorney's fees for answering the *Petition*. Respondents were the prevailing party and were awarded reasonable attorney's fees in the Court of Appeals pursuant to RCW 11.96A.150(1). *Unpublished Opinion* at 12.

IV. CONCLUSION

For all these reasons this Court should deny the *Petition* and award respondents their reasonable attorney's fees pursuant to RAP 18.1(j).

This answer contains 1768 words, excluding the parts of
the brief exempted from the word count by RAP 18.17.

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RESPECTFULLY SUBMITTED this 26th day of
September, 2025,



William John Crittenden, No. 22033

WILLIAM JOHN CRITTENDEN
Attorney at Law
12345 Lake City Way NE
Seattle, WA 98125-5401
(206) 361-5972
bill@billcrittenden.com

Attorney for Respondent Russ Bryant

/s/ ELG

Elena Garella, No. 23577
Karen Knutsen, No. 51600

ELENA GARELLA
701 Fifth Avenue, Suite 4200
Seattle, Washington 98104
(206) 675-0675
egarella@gmail.com;
kknutsen27@gmail.com

*Attorney for Respondent Kenneth
Bryant*

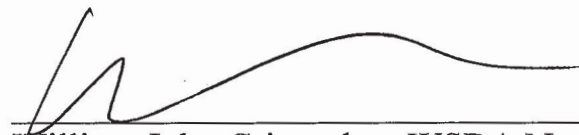
CERTIFICATE OF SERVICE

I, the undersigned, certify that on the 26th day of September, 2025, I caused a true and correct copy of this pleading to be served, by the method(s) indicated below, to the following person(s):

By filing in the appellate portal:

Dennis J. McGlothin
Western Washington Law Group PLLC
121 Lake St S, Ste 201
Kirkland, WA 98033
docs@westwalaw.com
Attorney for Appellant Robert J. Cadranell, II

Jensen S. Mauseth
Mauseth Legal, PLLC
16108 Ash Way, Suite 201
Lynnwood, WA 98087
jmauseth@mausethlegal.com
Attorney for Marie Fieldhouse, Administratrix
and the Estate of Darrell R. Bryant



William John Crittenden, WSBA No. 22033

WILLIAM JOHN CRITTENDEN

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- kknutsen27@gmail.com
- robert@westwalaw.com

Comments:

Sender Name: William Crittenden - Email: bill@billcrittenden.com
Address:
8915 17TH AVE NE
SEATTLE, WA, 98115-3207
Phone: 206-361-5972

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