

FILED

APR 24 2013

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

NO. 297250

COURT OF APPEALS FOR DIVISION III

STATE OF WASHINGTON

DONNA GARCIA, a Washington resident; CONCEPCION GARCIA,
an individual; PATRICIA JANE LIEKAM, as the Administrator
of the Estate of Tiairra Garcia, a deceased person,

Appellants,

vs.

THE CITY OF PASCO, a Washington municipal corporation

Respondent.

RESPONDENT CITY OF PASCO'S SUPPLEMENTAL BRIEF

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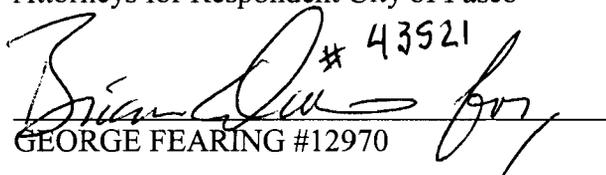
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ARGUMENT

On January 31, 2013, the Supreme Court issued a decision in *Elsa Robb v. City of Seattle*, 176 Wn.2d 427 (2013). The *Robb* decision confirms that the summary judgment order below in favor of the City of Pasco was correct. In *Robb*, law enforcement officers were granted summary judgment since they took no affirmative steps that created a new risk of harm to the victim of a crime. Pasco police officers also took no affirmative steps that created a new risk of harm to Tiairra Garcia.

DATED this 22nd day of April, 2013.

LEAVY, SCHULTZ, DAVIS & FEARING, P.S.
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