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No. 91074-0

THE SUPREME COURT OF WASHINGTON STATE

Guy Mettle Appellant, Pro Se Beneficiary	Supreme Court Case No. 91074-0
v.	Court of Appeals Cases No. 38243-1-II, 38603-8-II, 38733-6-II, 41463-5-II, 42213-1-II, 44244-2-II
Gregg Mettle Respondent Personal Representative/Trustee	Pierce Co. Superior Ct. No. 03-4-01245-1 (consolidated with No. 08-4-00411-5)
In the Estate of Dorothy P. Mettle Deceased on 12/10/2002	MOTION FOR COURT TO TAKE NOTICE OF TRUSTEE'S PERJURY, TAKE NOTICE OF TAMPERING WITH COURT RECORDS, AND TRUSTEE TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN COMTEMPT OR PROSECUTED

**MOTION FOR COURT TO TAKE NOTICE OF TRUSTEE'S PERJURY, TAKE NOTICE OF TAMPERING
WITH COURT RECORDS, AND TRUSTEE TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN
COMTEMPT OR PROSECUTED**

Filed by Appellant:
Guy Mettle
Pro Se, Beneficiary,
Son of Dorothy P. Mettle

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NOTICE OF TAMPERING WITH COURT RECORDS, AND TRUSTEE TO
SHOW CAUSE WHY HE SHOULD NOT BE HELD IN COMTEMPT OR
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STATEMENT OF FACTS

On 7/03/2015, in Supreme Court 91074-0, "Trustee's Answer to 2nd Shortened Petition for Review" committed perjury and false swearing.

On 10/18/2015, Guy noticed that crucial records had been deleted from Superior Court Legal Information Network eXchange (LINX) in the Estate of Dorothy P. Mettle, Superior Court #03-4-01245-1. The deleted court records include Trustee's interim accounting which contained evidence proving that trustee committed perjury and false swearing Supreme Court 91074-0 in "Trustee's Answer to 2nd Shortened Petition for Review."

ARGUMENTS

CORRUPT SUPREME COURT JUSTICES APPROVED TRUSTEE'S PERJURY

Supreme Court 91074-0 order, dated 9/30/2015, by Justices Madsen, Johnson, Fairhurst, Wiggins, and Gordon McCloud, denied Guy's petition for review and thereby approved trustee's criminal acts, including perjury, false swearing, fraud, and theft. (RCW 9A.72.010,

RCW 9A.72.040, RCW 9A.72.050, RCW 9A.72.070, RCW 9A.76.175,
9A.56) Some of these crimes were committed in Supreme Court 91074-0
in Trustee's Answer to 2nd Shortened Petition for Review, filed
7/03/2015.

Quote from Trustee's Answer:

The combined value of the Trust and Estate at the time of her
death was approximately \$954,614.00. CP 331.

Quote from Trustee's answer:

At the close of the guardianship, the Estate's only asset was a
Columbia Bank account, and the only Trust asset was a Merrill
Lynch account. CP 31-32.

Those statements are perjury and false swearing because the
Trust actually included Dorothy Mettle's Charles Schwab bank account,
which contained over \$62,000. Dorothy Mettle's Charles Schwab account
appears for the first time in any of the Guardian/Trustee's accountings as
footnote #3 in the Trustee's interim accounting (See CP 7-9, CP 3 – 15,
and Exhibit 1 in Guy's Appendix 12 in Supreme Court 91074-0). Said
accounting of the Charles Schwab bank account appeared for the first
time in 2008 which is six years after Dorothy Mettle's death in 2002.
However, in 2008, Trustee claimed that the Charles Schwab account only

contained about \$12,000, in order to hide the fact that trustee Gregg had stolen \$50,000 from the Trust's Charles Schwab account.

Previously, in year 2000, Guy personally witnessed that Dorothy's Charles Schwab account contained over \$62,000, and that Dorothy froze the account specifically to prevent Gregg from accessing the account. But, Gregg proclaimed himself to be Dorothy's replacement trustee and stole \$50,000 from the account.

Trustee's answer, in Supreme Court 910740-0, filed 7/03/2015, continued to commit the crimes of perjury and false swearing by denying the existence of the Charles Schwab account in furtherance of the trustee Gregg's theft of \$50,000 from the Trust's Charles Schwab account.

Proof that the Trust's Charles Schwab account existed is found in Superior Court 03-4-01245-1 "Petition To Approve Trustee's Interim Accounting," filed on 3/10/2008 (CP 3-15), but which has since been deleted from Superior Court LINX records by criminal record tampering.

Proof of this criminal record tampering (discovered by Guy on 10/18/2015) and copies of the original court documents appear in Guy's Appendix 12 filed in Supreme Court 91704-0 on 10/19/2015. Further proof is contained in the Superior Court order, dated 6/27/2008, which approved the trustee's interim accounting that is now missing from

Superior Court LINX. (Said order also appears as Exhibit 2, in Guy's Appendix 12, in Supreme Court 91074-0)

EVIDENCE CONTAINED IN GUY'S APPENDIX 12

EXHIBIT 1 – PETITION TO APPROVE TRUSTEE'S INTERIM ACCOUNTING, filed 3/10/2008, which was deleted from Superior Court LINX records, and it is no longer visible as of 10/18/2015, which indicates record tampering. This is crucial because Trustee's Interim Accounting is the proof that the Trust contained Dorothy's Charles Schwab account, about which Trustee denied and perjured himself in Trustee's Answer, filed 7/03/2015, in Supreme Court 91074-0. However, Dorothy's Charles Schwab account actually did appear as footnote #3 in Trustee's interim accounting. (See pages 8-10, in Guy's Appendix 12. Also CP 3-15.)

EXHIBIT 2 – SUPERIOR COURT ORDER, 6/27/2015, APPROVING TRUSTEE'S INTERIM ACCOUNTING, (CP 497-498), which proves that said missing accounting existed and contains Dorothy's Charles Schwab account, but which Trustee's Answer (filed 7/03/2015, in Supreme Court 91074-0) denied via perjury.

EXHIBIT 3 – SUPERIOR COURT LINX RECORDS showing that "Petition to Approve Trustee's Interim Accounting," filed on 3/10/2008 (Exhibit 1, above), has been deleted from Superior Court LINX records by criminal record

tampering. However, Superior Court order (Exhibit 2, above, which approved the now missing petition and accounting} does appear on 6/27/2008, below, which proves that the missing accounting was part of the court record.

RACKTEERING SUPREME COURT JUSTICES AND LOWER JUDGES

By denying review, the Supreme Court ratified 69 errors in the lower courts designed to steal the estate and testamentary trusts, funnel money to their racketeering cronies (trustee's attorneys), and launder money back into election support for the racketeering justices and judges. (RCW 9a.82)

Thereby, the justices determined that:

- 1) Noncitizen aliens have a Constitutional right to inheritance, but U.S. citizens do not.
- 2) Beneficiaries are not allowed to know how much money they inherited nor how much money was initially in the testamentary trust.
- 3) Beneficiaries are not allowed the basic right of discovery in probate cases.
- 4) Trustee and his racketeering attorneys can commit outright perjury in their motions and accountings, which is obvious

because their sworn statements conflict with one another in a manner to hide their theft.

- 5) Trustee never has to distribute the money in a testamentary trust, even when the trustee is under specific court order to do so.

(That violates violates RCW 11.48.010, RCW 11.11.010(2) and RCW 11.02.005(10).)
- 6) Trustee's racketeering attorneys can bill \$141,000 in fees instead of simply performing 10 minutes work (\$50 in attorney fees) to show initial bank statements to prove the original size of the testamentary trust.
- 7) Trustee's racketeering attorneys fee statements do not have describe their work sufficiently to facilitate a Loadstar analysis, and their fees never have to be justified as to beneficial work done as is required by the court's standard, two-step Loadstar method.
- 8) The racketeering gang of judges and attorneys achieved their stated goal:

"Gregg M. Mettle has repeated said in conversations with me that he is refusing to distribute any funds so that all the funds are fully consumed by legal expenses as punishment to Guy L. Mettle for creating legal challenges."

(See co-guardian, John Mettle's sworn declaration, CP 1994 -1995.).

- 9) Thereby, the justices facilitated, encouraged, paid for, and are responsible for lies, perjury, theft, kidnapping thuggery, abuse of the elderly, and money laundering committed by their racketeering gang. (Again, Guy does not mean these statements as personal insults, but as objective observations backed up by legal authorities.)

REQUESTS FOR RELIEF

Request for Relief #1 – The Supreme Court should take notice of trustee's perjury and false swearing, take notice of tampering with court records, and the trustee should show cause why he should not be liable for damages, held in contempt of court, or prosecuted for perjury, false swearing, or record tampering.

Request for Relief #2 – In light of this evidence, the Supreme Court should reconsider Guy's petition for review. (RAP 1.2 (a), 1.2(c))

Unsworn Declaration -- I, Guy Mettle, declare, under penalty of perjury, under laws of Washington State, that the foregoing is true to the best of my knowledge and belief.



Date: October 26, 2015

P.O. Box 2491
Westerville, OH 43086-2491
614-432-6000

Case Citation Regarding Unsworn Declarations

Verification of a pleading to effect that the party believes it to be true is not objectionable as a verification upon information and belief.
State ex rel. Evans v. Chapman, 139 Wash. 556, 247 P. 946 (1926).

PARTIES

Appellant

Guy Mettle, P.O. Box 2491, Westerville, OH 43086-2491, Tel. (614) 432-6000

Guy Mettle is pro se.

Appellant in the Supreme Court

Appellant in the Court of Appeals

Beneficiary to the Estate of Dorothy P. Mettle, in Superior Court.

Respondent

Gregg M. Mettle

Personal Representative / Trustee

David Petrich, attorney

Eisenhower and Carlson LLP

1201 Pacific Avenue, #1200

Tacoma, WA 98402

CERTIFICATE OF SERVICE

I, Guy Mettle, certify that on ___October 26, 2015___, I served a copy of the following document(s)

MOTION FOR COURT TO TAKE NOTICE OF TRUSTEE’S PERJURY, TAKE NOTICE OF TAMPERING WITH COURT RECORDS, AND TRUSTEE TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN CONTEMPT OR PROSECUTED

by U.S. MAIL, postage paid, to the following person(s):

David Petrich, attorney
Eisenhower and Carlson
1201 Pacific Avenue, #1200
Tacoma, WA 98402

Unsworn Declaration -- I, Guy Mettle, declare, under penalty of perjury, under laws of Washington State, that the foregoing is true to the best of my knowledge and belief.



Date: October 26, 2015

Guy Mettle
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Westerville, OH 43086-2491
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