

**FILED**

AUG 03 2016

WASHINGTON STATE  
SUPREME COURT

*SC#93446-1*

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CA No. 734458

**SUPREME COURT OF THE STATE OF WASHINGTON**

ALEMAYEHU A. JIMMA, Appellant

v.

MESERET B. TSEGAYE, Respondent

And

THE STATE OF WASHINGTON

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**MOTION FOR DISCRETIONARY REVIEW**

(Alemayehu A. Jimma, Pro Se)

14019 32<sup>nd</sup> Avenue NE Apt. 41

Seattle, Washington 98125-3628

206-290-5777

2016 JUL 28 AM 10:01

~~DEPARTMENT OF APPEALS DIV 1  
STATE OF WASHINGTON~~

A. IDENTITY OF PETITIONER

Alemayehu A. Jimma asks this court to accept review of the decision designated in Part B of this Motion.

B. DECISION

I asked the Court of Appeals for a time extension on February 18<sup>th</sup> 2016 because my vehicle was broken into, and amongst many things, all of my documents both filed and unfiled, were stolen. I filed a report with the Seattle Police Dept. about the burglary as well. I was waiting for a response to my proposal for an extension and had not received anything. Apparently, the extension was set for March 21<sup>st</sup>, 2016, however, I didn't receive any of the paperwork until March 19<sup>th</sup>, 2016, 2 days before the extension would be over. I immediately returned to the Court of Appeal before the extension time expired to file a motion pertaining to this unusual activity. On March 30<sup>th</sup>, 2016 Court Clerk Richard D. Johnson ignored the motion and dismissed the entire case, which is an unfair ruling. I objected to the ruling by Court Clerk Richard D. Johnson under Case Number 73445-8-1 with a motion to modify under RAP 17.7. The court denied my motion to modify and as a result, we are moving to Discretionary Review. Due to such circumstances it is an unfair ruling because I was not allowed to utilize the entire 30 day extension I needed more time because English is my second language to which I can not read or write at a proficient level, and I could not afford representation.. As of Washington State Law RAP 13.3 I am seeking a fair ruling by the Supreme Court pertaining to this case in its entirety. A copy of the decision denying my motion to modify is attached to this document.

### C. ISSUES PRESENTED FOR REVIEW

The Court of Appeals erred in denying the Appellants motion by order entered on June 28<sup>th</sup>, 2016

#### Issues Pertaining to Assignments of Error

- i. A ruling was made without proper DNA Testing to discover with absolute certainty the child's father. It denies a constitutional right of both the son and the alleged father in question in compliance with RCW 26.26.405
- ii. The ruling disregards factual information such as the mother claiming that the child has not lived in the US since 3 months after birth (Year 2000) and there is an uncertainty to where the child is currently located. The State of Washington has the right to be the child's guardian ad litem under RCW 74.20.310 but does not have the ability to extend its jurisdiction of the laws of this State to any location outside of the US. Furthermore, I have never seen the child since birth as the mother has never disclosed his location to me or the court. Also, under oath, the mother has admit to not seeing the child in over 8 years (2014).
- iii. The King County Prosecutors Office illegally forced me to pay child support regardless to the factual information of i and ii. After having my driving privileges threatened if I did not comply, I made several child support payments over a course of 15 years.

#### D. STATEMENT OF THE CASE

The nature of the case at hand pertains to finding the biological father of the child (Samuel) in order to uphold the child and alleged father's constitutional rights to paternity. Due to a lack of genetic testing and unknown whereabouts of the child since he was 3 months old (2000), there has been an unlawful order for child support granted by the court against me. The mother has admitted to not only relocating the child to outside the US but has also never presented the child to either the court or myself to adhere to any testing or further conclusion. However, the court has made it a duty to order me to pay child support throughout the years as Child Support Enforcement threatens to revoke my driving privileges. I have never even seen the child, let alone know if he is even alive. Also, upon the mother's confession of shipping the child out of the US, the court remains the guardian ad litem for the child under RCW 74.20.310, however it is blatantly unconstitutional to try and enforce Washington Laws outside of the US. Additionally, the court contradicts itself by defending the mother who has a) Illegally relocated the child to an unknown location without consent or notification to the courts or alleged father. b) Has been collecting child support under a court order but has not proved to be the sole caretaker of the child. And c) has admitted in court on Dec. 4<sup>th</sup> 2014 to not having seen the child in over 8 years. In 2005 I hired a lawyer to represent me. Once my lawyer filed against the mother and the State, the State refused to represent the mother. Now 10 years later, I have no lawyer, am not proficient in the English language, and can not afford representation, the State has agreed to represent the mother even though nothing has changed. I find this to be an abuse of power and a State appointed luxury for a mother who has not complied to any orders of the court.

E. ARGUMENT WHY REVIEW SHOULD BE ACCEPTED

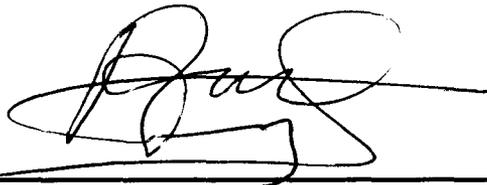
The review should be accepted because the longevity of this case has taking over 15 years to determine paternity for a child. I do not believe this child is my biological son, and the prosecutors office continues to disregard Washington Law and keeps prolonging the case in order for me to simply exhaust myself and give up the fight. I am not in good health and this has taken a toll on me for years. The prosecutors office is not operating in the best interest of the child, rather, they never even mention the child or are concerned about the child's well being. The child not being with his mother, and not knowing with certainty who his father is, the prosecutors office is not seeking justice but seeking victory for itself. Unlawfully and with inconsiderate devotion

F. CONCLUSION

So, for all the reasons stated above, and throughout the record of this matter, appellant wishes to make it clear that the issues are related to constitutional rights, jurisdiction, and property rights as well as due process of law requirements regardless of whether the matter is civil or criminal.

7/27/16

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Alemayehu A. Jimma', written over a horizontal line.

Alemayehu A. Jimma, Pro Se

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION ONE

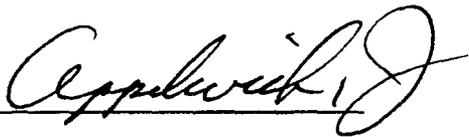
STATE OF WASHINGTON, on behalf )  
of SAMUEL JIMMA ALEMAYEHU, ) No. 73445-8-1  
child, )  
Respondent, ) ORDER DENYING  
v. ) MOTION TO MODIFY  
ALEMAYEHU AREGA JIMMA, father, )  
Appellant, )  
MESERET BAYISSA TSEGAYE, )  
Mother, )  
Respondent. )

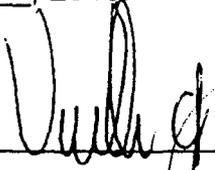
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Appellant Alemayehu Jimma has moved to modify the court administrator/clerk's March 30, 2016 ruling dismissing his appeal for failure to file a narrative report of proceedings. The respondent State of Washington has filed an answer. We have considered the motion under RAP 17.7 and have determined that it should be denied. Now, therefore, it is hereby

ORDERED that the motion to modify is denied.

Done this 28<sup>th</sup> day of June, 2016.

  
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Becker, J.  
\_\_\_\_\_

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COURT OF APPEALS OF  
STATE OF WASHINGTON

SUPREME COURT OF WASHINGTON

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STATE OF WASHINGTON

CA No. 73445-8-1

Petitioner/Respondent

V.

ALEMAYEHU A. JIMMA

Motion For Discretionary Review

Appellant

and

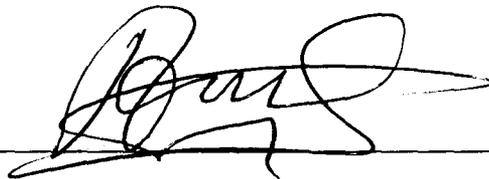
MESERET B. TSEGAYE

Respondent

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COMES NOW APPELLANT, ALEMAYEHU A. JIMMA, declares under the penalty of perjury for the State of Washington that I filed and served on Respondent State of Washington and Respondent Meseret Tsegaye, by delivering a true copy of appellant's Motion for Discretionary Review by hand delivering it to the Court of Appeals for the Supreme Court and the King County Prosecuting Attorney, Civil Division, 516 3<sup>rd</sup> Avenue S, W-554 Seattle, WA 98104 on this 28<sup>th</sup> day of July 2016.

July 28<sup>th</sup>, 2016



Signature

Alemayehu A. Jimma, Pro Se Appellant

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COURT OF APPEALS DIV 1  
STATE OF WASHINGTON