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Supreme Court No. 93777-0-

Dec 16, 2016, 8:21 am

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Appeal Cause No. 73336-2-1

SUPREME COURT OF THE STATE OF WASHINGTON

Byron Barton and Jean Barton

Appellants

V.

JP MORGAN CHASE BANK, N.A., FIRST AMERICAN TITLE, QUALITY LOAN SERVICE CORPORATION OF WASHINGTON, AND TRIANGLE PROPERTY DEVELOPMENT, INC., A Washington Corporation

Respondents

Appeal from the Court of Appeals Division 1

The Honorable Becker, J.

Plaintiff's answer to Triangle Property Development, Inc.'s

Response to Waiver of Rules and Extension of Time Submission

Byron and Jean Barton 3119 S.E. 18ST Renton, WA. 98058 (206) 355-8300 byronandjean@comcast.net

Pro Se

Supplement Motion RAP 9.5 Objections

"As provided by RAP 9.5 Objection (c) Objections to Report of Proceedings. A party may serve and file Objections to, and propose amendments to, a narrative report of proceedings or verbatim report of proceedings within 10 days after receipt of the report of proceedings or receipt of the notice of filing of the report of proceedings with the appellate court. If objections or amendments to the report of proceedings are served and filed, any objections or proposed amendments must be heard by the trial court judge before whome the proceedings were held for settlement and approval, except objections to the form of a report of proceedings, which shall be heard by motion in the appellate court. The court may direct court reporters or authorized transcriptionists to pay for the expense of any modifications of the proposed report of proceedings. The motion procedure of the court deciding any objections shall be used in settling the report of proceed."

Objection to Triangle answer to RAP 18.8 because they failed to follow RAP 9.5 **10 day requirement**. Their answer

should fall on deaf ears and the clerk should void their answer from the WA St Supreme Court record.

"AND FILING OF PAPERS (a) Service. Except when a rule requires the appellate court commissioner or clerk or the trial court clerk to serve a particular paper, and except as provided in rule 9.5, a person filing a paper must, at or before the time of filing, serve a copy of the paper on all parties, amicus, and other persons who may be entitled to notice. If a person does not have an attorney of record, service should be made upon the person. Service must be made as provided in CR 5(b), (f), and (g). (b)Proof of Service. Proof of service should be made by an acknowledgment of service, or by an affidavit, or, if service is by mail, as provided in CR 5(b). Proof of service may appear on or be attached to the papers filed. (c) Filing. Papers required or permitted to be filed in the appellate court must be filed with the clerk, except that an appellate court judge may permit papers to be filed with the judge, in which event the judge will note the filing date on the papers and promptly transmit them to the appellate court clerk. (d) Filing by Facsimile. (Reserved. See GR 17--Facsimile Transmission.) (e) Service and Filing by an Inmate Confined in an Institution. An

inmate confined in an institution may file and serve papers by mail in accordance with GR 3.1."

Triangle was served November 16, 2016 and Triangle answered and signed on December 8, 2016. <u>See</u>, enclose documents.

As required to object to all of Triangle responses because Triangle's attorney failed to follow the court rules that require a response within 10 days.

The WA St Supreme Court should look at the fraud by J.P.

Morgan/Chase Bank in this case because those documents

were in the exhibits and front of the trial court and the

Appeals Court Division one in which they turn a blind eye

to.

/s/ Byron Barton

Byron Barton

Pro Se

Appendicitis

DATED this _____ day of December, 2016.

INSLEE, BEST, DOEZIE & RYDER, P.S.

David J. Lawyer, W.S.B.A. #16353
Attorneys for Respondent Triangle Property

Development, Inc.

CERTIFICATE OF SERVICE

I certify under penalty of perjury that the attached document was served upon WA State Supreme Court, and property served to counsel of record, November 16, 2016.

/s/ Byron Barton

Byron Barton







Chase (OH4-7302) 3415 Vision Drive Columbus, OH 43219-6009

CHASE O

ORIGINAL

September 30, 2011

02960-01 IF1A 273-00000000000000000 Jean Barton 6548 41st Ave SW Seattle, WA 98136-1814



Re: Account Number: *****0077
Jean Barton

Authorization Revoked

Dear Jean Barton:

We are writing in response to the inquiry Chase received about the Power of Attorney for this account.

We have updated our records to show First American no longer has Power of Attorney for this account.

We appreciate your business. If you have questions, please call us at the telephone number below.

Sincerely,

Chase (800) 848-9136 (800) 582-0542 TDD / Text Telephone www.chase.com

CC650

Prepared by: Jean Marie Barton

After recording return to:

Jean Marie Barton 6548 41st Ave SW Seattle, WA 98136 206 935 9384



ORIGINAL

-Above This Line Reserved For Official Use Only-

Affidavit & Public Notice Reference Fraudulent Activity Related To This Property

I, Jean Marie Barton, of 6548 41st Ave SW, city of Seattle, county of King, state of Washington, the undersign Affidavit having been duly sworn, depose and states truthfully, for the record regarding the below property, the following information.

The legal description of this property to the best of my knowledge based on public records is:

Abbreviated Legal; Lt. 3-4 BLK.3 GATEWOOD-GARDENS V.25 P. 15

Tax Parcel Number: 2719100105

Also known as 6548 41st Ave SW Seattle, WA 98136

Regarding the following recording information on King County Public Records

Mortgage Allegedly Signed:

On August 06, 2007 and record on August 14, 2007 DEED OF TRUST loan # 3014060077-068 (security Instrument) recorded in the King County of Records # 20070814001628 and loan # 0772783908 recorded in the King County 20070814001629 between BYRON L. BARTON AND JEAN BARTON, HUSBAND AND WIFE dated August 06, 2007 given to, and empowering First American, a California corporation, located at 1567 Meridian Ave #800 Seattle, WA 98121 to act as "Trustee" is hereby replace for "default of proof of claim and fraudulent signatures of Jean M Barton, upon the recorded Mortgage, Deed of Trust or Security Instrument are forgery(s) by unknown Washington Mutual agent(s). J.P. Morgan; Chase Bank the unrecorded Beneficiary and Successors or assigns allegedly claims the mortgage has not been fully paid off, satisfied, nor discharged, but instead continues to exist in attempts to collected on a VIOD or NULLY contract even though Chase knowingly knew that a Breach of Contract and/or fraudulent signatures are present in the recorded mortgage or Deed of Trust in violation of law.

The Forensic Document Examiner Report of Brain Forrest, is undisputed by WAMU, J.P.
Morgan and Chase Bank. WAMU, J.P Morgan and Chase Bank "Failure Proof of Claim"
is undisputed and have exhausted all administrative remedy. That the Respondent(s)
removed their Trustee of record by written notice dated September 30, 2011 ref. 02960-

ORIGINAL

01 IF 1A 273-0000000000000.

- 2. That, according to the Proof of Claim and Forensic Document Examiner Report, the Respondents are now in DEFAULT and WITHOUT RECOURSE and no evidence has been presented to the contrary. (See Exhibit C Forensic Document Examiner Report of Brain Forrest).
- 3. If the Bank or the Bank's continue to attempt to collected on a NULLY and VOID contract or attempt to foreclose on this property after this declaration, then they do so knowing they have no standing or right of enforcement. Therefore, doing so will make them guilty of extortion, theft and fraud. All Federal felonies punishable with prison time.
- 4. Should the Bank's take any form action of Public recording such as Affidavit of Correction, Affidavit of Erroneous Recording, Affidavit of Erroneous Release and/ or legal action upon the NULLY and VIOD contract and/ or proceed with foreclosure action, they do so at their full commercial liability and shall be named a co-defendant against them in a wrongful civil action 3 x damages.

Jean M Barton is knowledgeable makes this affidavit for the purpose of giving notice to correct the above-described instrument, mortgage and/ or Deed of Trust by Striking the Bank's mortgage contract 3014060077; 0772783908 in entirely for payment(s) is NULL and VIOD for Breach of Contract and fraudulent actions of the Banker's that impaired the mortgage.

Dated: December 37, 2011.

Principal Jean Marie Barton

State of Washington county of KING

NOTARY

IN WITNESS WHEREOF, I, a notary Public of the State of Washington, duly commissioned and sworn, have hereunto set my hand and affixed my official seal in the King County at Seattle on this date of December 39, 2011

Notary

My commission expires: 7 / 9 / 2015

BARRY L. CHASTAIN NOTARY PUBLIC COMMISSION EXPINES JULY 9, 2015

Declaration of Service

, Byron L. Barton, Pro Se. certify under penalty of perjury under the laws of the State of Washington, that on			
he date of Nov. 16 2016 I signed this declaration of service. I signed this declaration of			
service. To the following and mail via first class, postage prepaid, to the following counsel listed below:			

David James Lawyer

Joseph Ward McIntosh

Inslee Best Doezie & Ryder PS

McCarthy & Holthus LLP

PO Box 90016

108 1ST Ave S Ste 300

Bellevue, WA 98009-9016

Seattle, WA 98104-2104

Zana Zahra Bugaighis

Fred B Burnside

Davis Wright Tremaine LLP

Davis Wright Trenaine LLP

1201 3rd Ave Ste 2200

1201 3rd Ave Ste 2200

Nov. 16, 2016

Seattle, WA 98101-3045

Seattle, WA 98101-3045

Byron Barton

Date

Declaration of Service

I, Byron L. Barton,	Pro Se. certify under penalt	y of perjury under the laws of the State of Washington, that on	
the date of/	2-15-2016	I signed this declaration of service. I signed this declaration of	
service. To the following and mail via first class, postage prepaid, to the following counsel listed below:			

David James Lawyer

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108 1ST Ave S Ste 300

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Seattle, WA 98104-2104

Zana Zahra Bugaighis

Fred B Burnside

Davis Wright Tremaine LLP

Davis Wright Trenaine LLP

1201 3rd Ave Ste 2200

1201 3rd Ave Ste 2200

12-15-2015

Seattle, WA 98101-3045

Seattle, WA 98101-3045

Byron Barton

Date





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Postage \$1 •15 \$ Total Postage and Fees \$4 • 45	12/15/2016			
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PS Form 3800, April 2015 PSN 7530-02-000-9047	See Reverse for Instructions			

0266

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Here

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