

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
8/27/2018 8:00 AM  
BY SUSAN L. CARLSON  
CLERK

SUPREME \_\_\_\_\_ Court of Washington  
For \_\_\_\_\_

OMARI TAHIR-GARRETT  
Petitioner/Plaintiff,  
MIDTOWN LIMITED PARTNERSHIP  
vs.  
Respondent/Defendant.

No. 96093-3

**Motion and Declaration For Waiver of  
Civil Fees and Surcharges  
(MTAF)**

### I. Motion

- 1.1 I am the  petitioner/plaintiff  respondent/defendant in this action.
- 1.2 I am asking for a waiver of fees and surcharges under GR 34.

### II. Basis for Motion

- 2.1. GR 34 allows the court to waive "fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. As outlined below, I am indigent.

Dated: 20<sup>th</sup> July 2018

Omari Tahir Garrett  
Signature of Requesting Party

OMARI TAHIR  
Print or Type Name

### III. Declaration

I declare that,

- 3.1 I cannot afford to meet my necessary household living expenses and pay the fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

3.2 In addition to the information in the financial statement I would like the court to consider the following:

I AM A DISABLED VIETNAM VETERAN  
WITH PTSD ON SSI, THANK YOU

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) SEATTLE, (state) WASH on (date) 20<sup>th</sup> JULY 2018  
Omari Tahir - Garrett OMARI TAHIR - GARRETT  
Signature Print or Type Name

Case Name: Tahir-Garrett v. Midtown Case Number 96093-3

| Financial Statement (Attachment)  |  |  |                   |
|---|--|--|-------------------|
| 1. My name is: <u>DMARI TAHIR-GARRETT AKA JAMES L. GARRETT</u>  |  |  |                   |
| 2. <input type="checkbox"/> I provide support to people who live with me: How many? _____ Age(s): _____ |  |  |                   |
| 3. My Monthly Income:   |  | 6. My Monthly Household Expenses:                      |                   |
| Employed <input type="checkbox"/>   | Unemployed <input checked="" type="checkbox"/> | Rent/Mortgage:   | \$ _____          |
| Employer's Name: _____  |  | Food/Household Supplies:                               | \$ <u>194.00</u>  |
| Gross pay per month (salary or hourly pay):   | \$ _____                                       | Utilities:   | \$ _____          |
| Take home pay per month:  | \$ _____                                       | Transportation:  | \$ _____          |
| 4. Other Sources of Income Per Month in my Household:   |  | Ordered Maintenance actually paid:                     | \$ <u>50.00</u>   |
| Source:   | \$ _____                                       | Ordered Child Support actually paid:                   | \$ <u>00</u>      |
| <u>SSI DISABILITY</u>   | \$ <u>750.00</u>                               | Clothing:  | \$ <u>30.00</u>   |
| Source:   | \$ _____                                       | Child Care:  | \$ <u>00</u>      |
| <u>FOOD STAMPS</u>  | \$ <u>190.00</u>                               | Education Expenses:                                    | \$ <u>00</u>      |
| Source:   | \$ _____                                       | Insurance (car, health):                               | \$ <u>00</u>      |
| Sub-Total: \$ <u>190.00</u>   |  | Medical Expenses:                                      | \$ <u>00</u>      |
| <input checked="" type="checkbox"/> I receive food stamps.  |  | Sub-Total: \$ <u>274.00</u>                            |                   |
| Total Income, lines 3 (take home pay) and 4: \$ <u>940.00</u>   |  |  |                   |
| 5. My Household Assets:   |  | 7. My Other Monthly Household Expenses:                |                   |
| Cash on hand:   | \$ <u>20.00</u>                                |  | \$ _____          |
| Checking Account Balance:   | \$ <u>2.00</u>                                 |  | \$ _____          |
| Savings Account Balance:  | \$ <u>10.00</u>                                |  | \$ _____          |
| Auto #1 (Value less loan):  | \$ <u>500</u>                                  |  | \$ _____          |
| Auto #2 (Value less loan):  | \$ <u>500</u>                                  | Sub-Total: \$ <u>00</u>                                |                   |
| Home (Value less mortgage):   | \$ _____                                       | 8. My Other Debts with Monthly Payments:               |                   |
| Other:  | \$ <u>43.00</u>                                |  | \$ <u>200</u> /mo |
| Other:  | \$ _____                                       |  | \$ _____ /mo      |
| Other:  | \$ _____                                       |  | \$ _____ /mo      |
| Other:  | \$ _____                                       |  | \$ _____ /mo      |
| Other:  | \$ _____                                       |  | \$ _____ /mo      |
| Total Household Assets: \$ <u>1075.00</u>   |  | DEBT Sub-Total:  | \$ <u>30,270</u>  |
|   |  | Total Household Expenses and Debts, lines 6, 7, and 8: | \$ <u>32170</u>   |
| Date: <u>26<sup>th</sup> JULY 2018</u>  |  | Signature: <u>Dmari Tahir Garrett James L. Garrett</u> |                   |

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SUPREME COURT  
STATE OF WASHINGTON  
8/27/2018 8:00 AM  
BY SUSAN L. CARLSON  
CLERK

**FILED**  
KING COUNTY WASHINGTON

MAR 23 2017

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY  
SUPERIOR COURT CLERK  
BY Theresa Graham DEPUTY

MIDTOWN LIMITED PARTNERSHIP )

PLAINTIFF )

OMARI TAHIR - GARRETT )

Defendant/Victim )

No. 16-2-10945-1 SEA

FINDINGS OF INDIGENCY  
AND ORDER TO TRANSMIT FINDINGS  
OF INDIGENCY - RAP 15.2 (c)

The Court finds that Omari Tahir - Garrett, the Appellant  
(moving party) (designation such as appellant)

in this action, lacks sufficient funds to seek review in this action. The Court finds, however, that the moving party is able to contribute \$ —. The following portions of the record are reasonably necessary for review:

1. NEED ALL CLERKS PAPERS  
(Designate any portions of the Clerk's Papers necessary for review).
2. NEED ALL REPORT PROCEEDINGS FOR REVIEW DUE TO  
(Designate any portion of the verbatim report of proceedings necessary for review). ABSENCE FROM COURT
3. Reproduction of briefs and other papers on review which are reproduced by the Clerk of the Appellate Court.
4. COMPLETE COURT AND PLAINTIFFS 3 RING BINDER OF EXHIBITS  
(Designate any cumbersome exhibits which need to be transmitted).
5. Other items ANDREW NIKITA OLIVER - SRP  
(If the moving party has requested appointed counsel, and the Court finds such to be necessary to a fair presentation of the issues on appeal, designate appointment of counsel here).

Findings of Indigency  
Page Two

Now, Therefore, it is ORDERED that the Clerk of the Superior Court shall promptly transmit to the Supreme Court the Motion for Findings of Indigency, the Affidavit of Indigency, and the Findings of Indigency.



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Superior Court Judge

**Suzanne Parisien**

Date 22<sup>nd</sup> MAR 2017

Presented by:

Amarie Tahir - Garrett  
Moving Party

**August 24, 2018 - 9:25 PM**

**Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 96093-3  
**Appellate Court Case Title:** Midtown Limited Partnership v. Omari Tahir-Garrett, et al.  
**Superior Court Case Number:** 16-2-10995-1

**The following documents have been uploaded:**

- 960933\_Exhibit\_20180824211801SC726877\_5530.pdf  
This File Contains:  
Exhibit  
*The Original File Name was Superior Court ORDER OF INDIGENCY.pdf*
- 960933\_Motion\_20180824211801SC726877\_5821.pdf  
This File Contains:  
Motion 1 - Waive Filing Fee  
*The Original File Name was Motion and Declaration For Waiver of Civil Fees and Surcharges with Financial Statement.pdf*

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- amerryfield@sylaw.com
- cbenis@harrison-benis.com
- christopher@cuttinglaw.com
- matt@sylaw.com
- ssirianni@sylaw.com

**Comments:**

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