FILED SUPREME COURT STATE OF WASHINGTON 7/18/2018 3:42 PM BY SUSAN L. CARLSON

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IN THE SUPREME COURT of the STATE OF WASHINGTON 4 **OMARI TAHIR-GARRETT,** Court of Appeals CASE #: 76605-8-I

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(King County Court Case #: 16-2-10995-SEA)

Appellant 6

TITLE PAGE:

7 VS.

PROPOSED REVISED PETITION FOR REVIEW

MIDTOWN LIMITED 8 PARTNERSHIP, 9

Respondent

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Comes now the Petitioner, Appellant Omari Tahir-Garrett, pursuant to RAP 13.4, and

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submits the following petition for review to the Supreme Court of Washington in the matter of Division 1, Court of Appeals Case #76605-8-I (also alternately known in Division 1, Court of

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Appeals as #77005-5-I, #77572-3-I, #77417-4-I and #77843-9-I), appealed from King County

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Superior Court Case # 16-2-10995-SEA.

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Appellant should be granted review on the following bases:

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1) Pursuant to RAP 13.4(b)3(3), this case involves significant issues of law under the

2) Pursuant to RAP 13.4(b)(4) this case involves issues of substantial interest to the public.

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Washington and US Constitutions, &

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TAHIR-GARRETT V. MIDTOWN LIMITED PARTNERSHIP-PETITION FOR REVIEW

LAWRENCE A. HILDES, WSBA#35035 P.O BOX 5405, Bellingham, WA 98227 Belllingham, WA 98227, (360) 715-9788, lhildes@earthlink.net ATTORNEY FOR APPELLANT

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5. Whether the trial court abused its discretion in banning Appellant not just from the subject premises, but from the entire block
6. Whether the Court of Appeals was correct in affirming the holding of that trial and judgment against Appellant under those circumstances
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TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP-PETITION FOR REVIEW-LAWRENCE A. HILDES (WSBA # 35035)

P.O. Box 5405 Bellingham, WA 98227 Telephone: (360) 715-9788 Email: lhildes@earthlink.net 4) IDENTITY OF PETITIONER

The Petitioner is Appellant Omari Tahir Garrett, THE Defendant and

petitioner below. This petitioner requests review of the dispositive

Division 1 Court of Appeals Opinion filed in this case 76605-8-I on April

23, 2018.

(5) ISSUES PRESENTED FOR REVIEW

1) Whether the Superior Court Acted properly or abused its discretion

in citing Appellant Tahir-Garrett for Contempt twice and having

him locked up in the King County Jail for an indefinite period,

without a specific coercive purpose and without granting Appellant

his right to elocution.

2) Whether the Court of Appeals was correct in affirming those

citations and finding the confinement reasonable.

3) Whether the Trial Court abused its discretion in holding the

Unlawful Detainer trial against Appellant without his presence

when he was in custody in the adjoining jail and could easily have

been brought in, given his materials, and allowed to participate.

TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP-PETITION FOR REVIEW-

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(6) STATEMENT OF CASE:

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Appellant Omari Tahir-Garrett is a 72-year-old African-American man, a Vietnam War Army Veteran who suffers from Post-Traumatic Stress Disorder, severe acute hypertension, which becomes dangerously high when his PTSD is triggered, and acute left hip pain and acute kidney injury from incidents related to harassment and assault by Midtown and its agents in 2015-2017. (see Appendix A 2017-11-01A, etc., Exhibits 11-14medical reports, 11 Harborview, 12 Swedish, December 23, 2016, 13 Notes from DSHS verifying PTSD diagnosis, 14 SSN documents verifying severity of Tahir Garrett's PTSD diagnosis). He has also suffered at least one TIA mini-stroke as a result of his PTSD/stress induced hyper-tension

He is a lifelong anti-racist and economic and social justice organizer and activist, focused on education and fighting gentrification and the economically and politically forced removal of the African-American Community from the Central District of Seattle.

Tahir-Garrett has a well-earned reputation for making pointed accurate statements that those in power don't necessarily want to hear.

21 This has, at times lead to arbitrary and retaliatory government action TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP-

PETITION FOR REVIEW-

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ATTORNEY FOR APPELLANT 25

against him, including police action, thus leaving him extremely
apprehensive when dealing with governments and their authority,
including courts.

Neither the reality nor the perception is unusual or unwarranted for African Americans in the U.S. who are disproportionately, arrested, charged, convicted, and sentenced according to study after study.

When a court appears to be taking action against him that is arbitrary, retaliatory, or deceptive/confusing, Tahir Garrett's PTSD is triggered, and his blood pressure goes up, sometimes to as high as 200 over 150(See Exhibits 11 and 12).

For many years, Midtown, which owned the entire block from 23rd and Union in Seattle North, had been run by Tom Bangasser, who had an arrangement with Tahir-Garret to house him and his Umoja Peace Center in one of its buildings in return for Tahir Garrett taking care of and sweeping the property, taking out the garbage, etc. This arrangement worked well for all parties.

In June of 2015, Tom Bangasser's siblings, sensing the possibility of a substantial and quick pay-off seized control of Midtown and initiated a sale of the entire block to a select group of real estate developers, ultimately selling to Lake Union Partners, despite an offer from the TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP-PETITION FOR REVIEW-LAWRENCE A. HILDES (WSBA# 35035) P.O. Box 5405 Bellingham, WA 98227 Telephone: (360) 715-9788 Email: lhildes@earthlink.net

African-American community to buy the property for a greater sum over

Conflict ensued, Tahir Garrett was injured when attacked by

Margaret Delaney (Tom Bangasser's sister) with a dumpster while picking

up trash around the building. And Midtown filed an Unlawful Detainer

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time.

ATTORNEY FOR APPELLANT

Tahir-Garrett appeared, ready to argue his case, only to find an
unrelated trial taking place. Confused, he went to the clerk's office. A
sympathetic clerk there gave him a copy of his file, which he began to take
back to the courtroom.
The clerk at the desk insisted that he had to pay for the file; Tahir-
Garrett is indigent and could not afford to do so and believed he had just
been told he didn't have to pay for it. Now further confused, Tahir-Garrett
Left with the file, returned to the courtroom, where the trial was nearing
the lunch recess and patiently and quietly sat and waited for a break so he
could find out what was going on.
In the meantime, a Sheriff's Deputy arrived to confront Tahir-
Garrett about the file and verbally accosted him, demanding he leave the
courtroom, where he was disrupting nothing.
In the courtroom's audio recording, the Deputy is barely audible,
and Tahir-Garrett is not audible at all, keeping his voice so quiet as to be
completely undistinguishable.
Nevertheless, Judge Parisien stopped a witness in mid-testimony
and called an early lunch recess (at 11:40) and excuses the jury until after
lunch.
TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP- PETITION FOR REVIEW- LAWRENCE A. HILDES (WSBA # 35035) P.O. Box 5405

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1	She then confronted Tahir-Garrett and ordered him to leave her
2	courtroom and claimed he was being disruptive. Neither she, nor anyone
3	else had yet explained to him that his case had been continued for two
4	days to February 23.
5	Tahir-Garett had no idea what was going on, and began to panic,
6	the incident and the increasing threats the Judge and Deputy were making
7	against him triggering his PTSD and causing his blood pressure to
8	explode.
9	Judge Parisien then summarily found Tahir-Garrett in contempt
10	and had him dragged off to the King County Jail without allowing him to
11	explain, apologize, or even clarify what was going on.
12	At the jail, the file and his other legal papers were taken away from
13	him.
1415	Two days later, in jumpsuit and chains, Tahir-Garrett was marched
16	back into Parisien's courtroom for his eviction trial without explanation,
17	preparation time, or the file and other legal papers.
18	Tahir-Garrett reacted with confusion, fear, and anger, and
19	understandably felt like he had been set up with no reasonable way to
20	defend his tenancy.
21	
22	TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP- PETITION FOR REVIEW-
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He, with justification, and this being the first time his case was
officially in front of Judge Parisien, verbally affidavitted her. She refused,
insisting her order citing him for contempt, in a different case that he was
not even a party to, constituted a substantive ruling in his case.
When he argued, she cited him again for contempt. In the midst of
this, the PTSD triggered another blood pressure incident, shooting his
blood pressure up to over 200 and causing him to collapse.

As Tahir-Garrett was lying on the floor, Judge Parisien began to rescind the contempt citation until Stephen Sirianni, counsel for Midtown insisted that Tahir-Garrett should be cited, at which point he was taken to the hospital in handcuffs, and ultimately transferred to the King County jail where he remained, for an unspecified intended period until released pursuant to Habeus Corpus arguments made verbally by two sympathetic lawyers a week after the first citation and five days after the second citation.

Again, he never had the opportunity to explain, apologize or argue his citation in any way, and it was neither pursuant to a formal criminal process or for a specified coercive civil purpose. In the meantime,

Parisien and Sirianni moved forward with the detainer trial without Tahir
Garret, falsely claiming that he had invited a large group of homeless TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP-PETITION FOR REVIEW-LAWRENCE A. HILDES (WSBA # 35035)

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people to live on the property, and that Tahir Garrett had refused to pick-

The court also completely disregarded the testimony of the one

witness allowed to testify in favor of Tahir-Garret, Tom Bangasser, ruling

In absentia, Tahir-Garrett was not only ordered evicted, but

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up litter on the property.

ATTORNEY FOR APPELLANT

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his testimony entirely argumentative.

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7) **LEGAL ARGUMENT**

This court should grant review of this case for the following reasons pursuant to RAP 13.4(b)(3 and 4).

1) Pursuant to RAP 13.4(b)3(3), this case involves significant issues of law under the Washington and US Constitutions Here, the principle issues include violations of Tahir-Garrret's Fourth Amendment Rights against unlawful seizure, Fifth Amendment Right to confront his accuser and to know and understand the proceeding against him, and his Sixth Amendment Right to counsel when facing jail time, and his 5th Amendment Right to Due Process and 14th Amendment Right to Equal Protection. Appellant knows of no example of a white Defendant being treated in this manner.

2) Pursuant to RAP 13.4(b)(4) this case involves issues of substantial interest to the public. The issue of summary and arbitrary findings of contempt and incarceration without the right to elocution for an indefinite period of time completely at the whim of the Court is and should be of grave concern to the public. There are three types of contempt under Washington Law-Civil RCW 7.21.030, where punishment is imposed to coerce a party to act or cease to act TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP-

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pursuant to an injunction, criminal, RCW 7.21.040, where a formal	
criminal must be filed in order to impose punitive sanctions and	
the full criminal rules and protections apply, and summary	
pursuant to 7.21.050, Summary proceedings may be initiated by	
the court when it witnesses fundamental disruption of the court and	
to protect the fundamental order and dignity of the court, and	
except for an emergency, the accused must be given the right to	
elocution to explain, apologize, or present contrary evidence. Here,	
the first time, Tahir-Garrett was speaking so quietly as to not even	
be audible and was sitting bothering no one. The court, on its	
released the jury for lunch before taking up the issue. Thus, when	
the argument took place, there was no jury, and Appellants actions	
reflect a confused frightened individual with triggered PTSD, not	
an intent to disrupt.	
The second time, he is brought from the jail, in shackles, without	
his papers and without notice, and is then expected to defend his home at	
that moment after being in jail for two days.	
There is little wonder that he found the proceeding unfair or	
objected to it. His PTSD is thus triggered again, and he physically	
collapses, with critically high blood pressure, which opposition then TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP- PETITION FOR REVIEW- LAWRENCE A. HILDES (WSBA# 35035) P.O. Box 5405 Bellingham, WA 98227 Telephone: (360) 715-9788 Email: lhildes@earthlink.net	

1	opportunistically argues is more proof of contempt. His disabilities are
2	thus used as a basis for criminalization.
3	All of this is fundamentally unfair and Constitutionally violative,
4	as well as a cause for public concern.
5	In addition, there is no emergency in either circumstance-in the
6	first the jury is gone, so the court is not subject to loss of dignity and can
7	certainly take part of an extended lunch hour to let Appellant calm down,
8	ask his questions, and explain what was going on.
9	In the second case, Appellant is hospitalized after a very real heart
10	episode that landed him in the hospital, and instead of being allowed
11	afterwards to explain what happened, at the behest of landlord's counsel,
12	for his own opportunistic benefit, Tahir-Garrett is again denied the right to
13	understand and explain and is sent back to the jail for a week only being
14	
15	released after two attorneys verbally pled his case
16	This arbitrary exercise of power against an elderly, disabled person
17	should be of great concern to the public and has frightening implications
18	and should be reviewed by this court in a much more thorough and careful
19	fashion than below where the court simply viewed Sirriani's facts as
20	sacrosanct.
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22	TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP- PETITION FOR REVIEW-
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ATTORNEY FOR APPELLANT

In addition, the issue of continuing the detainer trial after Tahir-Garrett has been involuntarily excluded sets a disturbing precedent.

Division 1's opinion in II C attempts to establish a radical new interpretation of Washington's landlord tenant act, unsupported by any citation to any prior decision. If upheld, the logic of this opinion will effectively terminate the hitherto existing right of any and all Washington State tenants to present an oral defense against their eviction. While it is true to that RCW 59.18.370 gives landlords the option to request a show cause hearing or to not request one. However, once the landlord decides to request such a hearing, the ensuing procedure has hitherto been bound by RCW.18.380, which guarantees the tenant's right to present an oral argument at such hearing. The new interpretation here proposed by MidTown and Division 1 would hereafter allow all landlords to request such a hearing but then change their mind about actually holding it, thus bypassing the tenant's right to present oral defense against eviction but still enjoying the landlord's right to speedy trial "after" a show-cause hearing, even if it was never actually convened.

Division 1's Opinion Part II D, the only section of this opinion to actually refer to any lines of dialogue from one of the recorded transcripts, proposes to set even more radical new anti-tenant precedents. If upheld, it TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP-PETITION FOR REVIEW-LAWRENCE A. HILDES (WSBA# 35035) PO. Box 5405
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will allow landlords and judges the leeway to exclude tenants from their
own eviction trials on a broad range of pretexts, all under the color of
claiming the that tenants "chose to exclude themselves".
In the midst of massive gentrification and dislocation of tenants,
this ruling has the potential, even unpublished to set a catastrophic

this ruling has the potential, even unpublished to set a catastrophic precedent. It is little wonder that Sirianni encouraged the removal of Tahir-Garrett, as it thus made it much easier for Midtown to have him evicted than if he had been present and able to present and argue evidence. Finally, the precedent of banning a tenant, not just from the home they were evicted from, but from an entire block including the Post Office and unrelated businesses sets a very disturbing precedent. It's gentrification by law as well as by economic exclusion.

Given these two latter findings and implications, it is little wonder that the Landlord Association sought to have the case published so they could

If left alone, this case has the potential to fundamentally tip the balance in Washington far in favor of the rich and powerful and far against

the poor, disabled, discriminated against, and powerless.

All of this is a strong basis for this court to take up review of this

case.

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TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP-

directly use it against tenants on a grand scale.

PETITION FOR REVIEW-

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2	8) CONCLUSION
3	For all of the above reasons, this case should be granted review based on
4	the Constitutional and Societal implications and importance.
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6	RESPECTFULLY SUBMITTED:
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8	July 16, 2018
9	
10	/s/ LAWRENCE A. HILDES
11	LAWRENCE A. HILDES, WSBA #35035 P.O. Box 5405, Bellingham, WA 98227
12	(360) 715-9788, <u>lhildes@earthlink.net</u> Attorney for Appellant Omari Tahir-Garrett
13	Actorney for Appendix Officer Carrott
14	
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22	TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP- PETITION FOR REVIEW- LAWRENCE A. HILDES (WSBA # 35035)
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PROOF OF SERVICE

1			
2	Lawrence A. Hildes certifies as follows:		
2	I am over the age of 18 years, and not a party to this action. I am a citizen of the United States. My business address is P.O. Box 5405, Bellingham, WA 98227		
4	On July 16, 2018, I served the following document(s) described as follows:		
5	NOTICE OF APPEARANCE OF COUNSEL		
6	on the following person(s) in this action at the following address(es):		
7	Stephen John Sirianni ssirianni@sylaw.com		
8	Christopher Thomas Benis		
9	cbenis@harrison-benis.com		
10	Christopher Cutting christopher@cuttinglaw.com		
11			
12	[] In person, by delivering it to the above listed address		
13 14	[] (BY FIRST CLASS MAIL) by placing a true copy of the above documents in a sealed envelope with postage fully prepaid in the mail at Bellingham, WA, addressed to the person(s) above at the above address(es).		
15	[X] By electronic mail to the above listed E-mail Addresses done by court action.		
16	[X] (STATE) I declare under penalty of perjury under the laws of the State of Washington that the above is true and correct.		
17	Executed on July 16, 2018, at Bellingham, Washington.		
18			
19	/S/ LAWRENCE A. HILDES		
20	Lawrence A. Hildes, WSBA #35035 Attorney for Appellant Omari TahirGarrett		
21	,		
22	TAHIR-GARRET V. MIDTOWN LIMITED PARTNERSHIP- PETITION FOR REVIEW-		
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24			
25	ATTORNEY FOR APPELLANT		

FILED COURT OF APPEALS DIV I STATE OF WASHINGTON

2018 APR 23 PM 1: 09

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

MIDTOWN LIMITED PARTNERSHIP, a Washington limited partnership,	DIVISION ONE
Respondent,	No. 76605-8-I (consol. with No. 77005-5-I)
OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT; and ALL OTHER OCCUPANTS,	UNPUBLISHED OPINION
Appellant.) FILED: April 23, 2018

DWYER, J. — Omari Tahir-Garrett appeals from three orders of the trial court finding him in contempt and an order of the trial court declaring unlawful detainer and authorizing issuance of a writ of restitution in favor of MidTown Limited Partnership. Tahir-Garrett contends that the trial court erred by finding him in contempt, by entering its unlawful detainer order, and by issuing a writ of restitution.

Concluding that there was no error, we affirm.

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MidTown Limited Partnership owned a block of real estate in Seattle's Central District.¹ In the southeast corner of MidTown's property was a parcel of

¹ MidTown sold the Central District property in May 2017.

land, also owned by MidTown, containing a single-family residence with a large, adjacent yard.²

In 2015, MidTown decided to sell its property and, as part of this decision, decided to demolish the residence. At that time, the residence was occupied by Tahir-Garrett, who had been living there without making rental payments and without a written lease agreement.³

In late 2015, MidTown informed Tahir-Garrett of its intent to demolish the residence, served him with a notice of application for a tenant relocation license, and offered him relocation assistance. However, Tahir-Garrett refused to leave the residence and did not accept MidTown's offer. In addition, by this time, he had also moved eight used, unlicensed vehicles—including a large truck and a camper—onto the residence's yard.

Additionally, Tahir-Garrett, pro se, filed a lis pendens against MidTown's block of real estate—including against the parcel of land on which the residence was located—and claimed that he had a right to the real estate through adverse possession.⁴ He also filed a complaint in federal district court alleging racial discrimination, assault, and defamation against him by MidTown and Margaret Delaney, a principal of MidTown. The federal district court dismissed Tahir-

² As part of its business operations, MidTown leased commercial space within facilities located on the property. This included leasing building space to a United States Postal Service branch office.

³ Tahir-Garrett had been employed by Thomas Bangasser, the then-general partner of MidTown, to pick up trash and litter at the MidTown Center, a structure on MidTown's property. In exchange for this work, Tahir-Garrett was allowed to occupy the residence without making rental payments. Thomas Bangasser was removed from his leadership position in 2015 and Tahir-Garrett was informed by MidTown that his services were no longer required.

⁴ At all times addressed herein, Tahir-Garrett did not have legal counsel but, rather, represented himself.

Garrett's claims and dissolved the lis pendens. Tahir-Garrett subsequently filed another lis pendens. It was also judicially dissolved.

In early March 2016, MidTown formally served Tahir-Garrett with a three-day notice to vacate. Tahir-Garrett did not comply. Instead, he invited a group of nearly 20 individuals to set up an encampment and occupy the residence's yard. The occupants set up numerous tents and deposited large amounts of garbage and debris in the yard.

In late March, the City of Seattle issued a notice of violation to MidTown alleging that the encampment constituted a violation of the city's land use code.⁵

Two months later, in May 2016, MidTown filed an action seeking a declaration of unlawful detainer against Tahir-Garrett and any other occupants on the parcel of land—alleging that they were creating a nuisance and engaging in waste and unlawful business operations—and requesting issuance of a writ of restitution.

A show cause hearing was scheduled for mid-May but, because MidTown was initially unable to serve Tahir-Garrett with its filings, the hearing was rescheduled for early June. Around this time, Tahir-Garrett filed a notice seeking to remove MidTown's unlawful detainer action to federal district court. The June show cause hearing did not occur.

⁵ The city's notice of land use violation threatened to charge MidTown with a fine of \$500 per day for its continuing noncompliance.

In August 2016, the federal district court remanded the matter to state court, ruling that the federal court lacked jurisdiction. Tahir-Garrett nevertheless filed two successive motions for reconsideration, both of which were denied.

Meanwhile, in September 2016, MidTown reached an agreement with 16 of the occupants of the encampment. In exchange for receiving \$400 each, the occupants agreed to pick up their debris, leave MidTown's property, and not return. Although most of the occupants then removed themselves from the parcel, a large amount of debris and garbage nevertheless remained, as did other occupants who did not accept MidTown's offer. At this time, Tahir-Garrett still occupied the residence.

One month later, the City of Seattle issued another notice of land use violation against MidTown. The unlawful conditions identified therein included the presence of garbage, debris, junk, and vehicles in the yard surrounding the residence.

In late October 2016, MidTown served Tahir-Garrett with another three-day notice to vacate, alleging waste, nuisance, and unlawful business. Again, Tahir-Garrett did not comply.

A show cause hearing was scheduled for November 30, 2016. However, on the day before the hearing date, Tahir-Garrett filed another notice of removal to federal district court, asserting the same bases as his initial removal notice.

Despite MidTown's request to proceed with the show cause hearing, the assigned superior court commissioner declined to do so in light of Tahir-Garrett's removal notice.

Because the federal district court had already denied Tahir-Garrett's first notice of removal, MidTown moved to revise the commissioner's ruling and requested a hearing date for December 16. Judge Hollis Hill was assigned to decide MidTown's motion. Tahir-Garrett requested that the hearing not be held until mid-January, explaining to the court that he suffered from posttraumatic stress disorder (PTSD) that prevented him from appearing in court until that time. Judge Hill set the hearing for December 23.

On December 23, both parties appeared before Judge Hill for argument on MidTown's motion to revise the commission's ruling. However, Tahir-Garrett declared that he was unwilling to argue his position that day. Thereafter, Tahir-Garrett began to engage in disorderly conduct. When Judge Hill demanded that he cease his disruptive conduct or face being escorted from the courtroom, Tahir-Garrett fell to the floor. Medical personnel were summoned to the courtroom. The hearing was continued until the following week.

In late December, two days before the rescheduled hearing on MidTown's motion to revise the commissioner's ruling, Tahir-Garrett notified the trial court that, due to medical reasons, he was unavailable for a hearing until late January. Judge Hill reset the hearing for January 10, 2017, and required that Tahir-Garrett produce verification from a qualified health care provider if he was unable to attend the hearing that day. No such verification was ever provided.

During this time, the federal district court remanded the matter to state court, determining that his second notice of removal was "frivolous."

On January 10, Judge Hill heard argument on MidTown's motion regarding the commissioner's ruling and ruled that Tahir-Garrett's notice of removal was a legal nullity. Judge Hill further enjoined Tahir-Garrett from filing additionally notices of removal without first obtaining judicial approval. Judge Hill referred MidTown's action to the chief civil judge to set a trial within 30 days.

In late January 2017, the newly assigned superior court judge, upon his own motion, recused himself and MidTown's action was reassigned to Judge Suzanne Parisien. Trial was initially set on MidTown's action for February 21 but was later reset to February 23. MidTown filed and served a trial memorandum and witness and exhibit lists. No trial materials were filed or served by Tahir-Garrett.

On the afternoon of February 23, both parties appeared before Judge Parisien for trial. Tahir-Garrett notified Judge Parisien that he wished to disqualify her from presiding over the trial. Judge Parisien did not grant his request.⁶

Thereafter, Tahir-Garrett engaged in protracted disrespectful and disruptive conduct. Finally, Judge Parisien indicated that she was again finding him in contempt. Immediately thereupon, Tahir-Garrett fell to the floor. Medical personnel were summoned and Tahir-Garrett was escorted out of the courtroom. He did not return that day.

⁶ Judge Parisien had, two days prior, entered a contempt order against Tahir-Garrett under the cause number assigned to MidTown's action against Tahir-Garrett. This contempt order resulted from Tahir-Garrett entering Judge Parisien's courtroom while she was presiding over a jury trial in an unrelated matter and engaging in disrespectful and disruptive conduct. Tahir-Garrett's conduct caused Judge Parisien to excuse the jurors. She found Tahir-Garrett in contempt and ordered his removal from the courtroom.

Judge Parisien found that, based on his history of repeatedly falling to the floor and acting unresponsive at critical stages in legal proceedings, Tahir-Garrett had feigned a health condition in order to delay the commencement of trial. She ordered that the trial would proceed in his absence.

That afternoon, MidTown called and examined three witnesses—a police officer and two of MidTown's principals—and introduced numerous exhibits in support of its unlawful detainer action.⁷

Ultimately, Judge Parisien entered an order declaring that Tahir-Garrett and other unnamed occupants were in unlawful detainer of the parcel of MidTown property on which the residence and yard here at issue were located. The trial court concluded that the occupants—including Tahir-Garrett—had committed and caused waste, created and maintained a nuisance, and operated an unpermitted, unlawful encampment in violation of city code. Judge Parisien authorized issuance of a writ of restitution on behalf of MidTown and enjoined Tahir-Garrett from possessing or entering both the parcel of land containing the residence here at issue and the encompassing block of real estate owned by MidTown.

On March 2, 2017, an officer from the King County Sheriff's Office served the writ of restitution on Tahir-Garrett, who was given three days to vacate the residence and remove himself from MidTown's property. He did not comply and

⁷ Although not identified as a witness by either party, Thomas Bangasser volunteered to testify at trial in defense of Tahir-Garrett. Over MidTown's counsel's objection, he was permitted to testify

The trial court later determined that much of his testimony was simply argumentative and was otherwise irrelevant to the merits of MidTown's unlawful detainer action.

instead continued to occupy the residence. In mid-March, a sheriff's officer located Tahir-Garrett within the residence and removed him from MidTown's property.

Thereafter, however, Tahir-Garrett continued to "almost daily" enter MidTown's property, including entering and occupying a commercial facility owned by MidTown that did not, at that time, have a tenant. In addition, Tahir-Garrett—and individuals on his behalf—located, followed, photographed, videotaped, and intimidated several of MidTown's principals, employees, contractors, and potential real estate purchasers while they were conducting operations in and regarding MidTown's property. Accordingly, MidTown filed a motion in superior court seeking a contempt order against Tahir-Garrett for his persistent violations of Judge Parisien's order.

Judge Parisien granted MidTown's motion and entered a contempt order permanently restraining Tahir-Garrett from entering MidTown's property, from being within 200 feet of that property, from being within 200 feet of numerous individuals, including MidTown's principals, employees, contractors, and prospective real estate purchasers, and from "contacting, following, surveilling, harassing, stalking, video recording, and photographing" those individuals.⁸

⁸ During this time, Tahir-Garrett again submitted a notice of removal to federal district court, which was again determined by that court to be frivolous and a "[f]lagrant abuse of the judicial process." He also filed a complaint in federal district court against MidTown and its partners, the King County Sheriff's Office, and the Seattle Police Department. The lawsuit was dismissed as frivolous.

Tahir-Garrett now appeals from the trial court's contempt orders and the trial court's order declaring unlawful detainer and authorizing issuance of a writ of restitution.

11

Α

Tahir-Garrett contends that the trial judge erred by not recusing herself from presiding over MidTown's action against him because, on the day of trial, he orally requested that she disqualify herself from MidTown's action. Tahir-Garrett was attempting to utilize the procedure colloquially referred to as an "affidavit of prejudice." There was no error.

An "affidavit of prejudice" is governed by statute. The statute, RCW 4.12.050, reads:

- (1) Any party to or any attorney appearing in any action or proceeding in a superior court may disqualify a judge from hearing the matter, subject to these limitations:
- (a) Notice of disqualification *must be filed* and called to the attention of the judge *before the judge has made any discretionary ruling in the case*.

(Emphasis added.)

In addition, "[w]hether contempt is warranted in a particular case is a matter within the sound discretion of the trial court." In re Pers. Restraint of King, 110 Wn.2d 793, 798, 756 P.2d 1303 (1988) (citing Schuster v. Schuster, 90 Wn.2d 626, 630, 585 P.2d 130 (1978)).

As indicated, Judge Parisien was assigned to MidTown's unlawful detainer action in late January 2017. Nearly one month later, on February 21, 2017, Tahir-Garrett entered Judge Parisien's courtroom while she was presiding over

an unrelated jury trial. While in the courtroom, Tahir-Garrett engaged in disrespectful and disorderly behavior and refused to comply with Judge Parisien's instructions to cease his disruptive conduct. Judge Parisien found him in direct contempt and ordered him removed from the courtroom. Judge Parisien's contempt order set forth that it was entered under the case caption and cause number assigned to MidTown's unlawful detainer action against Tahir-Garrett (No. 16-2-10995-1 SEA).

Two days after entry of the foregoing contempt order, Tahir-Garrett appeared before Judge Parisien for trial on MidTown's unlawful detainer action. He then orally demanded that she disqualify herself. Judge Parisien did not grant the request.

There was no error. By issuing the February 21 contempt order against Tahir-Garrett under the case caption and cause number assigned to MidTown's unlawful detainer action against Tahir-Garrett, Judge Parisien had made a discretionary ruling in the case. Judge Parisien was thus under no obligation to disqualify herself in response to Tahir-Garrett's attempted utilization of an "affidavit of prejudice."9

⁹ Tahir-Garrett contends that Judge Parisien also erred because she did not recuse herself on the basis of alleged racial animosity toward him. However, Tahir-Garrett presented no evidence supporting this allegation. Accordingly, the contention fails.

В

(i)

Tahir-Garrett next contends that the trial court erred by finding him in direct contempt on two separate occasions arising from his disorderly and disrespectful conduct in the courtroom. Tahir-Garrett is wrong.

We review a contempt order entered by a trial court for abuse of discretion. King, 110 Wn.2d at 798. Discretion is abused if the court's decision is manifestly unreasonable or based on untenable grounds or untenable reasons. In re Marriage of Littlefield, 133 Wn.2d 39, 46-47, 940 P.2d 1362 (1997). A court's decision is based on untenable grounds if the factual findings are unsupported by the record. Littlefield, 133 Wn.2d at 47.

A trial court must make findings of fact setting forth the basis for its judgment of contempt, <u>State ex rel. Dunn v. Plese</u>, 134 Wash. 443, 447-48, 235 P. 961 (1925), including findings of "bad faith or intentional misconduct." <u>In re Marriage of James</u>, 79 Wn. App. 436, 440, 903 P.2d 470 (1995).

The principles relating to direct contempt are set forth by statute. "The judge presiding in an action or proceeding may summarily impose either a remedial or punitive sanction authorized by this chapter upon a person who commits a contempt of court within the courtroom if the judge certifies that he or she saw or heard the contempt." RCW 7.21.050(1). "Contempt of court" includes intentional

[d]isorderly, contemptuous, or insolent behavior toward the judge while holding the court, tending to impair its authority, or to interrupt the due course of a trial or other judicial proceedings.

RCW 7.21.010(1)(a).

As indicated, Judge Parisien found Tahir-Garrett in direct contempt on February 21, 2017 when he entered her courtroom while she was presiding over a jury trial in an unrelated matter. Observing that Tahir-Garrett was "loud, disorderly," and was "stopping the trial currently in process," Judge Parisien excused the jury for an unscheduled recess, found Tahir-Garrett in contempt, and ordered him removed from the courtroom.

Judge Parisien next found Tahir-Garrett in direct contempt two days later, on February 23. The trial judge found:

Prior to the commencement of the proceedings, [Tahir-Garrett] began yelling to the court, counsel for the petitioner and pounding his fists loudly on the table. He refused to de-escalate despite the court's direction. He was unruly and disruptive. Upon being notified that the court was finding him in contempt, he fell to the ground and became suddenly unresponsive. He did not respond to any of the first responders.

There is no dispute that Judge Parisien observed Tahir-Garrett's disruptive and unruly conduct on both of the occasions that she entered a contempt order against him. Given that, Judge Parisien's contempt rulings were clearly tenable. Tahir-Garrett's claims fail.

(ii)

Tahir-Garrett next contends that the trial court erred by entering the first direct contempt order against him because, at the time of his contemptuous behavior, Judge Parisien was presiding over a jury trial in a matter unrelated to MidTown's action against him. Thus, he claims, his contempt must have been, as a matter of law, unrelated to his case.

Tahir-Garrett is wrong. Judge Parisien found that his contemptuous conduct was related to his lawsuit with MidTown. Indeed, Tahir-Garrett had no relation to or interest in the trial over which Judge Parisien was then presiding. Thus, Judge Parisien was correct in ruling both that Tahir-Garrett's contemptuous conduct had taken place in front of her and that it was related to the ongoing unlawful detainer action. Accordingly, she was authorized to enter the contempt finding and order under that case caption and cause number.

(iii)

Tahir-Garrett next contends that the trial court erred because Judge

Parisien found him in direct contempt for stopping a jury trial that was in

progress. The trial court erred, he asserts, because it was Judge Parisien herself

who excused the jurors in order to address Tahir-Garrett. We disagree.

Plainly, the necessity for Judge Parisien to order an unscheduled recess of the ongoing jury trial was brought about by Tahir-Garrett's appearance in her courtroom that day and his unruly behavior. Tahir-Garrett's disruptive conduct amply justified the trial court's order. There was no error.¹⁰

¹⁰ Tahir-Garrett also contends that the trial court erred because it issued two direct contempt orders against him without also setting forth instructions on how to purge himself of the contempt. His argument is based on a misperception.

After finding an individual in direct contempt, the trial court may impose punishment of "a fine of not more than five hundred dollars or imprisonment for not more than thirty days." RCW 7.21.050(2). Thus, once the trial court found him in direct contempt, Tahir-Garrett had no right to purge his contempt. There was no error.

Tahir-Garrett next contends that Judge Parisien erred by entering the second contempt order against him because she had openly considered on the record whether his disabled state (he had fallen to the floor) nullified his contempt. However, shortly after this musing, Judge Parisien ruled that his disruptive conduct had warranted finding him in contempt for a second time and that his subsequent feigning of a health condition did not warrant vacation of that ruling. There was no error.

Tahir-Garrett next contends that the trial court erred by commencing trial on MidTown's unlawful detainer action without first holding a show cause hearing. We disagree.

RCW 59.18.370 sets forth the procedure under the Residential Landlord-Tenant Act of 1973¹¹ for a show cause hearing in a residential tenancy unlawful detainer action. The provision reads:

The plaintiff, at the time of commencing an action of forcible entry or detainer or unlawful detainer, or at any time afterwards, upon filing the complaint, may apply to the superior court in which the action is pending for an order directing the defendant to appear and show cause, if any he or she has, why a writ of restitution should not issue.

RCW 59.18.370 (emphasis added).

There was no error. In setting forth the procedure for requesting a show cause hearing, RCW 59.18.370 identifies the plaintiff—rather than the defendant—as the pertinent actor. Indeed, no wording contained in RCW 59.18.370 grants a defendant in an unlawful detainer action the right to request such a hearing.

Moreover, in setting forth the procedure for a show cause hearing, the provision reads that the plaintiff "may" request such a proceeding. RCW 59.18.370. Use of the word "may," of course, reflects that the procedure is not mandatory. Accordingly, Tahir-Garrett's claim fails.

¹¹ Codified at chapter 59.18 RCW.

Tahir-Garrett next contends that RCW 59.18.380 grants him the right to a show cause hearing. We disagree.

The provision reads:

At the time and place fixed for the hearing of plaintiff's motion for a writ of restitution, the defendant, or any person in possession or claiming possession of the property, may answer, orally or in writing, and assert any legal or equitable defense or set-off arising out of the tenancy. If the answer is oral the substance thereof shall be endorsed on the complaint by the court.

RCW 59.18.380.

Tahir-Garret's claim fails. RCW 59.180.380 does not establish a defendant's right to a show cause hearing but, rather, sets forth a defendant's right to answer and assert defenses at a show cause hearing once such a hearing had been set. Here, rather than submitting an answer orally or in writing to MidTown's motion for a writ of restitution, Tahir-Garrett attempted to remove MidTown's actions to federal court, thereby discontinuing the scheduled show cause hearings. In this way, that Tahir-Garrett was unable to answer and assert a defense at a show cause hearing was the result of his own conduct. That no show cause hearing was ever held was plaintiff's option.

There was no error.

D

Tahir-Garrett next contends that the trial court erred by holding trial on MidTown's unlawful detainer action without his presence. We disagree.

The statutory provisions underlying a residential tenancy unlawful detainer action provide for issues alleged in an unlawful detainer pleading to be resolved at trial. RCW 59.18.380; 59.12.130. However, an action may proceed to trial

without the presence of a defendant where his "deliberate absence from the proceedings bespeaks neither due diligence nor good faith." Odom v. Williams, 74 Wn.2d 714, 718, 446 P.2d 335 (1968). Indeed, "[i]t is the duty of a party to be present at the trial of his own cause, and his absence will as a general rule be considered as his own peril." Thornthwaite v. Greater Seattle Realty & Improvement Co., 160 Wash. 651, 653, 295 P. 933 (1931) (internal quotation marks omitted) (quoting Nye v. Manley, 69 Wash. 631, 636, 125 P. 1009 (1912)). A party may voluntarily elect not to attend a proceeding. State v. Garza, 150 Wn.2d 360, 367, 77 P.3d 347 (2003). An express waiver is not required. A party's voluntary absence may be implied from his conduct. Garza, 150 Wn.2d at 367.

Here, the parties appeared before Judge Parisien on the afternoon of February 23 to commence the trial on MidTown's unlawful detainer action. As indicated, Tahir-Garrett engaged in disruptive and disrespectful conduct resulting in the issuance of Judge Parisien's second direct contempt order against him.

As pertinent here, the contempt order set forth that, "[u]pon being notified that the court was finding him in contempt, [Tahir-Garrett] fell to the ground and became suddenly unresponsive. He did not respond to any of the first responders."

Significantly, immediately after Tahir-Garrett became suddenly nonresponsive, the trial judge and counsel for MidTown engaged in the following exchange:

MR. SIRIANNI: Your Honor, this is the second time in two weeks that this has happened.

THE COURT: Right. And my review of the file indicates that this has happened on other occasions going as far back as 2002.

MR. SIRIANNI: Correct, Your Honor.

THE COURT: And we're going to proceed. And if the appropriate motions are filed later, we can -- I'll react to those as we see fit. But the Court has seen that this is a repeated occurrence. And at some point, justice needs to go forth. . . .

THE CLERK: Officer, is he conscious?
UNIDENTIFIED SPEAKER: Yes. His stomach is moving.
He's breathing. He's moving around.

Therefore, Judge Parisien found that, based on Tahir-Garrett's history of repeatedly suffering from health conditions at critical stages in court proceedings, he was feigning a medical condition in order to delay the commencement of the trial.

Thereafter, as a precautionary measure, medical personnel were summoned and Tahir-Garrett allowed them to remove him from the courtroom. As indicated, Judge Parisian, in light of her finding that Tahir-Garrett was malingering to avoid trial, proceeded to try MidTown's action in Tahir-Garrett's absence.

Tahir-Garrett's claim of error fails. By commencing trial without Tahir-Garrett's presence after finding that he was not, in actuality, suffering from a medical condition, the trial court effectively determined that he had voluntarily absented himself from the proceeding. Indeed, by feigning an illness and allowing medical personnel to escort him out of the courtroom, Tahir-Garrett implicitly opted not to attend the trial set for that day. Moreover, at no juncture thereafter did he present to the trial court any evidence (such as a doctor's report) indicating that he suffered from a recurring medical condition or excusing his conduct on February 23.

To have again rescheduled adjudication of MidTown's action "would have worked an unjustified hardship on [the] plaintiff[] and [its] witnesses . . . and added unpredictable further delay to an already overly extended proceeding."

Odom, 74 Wn.2d at 718.

The trial court did not err by commencing trial in Tahir-Garrett's absence.

Ε

Tahir-Garrett next contends that substantial evidence does not support the findings of fact underlying the trial court's judgment and order declaring unlawful detainer and authorizing issuance of a writ of restitution. We disagree.

We review a trial court's findings of fact regarding unlawful detainer "for substantial evidence, reviewing the record for sufficient evidence to persuade a rational, fair-minded person of the fact's truth." <u>Burgess v. Crossan</u>, 189 Wn. App. 97, 101, 358 P.3d 416 (2015) (citing <u>IBF, LLC v. Heuft</u>, 141 Wn. App. 624, 638, 174 P.3d 95 (2007)).

At trial in this matter, MidTown called three witnesses to testify. The first witness called was Seattle Police Officer Arthur Garza. Officer Garza testified that he investigated "claims that there was an illegal encampment at the property occupied by Mr. Tahir-Garrett." He further testified that he wrote a report of his investigation and, in his report, he concluded that Tahir-Garrett had invited a large number of individuals to stay on the property.

MidTown next called Delaney as a witness. Delaney testified that she was MidTown's property manager and stated that MidTown owned the parcel of land

in question. In addition, she testified that she had frequently observed the condition of and occurrences involving the parcel of land.

Delaney testified that, in March 2016, she noticed that a group of nearly 20 individuals were setting up tents in the yard of the residence. She testified that Tahir-Garrett had invited them to do so and that neither she nor MidTown authorized the use of the residence as a transitional encampment.

Delaney also identified photographs that she had taken of the residence's yard in November 2016. She testified that the photographs depicted that surrounding the residence there were "all kinds of furniture," "a number of vehicles," "[a] lot of blue plastic tarps," "garbage and junk," "an abandoned camper," and, on the porch of the residence, "trash and flags and mats and stuff and Christmas lights."

When asked to testify as to the condition of the property as of the time of trial (February 2017), Delaney stated that there remained a "trash heap" around the residence: a "pile of debris," "bookcases," "a mattress," "a lot of plastic stuff," "pieces of wood," and "[l]ots of furniture."

Delaney also testified that photographs taken around that time reflected that the trash pile "has gotten taller since the first pictures" and that there remained in the residence's yard "blue tarps surrounding pieces of wood, half-built things," the abandoned camper, mattresses, and bookcases. Delaney further testified that MidTown had received constant complaints from neighbors regarding the yard's condition, odors emanating therefrom, and concerns for their families' safety.

Delaney next testified that, by the fall of 2016, MidTown reached an agreement with 16 of the individuals in the encampment, giving them each \$400 in exchange for their promise to pick up their possessions and garbage, leave MidTown's property, and not return.

Delaney also testified that MidTown had formally served Tahir-Garrett with a notice to vacate the parcel on three occasions. The first notice was served in March 2016, the second notice in April 2016, and the third notice in October 2016.

MidTown next called Hugh Bangasser, another principal of MidTown, as a witness. Bangasser's testimony supported Delaney's. He testified that, in April 2016, there were tents, piles of trash, and inoperative vehicles in the residence's yard. He further testified that, in October 2016, one month after most of the individuals in the encampment had left, the residence's yard still contained inoperative vehicles alongside "much of the debris, trash, and various things that had been left by the camp of people who had departed, including appliances, bicycles, just a variety of trash of various kinds and types."

Bangasser also testified that, in December 2016, a vehicle parked in the residence's yard exploded, causing a fire that destroyed both that vehicle and an adjacent vehicle in the yard. Bangasser testified that, shortly thereafter, in response to the explosion, the city sent MidTown an emergency order instructing any occupants within the residence to vacate.

Bangasser next testified that the city had issued repeated notices of violation to MidTown threatening legal action arising from violations of the city's

land use code occurring in the residence's yard. He testified that the city's notices were directed at the garbage, debris, junk, vehicles, and related items in the yard surrounding the residence.

Thereafter, Bangasser testified that MidTown had received complaints from individuals living near the residence regarding the debris surrounding the residence, odors emanating from the yard, and concerns about their safety.¹²

Judge Parisien issued the following findings of fact and conclusions of law:

- 1. MidTown is the lawful owner and entitled to possession of the real property described as Lots 13 and 14, Block 6, J.H. Rengstorff's addition to the City of Seattle, as recorded in Volume 2 of Plats, page 101, records of King County, Washington, and commonly known as 2314 East Spring Street ("the Premises"). The Premises consists of and includes the house that is situated on it and all of the surrounding yard/ground encompassed within the above legal description.
- 2. For several years, Mr. Tahir-Garrett has occupied the Premises. In March 2016, at Mr. Tahir-Garrett's invitation and with his cooperation, approximately 20 former residents of the Dearborn Transitional Encampment entered and took up residence at the Premises: Those individuals, together with all other individuals who are or were residing at the Premises (including residents of the house, the yard or vehicles of any type at the Premises) shall be referred to as "Other Occupants."
- 3. Mr. Tahir-Garrett and the Other Occupants who are living in the house, in tents, in cars, in trucks, in campers or on the ground at the Premises have no right to possess or occupy the Premises, and are doing so without the permission and contrary to the express demands of MidTown. MidTown does not consent to, and objects to, the presence on the Premises of Mr. Tahir-Garrett and the Other Occupants.

¹² At the close of Hugh Bangasser's testimony, Thomas Bangasser, Hugh Bangasser's brother and another principal of MidTown, offered to testify in Tahir-Garrett's defense. Over the objection of MidTown's counsel, Judge Parisien allowed Thomas Bangasser to testify. In her order, Judge Parisien indicated that "[m]uch of Thomas Bangasser's testimony was argument rather than evidence." Resp't Br., Appendix A, at 4.

- 4. Mr. Tahir-Garrett and the Other Occupants are, as well, occupying the Premises in defiance of a Notice of Violation from the City of Seattle under Case No.1037046, issued on and dated March 29, 2016, and a Notice of Violation from the City of Seattle dated October 10, 2016, along with an Emergency Order from the City of Seattle to Vacate dated December 16, 2016.
- 5. Mr. Tahir-Garrett and the Other Occupants have, alone and in combination, permanently despoiled and damaged the Premises, which they have caused to be unsafe, unsanitary and filled with unsightly junk and debris. As a result of their action and inaction, they have: (a) committed and caused waste; (b) created and maintained a nuisance; and (c) by operating an unpermitted encampment, conducted and continue to conduct illegal activity on and at the Premises, in violation of the City Ordinances enumerated in Trial Exhibit 10, page 4.
- 6. Mr. Tahir-Garrett and the Other Occupants were provided with all notices required by law as preconditions to suit for or determination of unlawful detainer, including Notices to Vacate dated March 30, 2016, April 29, 2016, and October 27, 2016, each of which was timely and properly served in accordance with RCW 59.12.040 and other applicable law. Mr. Tahir-Garrett and the Other Occupants have ignored the deadlines set forth in those Notices and continue to occupy and detain the Premises unlawfully, forcibly and without permission of the owner.

As a preliminary matter, Tahir-Garrett fails to specifically assign error to each of the trial court's findings of fact that, he claims, is not supported by substantial evidence. Rather, he assigned error to the trial court's findings of fact on the basis that its order was "one hundred percent empirically false." Br. of Appellant at 6. Such conclusory assignment of error does not warrant appellate consideration. RAP 10.3(a)(4).

Even if we were to consider Tahir-Garrett's claim, we have no difficulty concluding that the trial court's findings of fact are amply supported by the

testimony offered and exhibits admitted at trial. These findings support the conclusions of law set forth in the trial court's order. There was no error.¹³

F

Tahir-Garrett next contends that the trial court erred by barring him from possessing or entering both the parcel of land on which the residence here at issue was located and the square city block of property owned by MidTown encompassing the parcel.

As a preliminary matter, Tahir-Garrett presents no decisional authority or analysis in support of his contention. We do not consider arguments unsupported by authority or analysis. Cowiche Canyon Conservancy v. Bosley, 118 Wn.2d 801, 809, 828 P.2d 549 (1992).

Nevertheless. Tahir-Garrett's claim also fails on the merits.

RCW 59.18.380 authorizes a trial court in a residential tenancy unlawful detainer action to grant "such other relief as may be prayed for in the plaintiff's complaint and provided for in this chapter." "The procedures set forth in the generalized unlawful detainer statutes, chapter 59.12 RCW, 'apply to the extent they are not supplanted by those found in the Residential Landlord–Tenant Act."

¹³ Tahir-Garrett asserts that the trial court erred by declining to credit the trial testimony of Thomas Bangasser. We disagree. Where substantial evidence exists to support a trial court's findings of fact, we will not disturb those findings even where there is some conflicting evidence. Merriman v. Cokeley, 168 Wn.2d 627, 631, 230 P.3d 162 (2010) (citing In re Marriage of Lutz, 74 Wn. App. 356, 370, 873 P.2d 566 (1994)). "The deference accorded under the substantial evidence standard recognizes that the trier of fact is in a better position than the reviewing court to evaluate the credibility and demeanor of the witnesses." Peterson v. Big Bend Ins. Agency. Inc., 150 Wn. App. 504, 514, 202 P.3d 372 (2009) (citing State v. Hill, 123 Wn.2d 641, 646, 870 P.2d 313 (1994)).

At trial, the testimony given by Thomas Bangasser conflicted in part with both the testimony presented by Officer Garza, Delaney, and Hugh Bangasser and the exhibits admitted into evidence by MidTown. Judge Parisien found Thomas Bangasser's testimony irrelevant, argumentative, and unconvincing.

<u>Leda v. Whisnand</u>, 150 Wn. App. 69, 77, 207 P.3d 468 (2009) (quoting <u>Hous.</u>

<u>Auth. of City of Pasco & Franklin County v. Pleasant</u>, 126 Wn. App. 382, 390, 109 P.3d 422 (2005)).

Pursuant to RCW 59.12.030, relief in an unlawful detainer action is

limited to the question of possession and related issues such as restitution of the premises and rent. <u>Kessler v. Nielsen</u>, 3 Wn. App. 120, 472 P.2d 616 (1970); <u>Phillips v. Hardwick</u>, 29 Wn. App. 382, 628 P.2d 506 (1981); <u>Pine Corp. v. Richardson</u>, 12 Wn. App. 459, 530 P.2d 696 (1975); <u>Tuschoff v. Westover</u>, 65 Wn.2d 69, 395 P.2d 630 (1964); <u>First Union Mgt., Inc. v. Slack</u>, 36 Wn. App. 849, 679 P.2d 936 (1984).

Munden v. Hazelrigg, 105 Wn.2d 39, 45, 711 P.2d 295 (1985).

Here, MidTown sought to declare that Tahir-Garrett and other unnamed occupants were in unlawful detainer of MidTown's parcel of land. In addition, as a result of Tahir-Garrett's claim that he obtained a right to the entirety of MidTown's block of property through adverse possession, MidTown sought to bar Tahir-Garrett from entering and occupying the entirety of its property in question.

Plainly, the relief sought by MidTown was related to the question of the possession of MidTown's property (including possession of the parcel of land also owned by MidTown). Thus, the trial court did not err by barring Tahir-Garrett from the entirety of MidTown's property, including the parcel of land that he had unlawfully continued to occupy.¹⁴

There was no error.

¹⁴ Tahir-Garrett contends that the trial court erred because its unlawful detainer order barred him from entering a United States Postal Service branch office located within MidTown's property. He presents no decisional authority or analysis in support of his claim other than identifying Judge Parisien's order as "ridiculous and illegal." Appellant's Notice of Appeal (June 2, 2017). We do not consider arguments unsupported by authority or analysis. Cowiche Canyon Conservancy, 118 Wn.2d at 809.

Tahir-Garrett next contends that the trial court erred by enforcing the injunctive relief awarded to MidTown by entering a remedial contempt order to remove him from the property here at issue. We disagree.

Again, we review a trial court's contempt order for abuse of discretion.

King, 110 Wn.2d at 798. Contempt of court includes the "intentional...

[d]isobedience of any lawful judgment, decree, order, or process of the court."

RCW 7.21.010(1)(b). It is "axiomatic that a court must be able to enforce its orders." In re Interest of M.B., 101 Wn. App. 425, 431, 3 P.3d 780 (2000). An "order of the court must be obeyed implicitly, according to its spirit, and in good faith." Blakiston v. Osgood Panel & Veneer Co., 173 Wash. 435, 438, 23 P.2d 397 (1933).

A trial court's contempt power includes the authority to impose a remedial sanction "on the motion of a person aggrieved by a contempt of court in the proceeding to which the contempt is related." RCW 7.21.030(1).

If the court finds that the person has failed or refused to perform an act that is yet within the person's power to perform, the court may find the person in contempt of court and impose one or more of the following remedial sanctions: . . .

(c) An order designed to ensure compliance with a prior order of the court.

RCW 7.21.030(2).

Here, MidTown filed a motion seeking issuance of a contempt order arising from Tahir-Garrett's persistent violations of the trial court's order in MidTown's unlawful detainer action. As indicated, MidTown alleged that Tahir-Garrett had not only continued to occupy the residence on the parcel of land in

question but also—after he was evicted from the residence—moved into an unoccupied commercial facility on MidTown's property and proceeded to occupy that space. In addition, MidTown alleged that Tahir-Garrett—and individuals on his behalf—had begun stalking, harassing, intimidating, and disrupting MidTown's principals, employees, and contractors engaged in MidTown's business operations in and around its property. MidTown supported its contempt motion with a declaration from Delaney.

The trial court found that Tahir-Garrett had willfully violated its order and had engaged in the offending conduct alleged by MidTown. Accordingly, the trial court permanently barred Tahir-Garrett from entering MidTown's property and, additionally, permanently barred him from being within 200 feet of MidTown's property, from being within 200 feet of individuals involved in MidTown's operations, and from engaging in the offensive behavior set forth in MidTown's motion.

The trial court's findings are supported by substantial evidence and the determinations underlying its contempt order were tenable. MidTown was aggrieved by Tahir-Garrett's contempt of the trial court's unlawful detainer order. The trial court's contempt order is well-designed to ensure Tahir-Garrett's compliance. The trial court thus did not abuse its discretion by entering the order.

There was no error.

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Tahir-Garrett presents additional arguments soliciting appellate relief.

None merit such relief.

(i)

First, Tahir-Garrett contends that the trial court violated his right to due process by separating him from his legal paperwork prior to trial.

As indicated, Tahir-Garrett was found in direct contempt on February 21 for entering a courtroom and disrupting a trial occurring therein. Judge Parisien indicated to Tahir-Garrett, as he was being escorted out of the courtroom, that his legal paperwork was being brought by an officer who was accompanying him during his removal from the courtroom.

On the day of the trial on MidTown's action two days later, Tahir-Garrett indicated that he did not have his legal paperwork. As Judge Parisien was indicating that she would send someone to look for his paperwork, Tahir-Garrett feigned a health condition, fell to the ground, and was again escorted from the courtroom.

Therefore, Tahir-Garrett, through his own disruptive and unruly conduct, was responsible for separating himself from his legal paperwork. Accordingly, Judge Parisien did not deprive him of his right to due process.

(ii)

Tahir-Garrett next contends that the trial court erred because a motion that he filed on January 23, 2017 was never heard. However, that motion was never noted for a hearing as required by King County Local Rule 7(b)(4), the motion

constituted an untimely request for reconsideration of Judge Hill's order revising the superior court commissioner's ruling, and the merits of his motion requested that a show cause hearing be scheduled, a right to which, as previously set forth, he did not have. There was no error.

(iii)

Lastly, Tahir-Garrett contends that the trial court erred by not granting him a reasonable accommodation prior to trial in this matter. This is so, Tahir-Garrett asserts, because he claimed that a plaque of George Washington on the wall of the courtroom triggered his PTSD symptoms and the trial court did not remove the plaque from the wall.

The trial court properly denied Tahir-Garrett's request. Given that his request was made in the context of both his ongoing disruptive and disrespectful conduct and his repeated attempts at delaying and avoiding legal proceedings, Judge Parisien properly did not consider his request to be a good faith entreaty for a reasonable accommodation.

There was no error. 15

¹⁵ Tahir-Garrett's appellate briefing also presents conclusory arguments that various federal and state constitutional and statutory provisions were violated during the proceedings in this matter. We do not consider arguments unsupported by authority and analysis. <u>Cowiche Canyon Conservancy</u>, 118 Wn.2d at 809.

No. 76605-8-I/29

Affirmed.

We concur:

vve concur.

- 29 -

FILED
SUPREME COURT
STATE OF WASHINGTON
7/20/2018 4:06 PM
BY SUSAN L. CARLSON
CLERK

APPENDIX a:

RELEVANT DOCUMENTS IN THIS CASE
WHICH IT IS PRESENTLY UNCLEAR TO APPELLANT SIDE
WHETHER OR NOT THE DIVISION 1 COURT OF APPEALS
CONSIDERS TO BE PART OF THE RECORD

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3	(Trial Court Sub # Title, if applicable).
	Appendix Page Number on which the Item begins
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9	(which Justice Project only instructed the Appellant to file the APPEAL at the Division 1 Court of Appeals, rather than to file it in two Courts).
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11	Division 1's Refusal To Acknowledge Original March 2nd NOTICE OF
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	March 22 Re-Filing of the exact same NOTICE OF APPEAL of Eviction Order document
15	(68 NOTICE OF APPEAL TO COURT OF APPEAL).
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COURT OF AFPEALS DIVISION ONE

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SUPERIOR COUNTY SEATTLE. WA



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF KING

MIDTOWN LIMITED PARTNERSHIP,

VS.

OMARI TAHIR-GARRETT, et al.

Plaintiff,

No. 16-2-10995-1 SEA

NOTICE OF APPEAL TO THE DIVISION 1 COURT OF APPEALS

Defendants.

Omari Tahir-Garrett, defendant, seeks review by the designated court of the Judgement and Order Declaring Unlawful Detainer and Authorizing Issuance of Writ of Restitution entered on February 27, 2017.

A copy of the decision is attached to this notice.

Dated this 1st day of March 2017

Omari Tahir-Garrett Defendant PO Box 22328

Seattle, WA 98122 206-639-0162

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Plaintiff, WSBA # 6957

701 5th Avenue, Suite 2560, Seattle, WA 98104

Seattle, WA 98104 206-223-0303

NOTICE OF APPEAL - 1 of 1

EVICTION DATE

ANY TIME AFTER 11:59 PM

MAR 3,2017

IF YOU HAVE ANY QUESTIONS AS TO PROCEDURES FOLLOWED BY THE SHERIFF IN EXECUTING THIS COURT ORDER, CALL BEFORE 7:30AM

BY DET. DAVID EASTERLY, 206-423-8891 KING COUNTY SHERIFF'S OFFICE

. IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

MIDTOWN LIMITED PARTNERSHIP, a)
Washington limited partnership,

Case No.: 16-2-10995-1 SEA

WRIT OF RESTITUTION

Plaintiff,

VS.

OMARI TAHIR-GARRETT, a/k/a
OMARI TAHIR, a/k/a JAMES C.
GARRETT; and ALL OTHER
OCCUPANTS,

Defendants.

STATE OF WASHINGTON to the Sheriff of King County:

WHEREAS, on this date, on the motion of Christopher T.

Benis, attorney for Plaintiff in the above-entitled action, the Honorable Judge/Court Commissioner of the above-entitled Court, granted a Writ of Restitution restoring to the Plaintiff the property in the Complaint and hereunder described.

NOW, THEREFORE, you the said Sheriff are hereby commanded to deliver to said Plaintiff the possession of the premises described in said Complaint, to-wit: 2314 East Spring Street, Seattle, King County, Washington 98122, and make due return of this Writ within twenty (20) days from this date according to law. Provided that if return is not possible within 20 days,

WRIT OF RESTITUTION - I

HARRISON-BENIS, LLP

Attorneys at Law
2101 Fourth Avenue, Suite 1900
Seartle, WA 98121-2315
Fax 206.448.1843 Phone 206.448.0402



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the return on this writ shall be automatically extended for an additional 20 day period. The Sheriff is authorized to break and enter the premises, if necessary.

WITNESS, the Honorable <u>SUTANNE PARISIEN</u>, Judge/Court Commissioner of the said Superior Court, and the seal of said Court affixed this <u>FFB 2 7 2017</u>.

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IMPORTANT NOTICE - PARTIAL PAYMENT

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YOUR LANDLORD'S ACCEPTANCE OF A PARTIAL PAYMENT FROM YOU AFTER SERVICE OF THIS WRIT OF RESTITUTION WILL NOT AUTOMATICALLY POSTPONE OR STOP YOUR EVICTION. IF YOU HAVE A WRITTEN AGREEMENT WITH YOUR LANDLORD THAT THE EVICTION WILL BE POSPONED OR STOPPED IT IS YOUR RESPONSIBILITY TO PROVIDE A COPY OF THE AGREEMENT TO THE SHERIFF. THE SHERIFF WILL NOT CEASE ACTION UNLESS YOU PROVIDE A COPY OF THE AGREEMENT. AT THE DIRECTION OF THE COURT, THE SHERIFF MAY TAKE FURTHER ACTION.

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KING COUNTY

SUPERIOR COURT CLERK
Starbara Miner Elerk of the Superior Edici
For King County WA

BY: By M. CAMPBELL Deput

Deputy Clerk

Attorney: Christopher T. Benis (206) 448-0402

WRIT OF RESTITUTION - 2

HARRISON-BENIS, LLP

Attorneys at Law
2101 Fourth Avenue, Suite 1900
Seattle, WA 98121-2315
Fax 206.448.1843 Phone 206.448.0402

RICHARD D. JOHNSON, Administrator/Clerk

The Court of Appeals of the State of Washington Seattle 98101-4170

DIVISION 1 One Union Square 600 University Street (206) 464-7750 TDD: (206) 587-5505

March 22, 2017

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

Dear Mr. Tahir-Garrett:

Please find enclosed your Notice of Appeal received on March 2, 2017 inquiring with regard to an appeal in trial court number 16-2-10995-1 SEA.

There is currently no case pending before this court under the trial court number 16-2-10995-1 SEA. RAP 5.1 and 5.2 state a notice of appeal must be filed with the trial court within 30 days after the entry of the decision. The trial court docket does not reflect a notice of appeal filed in their court.

Sincerely,

Richard D. Johnson

Court Administrator/Clerk

COURT OF AFPEALS DIVISION ONE

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2017 MAR 22 PM 4: 09

MAR 22 2017

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SUPERIOR COUNTY SEATTLE. WA



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF KING

MIDTOWN LIMITED PARTNERSHIP,

VS.

OMARI TAHIR-GARRETT, et al.

Plaintiff,

No. 16-2-10995-1 SEA

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Defendants.

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A copy of the decision is attached to this notice.

Dated this 1st day of March 2017

Omari Tahir-Garrett Defendant PO Box 22328

Seattle, WA 98122 206-639-0162

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Plaintiff, WSBA # 6957

701 5th Avenue, Suite 2560, Seattle, WA 98104

Seattle, WA 98104 206-223-0303

NOTICE OF APPEAL - 1 of 1

EVICTION DATE

ANY TIME AFTER 11:59 PM

MAR 3,2017

IF YOU HAVE ANY QUESTIONS AS TO PROCEDURES FOLLOWED BY THE SHERIFF IN EXECUTING THIS COURT ORDER, CALL BEFORE 7:30AM

BY DET. DAVID EASTERLY, 206-423-8891 KING COUNTY SHERIFF'S OFFICE

. IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF KING

MIDTOWN LIMITED PARTNERSHIP, a)
Washington limited partnership,

Case No.: 16-2-10995-1 SEA

WRIT OF RESTITUTION

Plaintiff,

VS.

OMARI TAHIR-GARRETT, a/k/a
OMARI TAHIR, a/k/a JAMES C.
GARRETT; and ALL OTHER
OCCUPANTS,

Defendants.

STATE OF WASHINGTON to the Sheriff of King County:

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WRIT OF RESTITUTION - I

HARRISON-BENIS, LLP

Attorneys at Law
2101 Fourth Avenue, Suite 1900
Seartle, WA 98121-2315
Fax 206.448.1843 Phone 206.448.0402



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WITNESS, the Honorable <u>SUTANNE PARISIEN</u>, Judge/Court Commissioner of the said Superior Court, and the seal of said Court affixed this <u>FFB 2 7 2017</u>.

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IMPORTANT NOTICE - PARTIAL PAYMENT

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KING COUNTY

SUPERIOR COURT CLERK
Starbara Miner Elerk of the Superior Edici
For King County WA

BY: By M. CAMPBELL Deput

Deputy Clerk

Attorney: Christopher T. Benis (206) 448-0402

WRIT OF RESTITUTION - 2

HARRISON-BENIS, LLP

Attorneys at Law
2101 Fourth Avenue, Suite 1900
Seattle, WA 98121-2315
Fax 206.448.1843 Phone 206.448.0402

RICHARD D. JOHNSON, Administrator/Clerk The Court of Appeals
of the
State of Washington
Seattle
98101-4170

DIVISION 1 One Union Square 600 University Street (206) 464-7750 TDD: (206) 587-5505

March 22, 2017

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

Dear Mr. Tahir-Garrett:

Please find enclosed your Notice of Appeal received on March 2, 2017 inquiring with regard to an appeal in trial court number 16-2-10995-1 SEA.

There is currently no case pending before this court under the trial court number 16-2-10995-1 SEA. RAP 5.1 and 5.2 state a notice of appeal must be filed with the trial court within 30 days after the entry of the decision. The trial court docket does not reflect a notice of appeal filed in their court.

Sincerely,

Richard D. Johnson

Court Administrator/Clerk

In King Sounty Superior Court Olertin Conne

MAR 2 3 2017

COURT OF APPEALS DIVISION ONE

MAR 22 2017

Cashier Section Superior Court Clerk

STIPEDIOD COURT OF WA	117	
SUPERIOR COURT OF WASHINGTON FOR $_$	KING	COTINTY

MIDTOWN LIMITED PARTNERSHIP

PLAINTIFF

MOTION FOR FINDINGS OF INDIGENCY

OMARI TAHIR - GARRETT

Defendant

Defendant

1) Identity of moving party

OMARI TAHIR

(Name)

asks for relief designated in Part 2.

2) Statement of Relief Sought.

Waiver of Filing Fee.

A Preparation of verbatim report of proceedings.

X Costs for reproducing Clerk's Papers.

Appointment of Counsel.

An order to the clerk of the superior court to transmit to the Supreme Court the papers designated in the findings of indigency.

- Facts relevant to motion.
 - a) This is <u>not</u> a criminal case, a case involving a termination of parental rights, or a case involving a disposition in a juvenile offense proceeding.
 - b) Indigency (Attach separate affidavit setting forth facts demonstrating indigency).
 - c) Brief statement of the nature of the case.

Motion for Findings of Indigency Page Two

Description of the issues sought to be reviewed. (e.g., sufficiency of evidence, erroneous instructions).

I Denial of due process by refusing constitutional RIGHT TO "SHOW CASE HEARING

To False arrest of Defendant Tahir-Garrett on 2/21/2017 on false contempt of Court

3. Failure of Court to inform Dendant of Correct 3PM FEB 23rd trial Time 4. Failure of Court / succine to coturn detendant's Legal Rapers for trial

e) Constitutional right to review at public expense. (Explain why the moving party may have such a right). Azl acts committed under "color of law" by court and SHERIFE CFFICER WERE/GIC BLATANTLY UNCONSTITUTIONAL, DEFENDANT 15 70 year old Victorian Veteran with SSI established PTSD Disability social Security Administration Has establish requiring Defendant to have FORCED PRICED for Past 10 years

Statement that the appeal is brought in good faith. Defendant Omari Tatir is former school teacher with extensive record of Litigation in U.S. FEDERAL COURT CASES

g) A brief statement stating why the review you seek has probable merit. Defendant Tahir - Garrett is Very familiar with and Litigation in MILITARY, FEDERAL, WASHINGTON STATE and Bity of Seattle MUNICIPAL LAW / LITIGATION

The decision sought to be reviewed was entered on the _____ days of FEB 21, 23(24, mes)

Affidavit of Indigency Page Three

Name and Address	Relationship	Age
NONE		J
· · · · · · · · · · · · · · · · · · ·		
· 		
12. I owe the following bill:	s:	
Name of Creditor	Address	Amount Owed
STATE SUPERIO	0 (1/2-	4-7-
MANAGE STREET TO THE STREET TH	X COOK!	P23,000
,	, ————————————————————————————————————	
f YAY-1 ')	· •
e of Washington) ss	
nty of)	
my or)	
	j	
٠.		
I declare under penalty of perj	ury of the laws of the	State of Washington tha
this affidavit, know its contents,	and I believe the affid	avit is true.
Dated this 22^n day of N		•

SUPERIO	OR COURT OF WASHINGTON FOR _	KING	COUNTY	
MIDTOWN	LIMITED PARTNERSHIR) Plaintiff	No. 16-2-109	95-1 SEA	
	V5.)	AFFIDAVIT OF IN	DIGENCY	
DMAA! T	AHIR-GARAETT; et al)	•		
· .				
I, OMARI TAI	nie aka JAMES (. LIMKETT, cannot	afford to pay all of the	ne expenses of	
review in th	e entitled action.		-	
1.	I can contribute the following amounts towards the expense of review: ≰ 10.00			
			·•	
2.	I request that the following expenses be waived or be provided at public expense:			
	Waiver of Filing Fee. Preparation of verbatim report Costs for reproduction of Clerk Costs for reproduction of briefs Appointment of Counsel.	c's Papers.		
3.	I believe the following parts of the re	cord are necessary for	review:	
·	verbatim report of proceedings Clerk's Papers. transmittal of exhibits.	5.		
4		believe to the best of my knowledge that the statements contained a paragraph 3 of the "MOTION FOR ORDER OF INDIGENCY" facts relevant to motion) are correct.		
. 5.	The request for appellate court review	v in this case is broug	;ht	

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Affidavit of Indigency Page Two

	(Name and address)
7.	I do V do not have any checking or savings accounts. The amount in all accounts is \$ 1.50
В.	In the past 12 months, I did did not receive any interest, dividends, rental payments, or other money. The total amount of such money I received was \$ 1.50
9.	List all real estate, stocks, bonds, notes, and other property you own or in which you have interest. Do not list household furniture, furnishings, and clothing which you or your family own.
	ltem Value Amount Owed (e.g. automobiles, make, model, and year, valued \$3,000.00, still owe \$500.00)
	1986 FORD 150 TRUCK VALUED AROUND \$60.00
10.	I am am not married. My spouse is is not employed. His or her salary or wages amount to \$ per month. He or she owns the following property not already described above.

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.

Superior Court Judge

Suzanne Parisien

Date 22nd MAR 2017

Presented by:

FILED KING COUNTY WASHINGTON

MAR 23 2017

SUPERIOR COURT OF WASHINGTON FOR KINGTON FOR BY Theresa Grahadounty DEPUTY

MIDTOWN L	LMITED PARTNERSHIP
;	PLAINTIFE NO. 16-2-10995-1 SEA
OHART TA	HIR - GABRETT) FINDINGS OF INDIGENCY
)
	Descendant/scrim) AND ORDER TO TRANSMIT FINDINGS
	OF INDIGENCY - RAP 15:2 (c)
•	
The (Court finds that OMAN Tahur Garett the Appellant (moving party) (designation such as appellant)
	(moving party) (designation such as appellant)
in this action	n, lacks sufficient funds to seek review in this action. The Court
finds, howev	ver, that the moving party is able to contribute \$ The following
portions of t	the record are record. It
Pormorm Of t	the record are reasonably necessary for review:
_	
1.	NEED ALL CLERIS 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 verhatim report of proceed)
	necessary for review). FROM COUR
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 AKORNEY WIXITA COLLIER - SPP
	Other items Arthury Wixix OLIVER - SPP (If the moving party has requested appointed counsel, and the Court
	back ty be necessary to a fair presentation of the
	on appeal, designate appointment of covinsel 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.

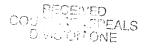
Superior Court Judge

Suzanne Parisien

Date 22nd MAR 2017

Presented by:

Moving Party



MA CHEUIT

Statement of Arrangements

SUPERIOR COURT OF WASHINGTON FOR RING COUNTY

***	AND	The same of the sa
COURT OF APPEALS DIVIS	SION I OF THE STATE OF WASH	INGTON
COURT OF APPEALS DIVIS MIDTOWN LIMITED PARTNERSHIP, Plaintiff	No. 16-2-10995-1 S Statement of Arrange	REARES
v.)	APR 2 U 2017
OMARI TAHIR-GARRETT, et al., Defendants.)))	POCALEMORE HEMEL/ROER

QMARI TAHIR GARRETT, appellant pro se, states that on April 19, 2017, appellant ordered transcriptions of the original and one copies, respectively, of the verbatim reports of proceedings in these cases (both of which pertain to the orders being appealed by appellant in the latter case, 16-2-10995-1 SEA), from Seattle Deposition Reporters, 600 University Street, Suite 320, Seattle, WA 98101, and arranged to pay the cost of transcription as follows: BY INVOICE.

Appellant requests these transcriptions to be reviewed by Court of Appeals in relation to appellant's appeal of both the "Order Declaring Unlawful Detainer and Authorizing Issuance of Writ of Restitution", and the "Order On Contempt" in this case.

Hearing dates and times to be transcribed are as follows:

Case #: 15-2-15338-2 SEA Case Name: JBD v. Zhang

Date: 2/212017 Courtroom: W355

Times: 11:33:55 to 11:55:30 Judge: Suzanne Parisien

Case #: 16-2-10995-1 SEA

Case Name: Midtown v. Omari Tahir-Garrett

Date: 2/23/2017 Courtroom: W355

Times: 2:46:21 to 4:44:40

Omari Tahir-Garrett

Defendent PO Box 22328 Seattle, WA 98122 (206) 717-1685

This Notice has been mailed to: Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957 701 5th Avenue, Suite 2560, Seattle, WA 98104 206-223-0303.

APR 20 2017

RECEIVED SUPERING COOKE OF WASHINGTON FOR KING COUNTY

APR 2 0 2017 Cashier Section Superior Court Clark

InKing C.

2017 APR 20 AH 11: 36

MIDTOWN LIMITED PARTNERSHIP, ' KING COUNTY 10995-1 SEA SUPERIOR COURT Respondent, RECEIVED v. APR 20 2017 Designation of Clerk's Papers and Exhibits

LAW OFFICE OF
SIRIANNI YOUTZ
SPOCNEMORE HAMBURGER OMARI TAHIR GARRETT, Appellant. TO THE CLERK OF THE COURT

Please prepare and transmit to the Court of Appeals, Division I, the following clerk's papers.

SUB#	Document	Janowing Clerk's
68 NOT	ICE OF APPEAL TO THE DIMENSI	Date

	Date
68 NOTICE OF APPEAL TO THE DAYS	Date
68 NOTICE OF APPEAL TO THE DIVISION 1 COURT OF A 69 Notice of Appeal to COURT OF APPEALS 57.4 ORDER ON COURT OF APPEALS	PPEALS 03/22/2017
> / A ORDER ON CONTEMPT	03/22/2017
5 9 A ORDER ON CIVIL MOTION Re: FOR CONTEMPT JUDGEMENT AND ORDER	
	02/21/2017
	02/23/2017
AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUT	ETAINER 02/24/2017
63 WRIT OF RESTITUTION (attached to NOTICE OF ORDER OF IMMEDIATE RELEASE	40054.
3 SUMMONS ON SOLUTION (ATTACHED TO NOTICE OF	APPEAL) 02/27/2017
THE CONTROL OF THE CO	02/28/2017
1 COMPLAINT FOR UNLAWFUL DETAINER MOTION AND DECLARATIONS	SR 05/09/16
	05/09/16
79 TO STAY ENFORCEMENT OF JUDGEMENT AND WRIT OF RESTITUTION, with exhibits	T AND 04/17/2017
7 RESTITUTION, with exhibits:	OF
74 "EXHIBIT B: Request to retrieve property from 2314 E Spring "EXHIBIT C: proposed ORDER TO SHOW CALLED	SSER "
79: "EXHIBIT C: proposed ORDER TO SHOW CAUSE AND TO ENFORCEMENT OF JUDGEMENT AND WRIT OF PROPOSED	g Street ""
ENFORCEMENT OF JUDGEMENT AND WRIT OF PROPERTY	OSTAY (""
EXHIBIT D. CONV OFILE DE WALL OF RESTITU	UTION
DAMAGES AND INITIALIZATION CONTRACTOR COMPLAIN	T FOR (69)
7 4 EXHIBIT F: copy of U.S. Division	· .
REMOVAL ACTION REMOVAL ACTION	OF (67)
NOTICE OF REMOVAL TO THE IDEA	
12 COURT COURT COURT	T 05/20/2016
1.3 NOTICE OF REMOVAL ACTION	
AMIENDED COMPLAINT FOR INT	05/20/2016
24 COUNTER SUIT FOR DAMAGES AND RESPONSE TO DETAINER	11/15/2016
Action of Militable to symme = """ Title 10 III. I d	AINER 11/16/2016
26 A NOTICE OF REMOVAL	11.10,2010
ONDER RESCHEDING MICHORA	11/29/2016
4 3 DOCUMENTS SUBMITTED BY THE DEFENDANT IN PERSON	12/30/2016
- 1 01/10/1/3a motion with autor	ON ON 01/10/17
"" MOTION TO PECUSE HIP attached)	01/10/1/
"" MOTION TO RECUSE JUDGE HOLLIS HILL FOR BIAS, TO SANCTION ATTORNEYS FOR PLAINTIFFS AND FOR	01/10/17
SANCTION ATTORNEYS FOR PLAINTIFFS AND FOR CONTINUANCE OF 30 DAYS	01/10/17
49 "E-MAIL S EVENDER", With exhibits:	1
	6572
+3 "" EXHIBIT B: copy of U.S. District Court CIVIL COMPLAINT F	FOR W
ZO COMPLAINT F	OK ""

43	DAMAGES AND BUILDIGGSWID TO	
	DAMAGES AND INJUNCTIVE RELIEF	
43	"" EXHIBIT C: NATIONAL SECURITY COUNCIL MEMORANDUM-46	6677
45	ORDER OF REASSIGNMENT	01/12/2017
46	NOTICE FOR HEARING SEATTLE COURTHOUSE ONLY	01/13/2017
	APPEAL OF JUDGE HOLLIS HILL ORDER ELIMINATING	01/13/2017 01/13/2
	DEFENDANTS RIGHT TO SHOW CAUSE HEARING AND	01/23/2017
	KENEWAL OF MOTION FOR SANCTIONS AGAINST	
CA	ATTORNEYS STEPHEN SIRIANNI AND CHRIS BENIS	
50	ATTORNEY(S) FOR PLAINTIF	1
50A	ORDER OF RECUSAL	0.1/0.4/0.0
51	ORDER OF REASSIGNMENT	01/24/2017
54	COURT'S ORDER CONTINUING TRIAL DATE	01/25/2017
55 :	COURT'S ORDER CONTINUING TRIAL DATE	02/01/17
57	ORDER AMENDING TRIAL START TIME	02/14/2017
59	CLERK'S MINUTES MINUTE ENTRY	02/16/2017
67	SHERIFF KING COUNTY RETURN OF SERVICE	02/23/2017
	North Aug of the of the	03/17/2017
	NUTLLE AND DEMURER TO COMPLAINT AND SHOW CAYSE HEART	WG 11/29/2016
-		
		+
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04/20/2017 live - Lanett

Omari Tahir-Garrett

Defendent

PO Box 22328

Seattle, WA 98122

(206) 717-1685

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957

701 5th Avenue, Suite 2560, Seattle, WA 98104

206-223-0303.

RETURN AFTER TEN DAYS TO THE COURT OF APPEALS DIVISION I ONE UNIONSQUARE 600 UNIVERSITY STREET SEATTLE, WASHINGTON 98101-4170 WA 980 21 APR '17 PM 3 L

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

98122-032828

RETURN AFTER TEN DAYS TO THE COURT OF APPEALS DIVISION I ONE UNIONSQUARE 600 UNIVERSITY STREET SEATTLE, WASHINGTON 98101-4170 SEATTLE WA 980 21 APR '17 PM 3 L

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122 RICHARD D. JOHNSON, Court Administrator/Clerk The Court of Appeals
of the
State of Washington

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

April 20, 2017

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Commissioner Mary Neel of the Court was entered on April 20, 2017, regarding court's motion to dismiss for failure to pay filing fee:

On March 23, 2017, the trial court entered findings of indigency. The filing fee is

Sincerely,

waived.

Richard D. Johnson Court Administrator/Clerk

CMR

RETURN AFTER TEN DAYS TO THE COURT OF APPEALS DIVISION I ONE UNIONSQUARE 600 UNIVERSITY STREET SEATTLE, WASHINGTON 98101-4170 WA 980 21 APR '17 PM 3 L

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

98122-032828

RETURN AFTER TEN DAYS TO THE COURT OF APPEALS DIVISION I ONE UNIONSQUARE 600 UNIVERSITY STREET SEATTLE, WASHINGTON 98101-4170 SEATTLE WA 980 21 APR '17 PM 3 L

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122 RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

April 21, 2017

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

CASE #76605-8-I Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants KING COUNTY SUPERIOR COURT No. 16-2-10995-1 SEA

This may be the only notice you will receive concerning due dates. A document filed prior to or after its due date may affect all subsequent due dates. The parties are responsible for determining adjusted due dates by reviewing the appropriate rules of appellate procedure. Failure to comply with the provision of the rules may result in the imposition of sanctions pursuant to RAP 18.9.

Dear Counsel/Others:

A notice of appeal, filed in the KING COUNTY SUPERIOR COURT on March 22, 2017 was received in this court on March 24, 2017 and was assigned case number 76605-8-1. Use this appellate court case number on all correspondence and filings.

The time periods for compliance with the Rules of Appellate Procedure are as follows:

- 1. The **designation of clerk's papers** was filed on April 20, 2017 and served with the trial court. RAP 9.6(a).
- 2. The party seeking review arranged for transcription of the report of proceedings and filed a **statement of arrangements** in this court on April 20, 2017. To comply with RAP 9.2(a), the statement should include the name of each court reporter, the hearing dates, and the trial court judge. Serve each court reporter and all counsel of record with a copy of the statement of arrangements, and provide this court with proof of service.

If the party seeking review arranges for less than all of the report of proceedings, all parties must comply with RAP 9.2(c).

If a verbatim report of proceedings will not be filed, you must notify this court, in writing, by April 21, 2017. RAP 9.2(a).

- 3. The **verbatim report of proceedings** must be filed in the appellate court no later than 60 days after service of the statement of arrangements. The court reporter's notice of filing and proof of service must be filed in this court the same day. RAP 9.5(a).
- 4. **Appellant's brief** is due in this court 45 days after the report of proceedings is filed. RAP 10.2(a).

Appellant should serve one copy of the brief on every other party and on any amicus curiae and should file proof of service with this court. RAP 10.2(h).

If the record on review does not include a report of proceedings, the appellant's brief is due 45 days after the designation of clerk's papers has been filed. RAP 10.2(a).

5. Respondent's brief is due in this court 30 days after service of the appellant's brief RAP 10.2(c).

Respondent should serve one copy of the brief on every other party and on any amicus curiae and should file proof of service with this court. RAP 10.2(h).

6. A reply brief, if any, is due 30 days after service of respondent's brief. RAP 10.2(d).

Sincerely,

Richard D. Johnson Court Administrator/Clerk

CMR



Department of Judicial AdministrationBarbara Miner
Director and Superior Court Clerk
(206) 296-9300 (206) 296-0100 TTY/TDD

F1LED 17APR 25 MII: 30

SUPERIOR COUNTY SEATTLE, WA

April 25th, 2017

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

RE:

Rejection of Designation of Clerk's Papers

King County Superior Court Case 16-2-10995-1 SEA

MIDTOWN LIMITED PARTNERSHIP VS OMARI TAHIR-GARRETT

Dear Ms. Tahir-Garrett:

We are unable to prepare the Clerk's Papers you requested and are rejecting your Designation of Clerk's Papers for the following reason(s):

Per RAP 9.6 (b) (2), the sub number, description, and file date of each requested document must be listed correctly.

Please remedy this defective condition by submitting a corrected Designation of Clerk's Papers.

Sincerely

Deputy Clerk, Clerk's Papers Section

(206) 477-6760

FILED

2017 MAY -5 PM 2: 14

XING CUBATY SUPERIOR COURT CLERK SEATTLE, WA.

HON. SUZANNE R. PARISIEN Noted for Consideration: April 17, 2017 Without Oral Argument

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,

Plaintiff,

v.

OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and ALL OTHER OCCUPANTS,

Defendants.

NO. 16-2-10995-1 SEA

TREFORM SRP

ORDER GRANTING MIDTOWN LIMITED PARTNERSHIP'S MOTION FOR CONTEMPT

MidTown Limited Partnership, LLC ("MidTown") moved for contempt of this Court's Judgment and Order dated February 24, 2017 ("Judgment and Order"). That Judgment and Order permanently bars and enjoins defendant Omari Tahir-Garrett from possession of or entry upon the MidTown Center, consisting of the one square block situated between East Spring Street and East Union Street, and 23rd Avenue and 24th Avenue in Seattle, Washington (the "Property").

This Court considered MidTown's Motion, the Declaration of Margaret Delaney, and the pleadings and record herein, and FINDS AND CONCLUDES that:

- 1. Mr. Tahir-Garrett violated the Judgment and Order by regularly entering onto and remaining at the Property since March 15, 2017, and by regularly occupying a space at 1158/1160 23rd Avenue that is located on the Property;
 - 2. His violation of the Judgment and Order was knowing and intentional;

ORDER GRANTING MIDTOWN LIMITED PARTNERSHIP'S MOTION FOR CONTEMPT - 1 SIRIANNI YOUTZ
SPOONEMORE HAMBURGER
701 FIFTH AVENUE, SUITE 2560
SEATTLE, WASHINGTON 98104
TEL. (206) 223-0303 FAX (206) 223-0246

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3. He is in contempt of the Judgment and Order;

- 4. He will continue to violate the Judgment and Order without further coercive intervention;
- 5. His presence and activities both on and off the Property have interfered with MidTown's legitimate business operations;
- 6. He has followed, photographed and/or video recorded, shouted abusively at, and intimidated MidTown's property manager and limited partner, Margaret Delaney and limited partners Carol Zarek and Elizabeth Bangasser Hall, and at workers hired by MidTown, in an effort to interfere with MidTown's business operations.

For good cause shown, this Court ORDERS that:

- 1. MidTown's Motion for Contempt is GRANTED;
- 2. Mr. Tahir-Garrett is permanently restrained from: (a) being on the Property; or (b) being within 200 feet of the Property and/or the persons defined in paragraph 3, below;
- 3. Mr. Tahir-Garrett, either individually or by assisting or encouraging others to do the same, is permanently restrained from contacting, following, surveilling, harassing, stalking, video recording, and photographing MidTown's principals, including Margaret Delaney, Carol Zarek, Elizabeth Bangasser Hall, Hugh Bangasser, and workers, contractors, inspectors, employees, vendors, anyone engaged to perform services on the Property, and potential purchasers of the Property and their agents;
- 4. Law enforcement officers are directed to remove Mr. Tahir-Garrett from the Property and to jail him as necessary to prevent him from: (a) violating the Judgment and Order that enjoined him from entry upon or possession of any portion of the one-square block of Property owned by MidTown and located between 23rd and 24th Avenues and East Spring and East Union Streets in Seattle; and (b) violating this Order;

26

Suzanne R. Parisien

Attachment

Superior Court of Washington For King County

MIDTOWN LIMITED PARTNERSHIP, and MARGARET DELANEY, Petitioners.

VS.

OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and ALL OTHER OCCUPANTS, Respondents. No. 16-2-10995-1 SEA

Order for Protection - Harassment
(ORAH/ORWPNP)

Court Address: 516 Third Avenue Seattle, WA 98104 Tel. No. (206) 296-9100

(Clerk's action required)

Warning to the Respondent: Violation of the provisions of this order with actual notice of its terms is a criminal offense under chapter 10.14 RCW <u>and will subject a violator to arrest</u>. Willful disobedience of the terms of this order may also be contempt of court and subject you to penalties under chapter 7.21 RCW.

- Full Faith and Credit: The court has jurisdiction over the parties, the minors and the subject matter. This order is issued in accordance with the Full Faith and Credit provisions of VAWA.18 U.S.C. § 2265.
- 2. Notice of this hearing was served on the respondent by ⋈ personal service □ service by publication pursuant to court order □ other_____

3. Minors addressed in this order:

. Name (First, Middle Initial, Last)	Age	Race	Sex
			-

Or for Protection (Harassment) (ORAH, ORWPNP) – Page 1 of 3 UH-04.0500 (12/2014) - RCW 10.14.080 (4), RCW 9.41.800

Based upon the petition, testimony, and case record, the court finds that the respondent committed unlawful harassment, as defined in RCW 10.14.080, and was not acting pursuant to any statutory authority, and it is therefore ordered that: No-Contact: Respondent is restrained from making any attempts to contact Petitioner and any minors named in the table above. Surveillance: Respondent is restrained from making any attempts to keep under surveillance Petitioner and any minors named in the table above. Stay Away: Respondent is restrained from entering or being within 200 feet (distance) of Petitioner's □ residence ⋈ place of employment □ other: ☐ The address is confidential. ☑ Petitioner waives confidentiality of the address which is: MidTown Center, consisting of the one square block situated between East Spring Street and East Union Street, and 23rd Avenue and 24th Avenue in Seattle, Washington. ☐ Other Pay Fees and Costs: judgment is granted against Respondent in favor of in the amount of \$ for costs incurred in bringing the for attorneys' fees. action and \$ Notice: Petitioner, you must fill out and file a completed form WPF UH 04.0700. Judgment Summary. The court has granted judgment against the respondent in the amount of \$ administrative court costs and service fees. A Judgment Summary, form WPF UH 04.0700. must be completed and filed. ☐ Prohibit Weapons and Order Surrender The respondent must: not obtain or possess any firearms, other dangerous weapons, or concealed pistol license: and turn in any firearms, other dangerous weapons, and concealed pistol license as stated in the Order to Surrender Weapons filed separately. **Findings** – The court *(check all that apply):* must issue the above orders and an *Order to Surrender Weapons* because the court finds by clear and convincing evidence that the respondent has: used, displayed, or threatened to use a firearm or other dangerous weapon in a felony: or

previously committed an offense making him or her ineligible to possess a firearm

may issue the above orders and an *Order to Surrender Weapons* because the court

finds by a preponderance of evidence, the respondent:

under RCW 9.41.040.

□ presents a serious and imminent three safety of any individual by possessing	eat to public health or safety, or the health or ng a firearm or other dangerous weapon; or
□ has used, displayed or threatened to a felony; or	o use a firearm or other dangerous weapon in
□ previously committed an offense ma under RCW 9.41.040.	king him or her ineligible to possess a firearm
Washington Crime Informatio	n Center (WACIC) Data Entry
It is further ordered that the clerk of court shall next judicial day to Seattle, East Precinct □ Couwhere Petitioner lives and shall enter it into W	I forward a copy of this order on or before the
Serv	ice
☑ The clerk of court [and] ☑ Petitioner shall for judicial day to:	ward a copy of this order on or before the next
	County Sheriff's Office,
and return to this court proof of service.	where Respondent lives, which shall by of this order and shall promptly complete
Or ☐ Petitioner has made private arrangements	s for service of this order
Or ☐ Respondent appeared; further service is r	not required
Or ☐ Respondent did not appear. The restrain	provisions in this order are the same as
Inose in the temporary order. The court i	s satisfied that the respondent was
personally served with the temporary ord	
This Antiharassment protection order expires	on December 31, 2030
If the duration of this order exceeds one year, the	
unlawful harassment of the petitioner when the or	der expires
Other:	
Outlot:	and the same of th
	CA
Dated5 5 17 at a.m/p.m.)	
	Judge/Court Commissioner
acknowledge receipt of a copy of this Order:	Suzanne Parisien
	•
-	•
Signature of Respondent/Lawyer WSBA No.	Print Name Date
·	Date
· •	
Signature of Petitioner/Lawyer WSBA No.	Print Name Date
,	Date
Petitioner or Petitioner's Lawyer must co	omplete a Law Enforcement
Information Sheet	nipiere a Law Enforcement
	LLIS).

The Park State Day

2017 MAY 25 PM 2: 03

KING COUNTY SUPERIOR COURT CLERK SEATTLE, WA

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF KING

midtown Limited
Partnersnip and
Margaret Delanely
Plaintiff/Petitioner,

Omari Tahir-Garrell NO. 16.2.10995-1 aha, and all other occupants

Defendant/Respondent.

[] SEA

Notes from Seathle tolice Dept. is attached.

REMEMBER TO LOG THIS SERVICE OR ATTEMPT AT THE CLERKS DESK. ON OS/07/2017 ATTEMPTED SERVICE. THE RESTDEWCK IS COMPLETELY BOMEDIED LAP OMARITANTAL GARRETT IS NOT LATTHES COCKTION OFL. BABCOCK \$384 101

SIRIANNI YOUTZ SPOONEMORE HAMBURGER

701 5TH AVENUE, SUITE 2560 SEATTLE, WASHINGTON 98104 TELEPHONE: (206) 223-0303 FACSIMILE: (206) 223-0246

FACSIMILE

To:

Clerk of Seattle East Precinct

From:

Steve Sirianni

Tel.:

Fax: 206-684-4386

Date:

May 5, 2017

Pages:

9 (including this page)

Re:

Omari Tahir-Garrett

Client #:

t#: 2499-001

Document(s):

Order on Contempt with Anti-Harassment Provision

Message:

Seattle East Precinct Police Department:

Attached is an order of contempt containing anti-harassment provisions at page 2, paragraphs 2-4, together with a standard form anti-harassment order. This was dated and filed today.

If you can locate Mr. Tahir-Garrett, kindly serve him with a copy of the attached order.

Please note, the court has specifically authorized the arrest and jailing of Mr. Tahir-Garrett should he violate the judgment and order entered February 24, 2017 and/or the attached order.

If you have any questions or concerns, please contact Mr. Steven Sirianni – 206-223-0303, <u>Steve@sylaw.com</u>.

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL AS SOON AS POSSIBLE. THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION IS PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS COVER PAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION OR THE INFORMATION CONTAINED IN THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THIS FACSIMILE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE.

RECEIVED

in King County Superior Ca

JUN 0 2 2017

RECEIVED

COURT OF APPEALS

DIVISION ONE

JUN - 2 2017

JUN - 2 2017

LAW OFFICE OF STRIANNI YOUTZ SPOCNEMORE HAMBURGER HARRISON-BENIS, LLF

ATTORNEYS AT LAW JUH - 2 FH 1: 34

Cashier Section Superior Court Clerk

IMPLEMENTATION OF INSTRUCTIONS ISSUED BY THE COURT OF APPEALS OF THE STATE OF WASHINGTON ON APRIL 21, 2017 IN CASE # 76605-8-1, Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants from KING COUNTY SUPERIOR COURT NO. 16-2-10995-1, SEA

To: Richard D. Johnson.

Court Administrator/Clerk, The Court of Appeals of the State of Washington DIVISION I

One Union Square

600 University Street, Seattle, WA 98211

CC: Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957

701 5th Avenue, Suite 2560, Seattle, WA 98104

CC: Christopher Thomas Benis

Harrison Benis & Spence LLP

2101 4th Ave Ste 1900, Seattle, WA 98121

CC: Seattle Deposition Reporters

Dear Honorable Richard D. Johnson,

Thank you for your two letters to me postmarked on April 21, 2017, in which you acknowledge the filing of this appeal, the trial court's entry of findings of my indigency, my timely filing of designation of clerk's papers, and my timely filing of statement of arrangements regarding the transcription of the two court proceedings presided over by Judge Suzanne Parisien in King County Superior Courtroom W355 (On 2/21/2017 and 2/23/2017 respectively) that I have asked the Court of Appeals to review.

Thank you also, in these two letters, for informing me of the Court of Appeals case number for my appeal (76605-8-1), and for informing me therein of the April 20, 2017 ruling by Commissioner Mary Neel of the Court (waiving my filing fee and recognizing the trial court's March 23, 2017 findings of my indigency) regarding what your letter of April 20th describes as "court's motion to dismiss for failure to pay filing fee". a motion that I had not been notified of the existence of until receiving these two letters from you, and I am still un-notified as to what court filed such a "motion to dismiss", or how such a motion could have been pending before the Commissioner without my having been informed of it prior to the date that it was ruled on. I therefore am, needless to say, glad to hear that said motion was not granted.

I was most overjoyed and relieved to receive your two letters, as they are the first official reply of any kind that I have received from this Court of Appeals since filing my appeal on March 22, 2017.

As you have instructed me on the first page of your letter dated April 21, 2017, I have hereto attached a second copy of my abovementioned statement of arrangements regarding the transcription of the he two court proceedings presided over by Judge Suzanne Parisien in King County Superior Courtroom W355 (On 2/21/2017 and 2/23/2017 respectively). In relation to the RAP 9.2(a) that you mention, with which I fully wish to comply and which I believe myself to be in full compliance with, please notice that my statement of arrangements still does and always has specified the fact that the transcription is being prepared by Seattle Deposition Reporters, located in the same building as yourself, at One Union Square, 600 University Street, Suite 320, Seattle, WA 98101, a fact which this court-requested second copy emphasizes in bold type. Please also notice that I am including in this court-requested second copy the contact number of Seattle Deposition Reporters' Production Manager Ryan Dangle (206 622-6661), who can, of course, answer any further questions the court has about these arrangements in a highly professional manner. Please also note that, as of mid May, I have been informed by Scattle Deposition Reporters that the name of the specific reporter assigned to these transcriptions by that company is Grace Hitchman.

Please also notice that my statement of arrangements still does and always has specified the fact that the issues I intend to present on review are those pertaining to the orders by Judge Suzanne Parisien being appealed by myself, the Appellant Omari Tahir-Garrett, in the latter case 16-2-10995-1-SEA, and further that my statement of arrangements still does and always has included the hearing dates and times in question as well as the name of the presiding trial court judge. Suzanne Parisien. Signature

Omari Tahir-Garrett, Private Attorney General

Appellant

PO Box 22328

Seattle, WA 98122, (206) 717-1685

DATED AND SIGNED 2nd JUNE 2017

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Respondents, WSBA #6957

701 5th Avenue, Suite 2560, Seattle, WA 98104,

206-223-0303

KING COUNTY, WASHINGTON

JUN - 2 2017

JUDICIAL ADMINISTRATION

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF KING

Midtown Limited Partnersh

Plaintiff/Petitioner,

VS.

Tahir-Garrett

Defendant/Respondent.

NO. 14.2-10995.1

[] SEA [] KNT

Letter and COA documents is attached.

SEATTLE, WAY

IMPLEMENTATION OF INSTRUCTIONS ISSUED BY THE COURT OF APPEALS OF THE STATE OF WASHINGTON ON APRIL 21, 2017 IN CASE # 76605-8-I, Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants from KING GOUNTY SUPERIOR COURT No. 16-2-10995-1 SEA

To: Richard D. Johnson,

Court Administrator/Clerk, The Court of Appeals of the State of Washington DIVISION I

One Union Square

600 University Street, Seattle, WA 98211

CC: Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957

701 5th Avenue, Suite 2560, Seattle, WA 98104

CC: Christopher Thomas Benis

Harrison Benis & Spence LLP

2101 4th Ave Ste 1900, Seattle, WA 98121

CC: Seattle Deposition Reporters

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aneth DATED AND SIGNED 2nd JUNE 2017

Omari Tahir-Garrett, Private Attorney General

Appellant ·

PO Box 22328

Seattle, WA 98122, (206) 717-1685

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Respondents, WSBA #6957

701 5th Avenue, Suite 2560, Seattle, WA 98104,

206-223-0303.

Statement of Arrangements (second copy as requested by the court)

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY AND COURT OF APPEALS DIVISION I OF THE STATE OF WASHINGTON

Plaintiff) Statement of Arrangements) v.)) OMARI TAHIR-GARRETT, et al.,) Defendants)	MIDTOWN LIMITED PARTNERSHIP,)	No. 16-2-10995-1 SEA
OMARI TAHIR-GARRETT, et al.,	Plaintiff)	Statement of Arrangements
OMARI TAHIR-GARRETT, et al.,)	
	v.)	
)	
Defendants.)	OMARI TAHIR-GARRETT, et al.,)	
	Defendants.)	

OMARI TAHIR GARRETT, appellant pro se, states that on April 19, 2017, appellant ordered transcriptions of the original and one copies, respectively, of the verbatim reports of proceedings in these cases (both of which pertain to the orders being appealed by appellant in the latter case, 16-2-10995-1 SEA), from Seattle Deposition Reporters, 600 University Street, Suite 320, Seattle, WA 98101, Production Manager Ryan Dangle, (206) 622-6661, and arranged to pay the cost of transcription as follows: BY INVOICE. As of mid May, Appellant has been informed by Seattle Deposition Reporters that the name of the specific reporter assigned to these transcriptions by that company is Grace Hitchman.

Appellant requests these transcriptions to be reviewed by Court of Appeals in relation to appellant's appeal of both the "Order Declaring Unlawful Detainer and Authorizing Issuance of Writ of Restitution", and the "Order On Contempt" in this case.

Hearing dates and times to be transcribed are as follows:

Case #: 15-2-15338-2 SEA Case Name: JBD v. Zhang

Date: 2/21/2017 Courtroom: W355

Times: 11:33:55 to 11:55:30 Judge: Suzanne Parisien

Case #: 16-2-10995-1 SEA

Case Name: Midtown v. Omari Tahir-Garrett

Date: 2/23/2017 Courtroom: W355

Times: 2:46:21 to 4:44:40 Judge: Suzanne Parisien

Signature

Omari Tahir-Garrett
Applellant, Private Attorney General
PO Box 22328
Seattle, WA 98122, (206) 717-1685

This Notice has been mailed to: Stephen J. Sirianni, Attorney for Respondents, WSBA #6957 701 5th Avenue, Suite 2560, Scattle, WA 98104, 206-223-0303. DIVISION ONE

BER EH WILL

Statement of Arrangem

Castile, Georg Superior Court

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

COURT OF APPEALS DIVIS	AND ION I QF I	HESTATE WASHINGTON ERIOR COURT
MIDIOWN LIMITED PARTNERSHIP,)	
Plaintiff)	Statement of Arrangements APR 2 J 2017
v. OMARI TAHIR-GARRETT, et al.,)	LARCE SPOCALIMORE HALIBURGER POCALIMORE HALIBURGER
Defendants.)	• Vertinone remounting

OMARI TAHIR GARRETT, appellant pro se, states that on April 19, 2017, appellant ordered transcriptions of the original and one copies, respectively, of the verbatim reports of proceedings in these cases (both of which pertain to the orders being appealed by appellant in the latter case, 16-2-10995-1 SEA), from Seattle Deposition Reporters, 600 University Street, Suite 320, Seattle, WA 98101, and arranged to pay the cost of transcription as follows: BY INVOICE.

Appellant requests these transcriptions to be reviewed by Court of Appeals in relation to appellant's appeal of both the "Order Declaring Unlawful Detainer and Authorizing Issuance of Writ of Restitution", and the "Order On Contempt" in this case.

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Times: 11:33:55 to 11:55:30 Judge: Suzanne Parisien

Case #: 16-2-10995-1 SEA

Case Name: Midtown v. Omari Tahir-Garrett

Date: 2/23/2017 Courtroom: W355

Times: 2:46:21 to 4:44:40

Omari Tahir-Garrett

Defendent PO Box 22328 Seattle, WA 98122 (206) 717-1685

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957 701 5th Avenue, Suite 2560, Seattle, WA 98104 206-223-0303.

RETURN AFTER TEN DAYS TO THE COURT OF APPEALS DIVISION I ONE UNIONSQUARE 600 UNIVERSITY STREET SEATTLE, WASHINGTON 98101-4170 WA 980 21 APR '17 PM 3 L

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

98122-092828

- հյերդիկան գուրիյանի իրայի հանդականի հանդիությ

RETURN AFTER TEN DAYS TO THE COURT OF APPEALS DIVISION I ONE UNIONSQUARE 600 UNIVERSITY STREET SEATTLE, WASHINGTON 98101-4170 SEATTLE WA 980 21 APR '17 PM 3 L

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122 RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

April 20, 2017

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Commissioner Mary Neel of the Court was entered on April 20, 2017, regarding court's motion to dismiss for failure to pay filing fee:

On March 23, 2017, the trial court entered findings of indigency. The filing fee is waived.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

CMR

RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

April 21, 2017

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

CASE #76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants KING COUNTY SUPERIOR COURT No. 16-2-10995-1 SEA

This may be the only notice you will receive concerning due dates. A document filed prior to or after its due date may affect all subsequent due dates. The parties are responsible for determining adjusted due dates by reviewing the appropriate rules of appellate procedure. Failure to comply with the provision of the rules may result in the imposition of sanctions pursuant to RAP 18.9.

Dear Counsel/Others:

A notice of appeal, filed in the KING COUNTY SUPERIOR COURT on March 22, 2017 was received in this court on March 24, 2017 and was assigned case number 76605-8-I. Use this appellate court case number on all correspondence and filings.

The time periods for compliance with the Rules of Appellate Procedure are as follows:

- 1. The **designation of clerk's papers** was filed on April 20, 2017 and served with the trial court. RAP 9.6(a).
- 2. The party seeking review arranged for transcription of the report of proceedings and filed a **statement of arrangements** in this court on April 20, 2017. To comply with RAP 9.2(a), the statement should include the name of each court reporter, the hearing dates, and the trial court judge. Serve each court reporter and all counsel of record with a copy of the statement of arrangements, and provide this court with proof of service.

If the party seeking review arranges for less than all of the report of proceedings, all parties must comply with RAP 9.2(c).

If a verbatim report of proceedings will not be filed, you must notify this court, in writing, by April 21, 2017. RAP 9.2(a).

- 3. The verbatim report of proceedings must be filed in the appellate court no later than 60 days after service of the statement of arrangements. The court reporter's notice of filing and proof of service must be filed in this court the same day. RAP 9.5(a).
- 4. Appellant's brief is due in this court 45 days after the report of proceedings is filed. RAP 10.2(a).

Appellant should serve one copy of the brief on every other party and on any amicus curiae and should file proof of service with this court. RAP 10.2(h).

If the record on review does not include a report of proceedings, the appellant's brief is due 45 days after the designation of clerk's papers has been filed. RAP 10.2(a).

5. Respondent's brief is due in this court 30 days after service of the appellant's brief RAP 10.2(c).

Respondent should serve one copy of the brief on every other party and on any amicus curiae and should file proof of service with this court. RAP 10.2(h).

6. A reply brief, if any, is due 30 days after service of respondent's brief. RAP 10.2(d).

Sincerely,

Richard D. Johnson
Court Administrator/Clerk

CMR

: APR 20 2017

RECEIVED SUPERIOR GEORGIA AN WASHINGTON FOR KING COUNTY

2017 APR 20 AM 11: 36

APR 2 0 2017

Cashier Section Superior Court Clerk

MIDTOWN LIMITED PARTNERSHIP, Respondent, SUPERIOR COURT SUPERIOR COURT APR 20 2017

V. Designation of Clerk's Papers and Exhibits OFFICE OF SIRIANNI YOUTZ SPOCNEMORE HAMBURGER

TO THE CLERK OF THE COURT

Please prepare and transmit to the Court of Appeals, Division I, the following clerk's papers.

SUB#

Document

Date

		2000
68	NOTICE OF APPEAL TO THE DIVISION 1 COURT OF APPEALS	03/22/2017
69	Notice of Appeal to COURT OF APPEALS	03/22/2017
57 A	ORDER ON CONTEMPT	02/21/2017
59 A	ORDER ON CIVIL MOTION Re: FOR CONTEMPT	02/23/2017
	JUDGEMENT AND ORDER DECLARING UNLAWFUL DETAINER	02/24/2017
63	AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUTION	02,2,,201,
68	WRIT OF RESTITUTION (attached to NOTICE OF APPEAL)	02/27/2017
64	ORDER OF IMMEDIATE RELEASE	02/28/2017
3	SUMMONS ON COMPLAINT FOR UNLAWFUL DETAINER	05/09/16
1	COMPLAINT FOR UNLAWFUL DETAINER	05/09/16
	MOTION AND DECLARATION TO VACATE JUDGEMENT AND	04/17/2017
71	TO STAY ENFORCEMENT OF JUDGEMENT AND WRIT OF	
79.	RESTITUTION, with exhibits:	
79	"" EXHIBIT A: APRIL 13 LETTER OF THOMAS F. BANGASSER	6697
79_	"" EXHIBIT B: Request to retrieve property from 2314 E Spring Street	6637
70.	"" EXHIBIT C: proposed ORDER TO SHOW CAUSE AND TO STAY	6699
79:	ENFORCEMENT OF JUDGEMENT AND WRIT OF RESTITUTION	
79	"" EXHIBIT D: copy of U.S. Distirct Court CIVIL COMPLAINT FOR	(69)
- 47	DAMAGES AND INJUNCTIVE RELIEF	
79	"" EXHIBIT E: copy of U.S. District Court motion for NOTICE OF	6677
- ()	REMOVAL ACTION	
12	NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT	05/20/2016
	COURT	
13	NOTICE OF REMOVAL ACTION	05/20/2016
20	AMENDED COMPLAINT FOR UNLAWFUL DETAINER	11/15/2016
24	COUNTER SUIT FOR DAMAGES AND RESPONSE TO DETAINER	11/16/2016
	Action of MIDTOWN LIMITED	
4.1	NOTICE OF REMOVAL ACTION	11/29/2016
	ORDER RESCHEDULING HEARING	12/30/2016
43	DOCUMENTS SUBMITTED BY THE DEFENDANT IN PERSON ON	01/10/17
	01/10/17:(a motion with exhibits attached)	01/10/18
	"" MOTION TO RECUSE JUDGE HOLLIS HILL FOR BIAS, TO SANCTION ATTORNEYS FOR PLAINTIFFS AND FOR	01/10/17
43	CONTINUANCE OF 30 DAYS, with exhibits:	
43	""E-MAILS EXHIBIT A: emails	4623
43		(69)
-()	"" EXHIBIT B: copy of U.S. District Court CIVIL COMPLAINT FOR	

43	DAMAGES AND INJUNCTIVE RELIEF] .
	"" EXHIBIT C: NATIONAL SECURITY COUNCIL	6627	1
43	MEMORANDUM-46		
45	ORDER OF REASSIGNMENT	01/13/2017	1 .
46	NOTICE FOR HEARING SEATTLE COURTHOUSE ONLY -	01/18/2017 01/	13/20
_	APPEAL OF JUDGE HOLLIS HILL ORDER ELIMINATING	01/23/2017	10/20
	DEFENDANTS RIGHT TO SHOW CAUSE HEARING AND		
	RENEWAL OF MOTION FOR SANCTIONS AGAINST		
· ca	ATTORNEYS STEPHEN SIRIANNI AND CHRIS BENIS	ĺ	
50	ATTORNEY(S) FOR PLAINTIF		
50A	ORDER OF RECUSAL	01/24/2017	1
51	ORDER OF REASSIGNMENT	01/25/2017	1
54	COURT'S ORDER CONTINUING TRIAL DATE	02/01/17	1
55 ;	COURT'S ORDER CONTINUING TRIAL DATE	02/14/2017	1
57	ORDER AMENDING TRIAL START TIME	02/16/2017	1
59	CLERK'S MINUTES MINUTE ENTRY	02/23/2017	1
67	SHERIFF KING COUNTY RETURN OF SERVICE	03/17/2017	1
	NOTICE AND DEMURER TO COMPLAINT AND SHOW CAUSE HEARING		i .
	THE PART OF THE PROPERTY AND SHAPE THE PROPERTY OF	14/41/2010	1
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04/20/2017 - Ls

Omari Tahir-Garrett Defendent

PO Box 22328

Seattle, WA 98122

(206) 717-1685

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957

701 5th Avenue, Suite 2560, Seattle, WA 98104

206-223-0303.

COURT OF APPEALS CASE # 76605-8-1 DIVISION ONE In King-c APR 20 2017 APR 2 0 2017 RECEIVED SUPERIUR GEORGIO DE WASHINGTON FILED Cashier Section Superior Court Clark FOR KING COUNTY 17 JUN 23 PM 12: 3 2017 APR 20 ANTI: 36 MIDTOWN LIMITED PARTNERSHIP, ' KING COUNTY 10995-1 SEA SUPERIOR COURT RECEIVED Respondent, SUPERIOR COURT CLER APR 2 U 2017 Designation of Clerk's Papers and Exhibits
LAW OFFICE OF
STRIANNI YOUTZ
SPOCNEMORE HAMBURGER COURT OF APPEALS CHARL TAHIR GARRETT, Appellant. DIVISION ONE TO THE CLERK OF THE COURT JUN 23 2017 Please prepare and transmit to the Court of Appeals, Division I, the following clerk's papers. SUB# Document 68 NOTICE OF APPEAL TO THE DIVISION 1 COURT OF APPEALS 03/22/2017 Notice of Appeal to COURT OF APPEALS 03/22/2017 57 A ORDER ON CONTEMPT 02/21/2017 59 A. ORDER ON CIVIL MOTION Re: FOR CONTEMPT 02/23/2017 JUDGEMENT AND ORDER DECLARING UNLAWFUL DETAINER 02/24/2017 63 AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUTION 075 64 ORDER OF IMMEDIATE RELEASE U212012U17 SUMMONS ON COMPLAINT FOR UNLAWFUL DETAINER 05/09/16 COMPLAINT FOR UNLAWFUL DETAINER 05/09/16 MOTION AND DECLARATION TO VACATE JUDGEMENT AND 04/17/2017 TO STAY ENFORCEMENT OF JUDGEMENT AND WRIT OF 79 RESTITUTION, with exhibits:

NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT

COUNTER SUIT FOR DAMAGES AND RESPONSE TO DETAINER

DOCUMENTS SUBMITTED BY THE DEFENDANT IN PERSON ON

AMENDED COMPLAINT FOR UNLAWFUL DETAINER

05/20/2016

05/20/2016

11/15/2016

11/16/2016

11/29/2016

12/30/2016

01/10/17

018

12

13

20

24

41

43

26 A

COURT

"" MOTIC

NOTICE OF REMOVAL ACTION

Action of MIDTOWN LIMITED

NOTICE OF REMOVAL ACTION

ORDER RESCHEDULING HEARING

01/10/17:(a motion with exhibits attached)

DIVISION ONE

JUN 23 2017

45	ORDER OF REASSIGNMENT	01/10/202	
46	NOTICE FOR HEARING SEATTLE COURTHOUSE ONLY	01/13/2017	
	APPEAL OF JUDGE HOLLIS HILL ORDER ELIMINATING	01/18/2017 01/13/	/2.
1	DEFENDANTS RIGHT TO SHOW CAUSE HEARING AND	01/23/2017	
	RENEWAL OF MOTION FOR SANCTIONS AGAINST		
ca	ATTORNEYS STEPHEN SIRIANNI AND CHRIS BENIS		
50	LATORNEY(S) FOR PLAINTIF		
50A		01/24/2017	
51	ORDER OF REASSIGNMENT	01/25/2017	
54	COURT'S ORDER CONTINUING TRIAL DATE	02/01/17	
55 :	COURT'S ORDER CONTINUING TRIAL DATE	02/14/2017	
57	ORDER AMENDING TRIAL START TIME	02/14/2017	
59	CLERK'S MINUTES MINUTE ENTRY	02/23/2017	
67	SHERIFF KING COUNTY RETURN OF SERVICE	02/17/2017	
2.7	NOTTIE AND DESIGNED AND A STATE	03/17/2017	
	THE PAR DEFINKER TO COMPLAINT AND SHOW CAUSE HEAR	ING 11/29/2016	
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	THE FAR VEFINKER TO COMPLAINT AND SHOW CAPSE HEAR	11/29/2016	

04/20/2017

Omari Tahir-Garrett
Defendent

PO Box 22328 Seattle, WA 98122

(206) 717-1685

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957 701 5th Avenue, Suite 2560, Seattle, WA 98104

206-223-0303.

CASE # 7/0605-8-1

PECEIVED EAR TRIAL COURT AND APPEALS COURT, RESPECTIVELY, DIVISION ONE

JUN 23 2017 TE RICHARD & JOHNSON RE VESLE MAIL TO YEL ON JONE 22, 2017

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HAVE BEEN RPOATEL TODAY INTO THE SPECIFIC FORMAT REGUESTED BY BAVIETHE SUPERVISOR OF THE EFFICE OF THE KING COUNTY SUPERIOR COURT CLERK, SEATTLE, WA; AND THIS UPLATE WAS CONDUCTED BY MYSELF UNDER THE INSTRUCTIONS AND IN THE PRESENCE OF THAT SAME SUPERUSOR, IN THE PHYSICAL OFFICE OF THE KING COUNTY SUPERIOR COURT CLERK, SEATTLE WA, AND FORMALLY RECIEVED BY THAT CLERK AND THAT OFFICE AT 12:31 PM TODAY. I HAVE BEEN GIVEN THE FULL ASSURANCE BY THAT OFFICE AND ITS SUPERUSOR, PAULO, THAT THE TRANSMISSION OF THESE PAPERS FROM KING COUNTY SUPERIOR COURT TO THE COURT OF APPEALS OF WASHINGTON STATE WILL NOW PROCEED I ONLY RECIEVED COMMUNICATION OF THE FACT THAT IT HAC NOT ALPEADY PROCEEDED ON JUNE 19 TH, IN AN ENVELOPE MAILED TO ME BY OPPOSING COUNSEL. RATHER THAN BY EITHER OF THESE TWO COURTS THEMSELVES

PLEASE COMPLETE THE TRANSMISSION OF THESE
DESIGNATED CLERKS PAPERS BETWEEN YOUR TWO
CORTS WITHOUT AND FURTHER VELAY.

Aman Tahir - Ferrell SITNES JUNE 23, 2017
IRIVATE ATTENDED GENERAL

FILED17 JUN 26 PM 3:42

KING COUNTY SUPERIOR COURT CLERK E-FILED

CASE NUMBER: 16-2-10995-1 SEA

IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF KING INDEX TO CLERK'S PAPERS

Title: MIDTOWN LTD PARTNERSHIP VS TAHIR-GARRETT

Case No.: 16-2-10995-1 SEA

Index Date: 06-23-2017

Appeal No.: 76605-8-I

Desg. Party: OMARI TAHIR-GARRETT

Pages: 360 - 497

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79	MOTION AND AFFIDAVIT/DCLR /DEF	477 - 497
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IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF KING INDEX TO CLERK'S PAPERS "

Page: 2

Appeal No.: 76605-8-I

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24	RESPONSE /DEF	377 - 378
67	SHERIFF'S RETURN OF SERVICE	452 - 457
3	SUMMONS	363 - 365

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RECEIVED COURT OF APPEALS DIVISION ONE

SEP 22 2017

RECEIVED

757 33 17 HARRISON-BENIS, LLP

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

IMITED PARTNERSHIP

Respondent

Case No. 16-2-10995-1 SEA

Court of Appeals Case No. 76605-8-1

Supplemental Designation of Clerk's Papers

OMARI TAHIR GARRETT, Appellant.

TO THE CLERK OF THE COURT

Please prepare and transmit to the Court of Appeals, Division I, the following clerk's

papers.

SUB#

Document

ORDER GRANTING MIDTOWN LIMITED PARTNERSHIP'S 85 05-05-2017 MOTION FOR CONTEMPT

09/22/2017

Oman Tahir-Garrett PRIVATE ATTORNEY GARRETT

Appellant PO Box 22328 Seattle, WA 98122 (206) 717-1685

This Notice has been mailed to: Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957 701 5th Avenue, Suite 2560, Seattle, WA 98104 206-717-1685.

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

C	EP 22 PT			
5011 s	SEP 22 FT	TALLANTED PARTNERSHIP, WA Respondent,)	
SUF	SEATTLE	· · ·) Case No. 16-2-10995-1 SEA	
1	* v. . · · ·) Court of Appeals Case No. 766	605-8-I
	OMARI	ΓAHIR GARRETT, Appellant.	Supplemental Designation of)	Clerk's Papers
	TO THE	CLERK OF THE COURT		
	papers.	Please prepare and transmit to the	Court of Appeals, Division 1	, the following clerk's
	SUB#	Document		Date
	85	ORDER GRANTING MIDTO MOTION FOR CONTEMPT	OWN LIMITED PARTNERSHIP'S	05-05-2017
	1 .			

09/22/2017

Omari Tahir-Garrett PRIVATE ATTORNEY GENERAL

Appellant

PO Box 22328

Seattle, WA 98122

(206) 717-1685

This Notice has been mailed to: Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957 701 5th Avenue, Suite 2560, Seattle, WA 98104 206-717-1685.

JUDGES WALE ROOMS DE 2017 SEP 22 STAR 1972 5 SUPERIOR COURT

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SEP 22 2017

LAW OFF OF OR SIMASIN WILLY SPOONEMORE HAMBURGER COURFEENED DIVISION ONE SEP 22 2017

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON COUNTY

STATE OF WASHINGTON,

Plaintiff,

V.

Omari Tahir-Garrett

Defendant

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON COUNTY

Superior Court No. 16-2-10995-SEA

Court of Appeals CASE # 76805-8-1

MOTION AND DECLARATION FOR ORDER AUTHORIZING THE

DEFENDANT TO SEEK REVIEW

AT PUBLIC EXPENSE AND

APPOINTING AN ATTORNEY

A. MOTION

COMES NOW the defendant and moves the Court for an order allowing the defendant to seek review at public expense and appointing an attorney. This motion is based on RAP 2.2(a)(1) and is supported by the following declaration. The defendant asks the Court to appoint Washington Appellate Project as my legal coursel.

DATED this ZZ day of September , 20 17

Attorney for Defendant / Defendant

MOTRON KNIO PECEKHALIKH FOR ORKEN RETURNIZIKA THE DEFERGAN TO SEEK PEVEN KI PURKE EXPERSE MIO SEEKHRIKA KA KITOMIET Enter Indian

2017 SEP 22 PM 3: 19

KING COUNTY SUPERIOR COURT CLERK SEATTLE, WA RECEIVED
COURT OF APPEALS
DIVISION ONE
SEP 22 2017

IN AND FOR _	KING	E STATE OF WASHINGTON COUNTY
STATE OF WASHINGTON,)	Superior Court No. 16-2-10995-SEA
Plaintiff,)	Court of Appeals CASE #: 76605-8-I
. ,)	MOTION AND DECLARATION
V.)	FOR ORDER AUTHORIZING THE
)	DEFENDANT TO SEEK REVIEW
Omari Tahir-Garrett)	AT PUBLIC EXPENSE AND
)	APPOINTING AN ATTORNEY
Defendant.)	

A. MOTION

COMES NOW the defendant and moves the Court for an order allowing the defendant to seek review at public expense and appointing an attorney. This motion is based on RAP 2.2(a)(1) and is supported by the following declaration. The defendant asks the Court to appoint Washington Appellate Project as my legal counsel.

DATED this 22 day of September , 20 17

PRIVATE ATTORNEY GENERAL

Attorney for Defendant / Defendant

B. DECLARATION

I was convicted without trial of contempt of court and unlawful detainer (i.e. I was evicted) before the Honorable Judge Parisien. A judgment and sentence was entered in this matter on February 21, again on February 23rd, again on February 24 and again on May 5, of 2017. I desire to appeal the conviction and the judgment imposed. I believe that the appeal has merit and is not frivolous and make the following assignments of error: The four contempt orders, the third of which is also a contempt order and eviction order combined into one, together bar me from not just my former address but the entire city block upon which that address is located, including a shopping mall and a federal Post Office, and an additional 200 foot perimeter around that block, ultimately constituting a total neighborhood of approximately five blocks from which I am banned, four of which blocks have never been owned in either whole or part by the landlords who requested my eviction. Also, I was held for one week in jail without an arraignment. Before we got to trial, the trial time was moved 4 times in a single week notifying me by only by email in violation of a previous ruling by another judge in this case to notify me only by hard copy. Also, no hearing has ever been held at which I was allowed to give my answer to the landlord's complaint and request for unlawful detainer so that my answer could be endorsed on the complaint by the court and examined to ascertain the merits of my answer. Also, the first judgement and sentence entered against me in this matter was entered while this matter was not in session, while a different matter was in session in that courtroom, on a day upon which the court had previously claimed on record not to be available for the matter in which this judgement and sentence was entered against me. Also, this first judgement and sentence falsely accuses me of stopping another trial that the record shows was stopped by someone other than myself. Also, on each occasion of being judged in contempt of court, no instructions were ever given to me as to how to get out of said contempt. Also, I was physically separated from access to all of my legal papers in this case on February 21st and was denied access to them for the rest of the lower court's proceedings in this case. Also, the text of these orders judgements and orders against me includes statements by the Judge which are demonstrably empirically false. Also, my affidavit of this Judge's racist bias against me has been ignored by the court. Also, my repeated requests for reasonable accomodation under the Americans with Disabilities Act have been ignored by the court. Also, the court proceeded against me in my absence even while I was undergoing a medical emergency for which I was hospitalized, a proceeding which the Judge herself on the record admitted was legally nullified. Also, the court proceeded against me in my absence while ignoring a pre-existing motion that I had already placed before the court.

I have	previously been found to be indigent. The following declaration provides
inforr	nation as to my current financial status:
1.)	That I am the defendant in the above-captioned cause;
2.)	That I do/do not own any real estate (if so, appraised value is approximately
	\$ and rental income is \$);
3.)	That I do/do not own any stocks, bonds, or notes (if so, value is approximately
	\$);
4.)	That I am/am not the beneficiary of a trust account or accounts (if so, income
	therefrom is approximately \$);
5.)	That I own the following motor vehicles or other substantial items of personal
	property:
	ITEM VALUE/AMOUNT OWED ON ITEM
•	van \$500
	<u>·</u>
•	
6.)	That I do/do not have income from interest or dividends (if so, amount is
	approximately \$

7.)	That I have approximately \$_	in checking accour	it(s), \$ in
	savings account(s), and \$		
8.)		ed (if so, my spouse's nar	
9.)		re dependent on me for their sup	
NAM	E	RELATIONSHIP	AGE
	·		
10.)	That I have the following su	bstantial debts or expenses:	
NAM	Œ	AMOUNT OWED	MONTHLY PAYMENT
	ington State Superior Court		\$25,000
			
:			
11.)	That I am personally receiving	ng public assistance from the foll	owing sources (or was
	until I was incarcerated):		
	AGENCY OR PROGRAM	AMOUNT OF AS	SISTANCE
	social security	\$900	
٠	<u> </u>		
			

12.): That I am/am not employed (if so, my take-home pay is approximately
\$ per month.);
13.) That I have no substantial income other than what is set forth above;
14.) Other circumstances affecting my financial position include:
I am a disabled Vietnam war veteran with PTSD.
<u> </u>
·
15.) That the foregoing is a true and correct statement of my financial position to the best
of my knowledge and belief.
For the foregoing reasons, I request the Court to authorize me to seek review at public
expense, including, but not limited to, all filing fees, attorney's fees, preparation of briefs,
and preparation of verbatim report of proceedings as set forth in the accompanying order of
indigency, and the preparation of necessary clerk's papers. I ask the court to appoint
Washington Appellate Project as my legal counsel.
I declare under penalty of perjury under the laws of the State of Washington that the
foregoing is true and correct.
SIGNED in Seattle , Washington this 22 day of September , 2017
PRIVATE ATTORNEY GENERAL
PRIVATE ATTORNEY GENERAL

Declarant

IN THE SUPERIOR COURT IN AND FOR	OF T	HE STATE OF WASHINGTON IG COUNTY
STATE OF WASHINGTON,)	
Plaintiff,)	Superior Court No. <u>16-2-10995-SEA</u> Court of Appeals CASE #: 76605-8-I
v.))	ORDER AUTHORIZING THE DEFENDANT TO SEEK REVIEW
Omari Tahir-Garrett ,)	AT PUBLIC EXPENSE AND APPOINTING AN ATTORNEY
Defendant.	Ć	·

THIS MATTER having come on regularly before the undersigned judge upon the motion of the defendant for an order authorizing the defendant to seek review at public expense and appointing an attorney, and the Court having considered the records and files herein, now therefore,

IT IS HEREBY ORDERED that the defendant shall be allowed

(x) To appeal from the certain judgment and sentence and every part thereof in the above-entitled cause, entered on 2/21, 2/23, 2/24 & 5/5, at public expense, to include the of 2017

ORDER AUTHORIZING THE DEFENDANT TO SEEK REVIEW AT PUBLIC EXPENSE AND APPOINTING AN ATTORNEY

1.)	All	filing	fees;
-----	-----	--------	-------

- 2.) Attorney fees and the cost of preparation of briefs (including copying costs);
- 3.) Costs of preparation of the statement of facts which shall contain the verbatim report of the following proceedings and any other hearing dates appellate counsel deems necessary for appellate review:

(x)	Pre-Trial Hearings	Date(s) Judge	
(x)	Trial (all proceedings)	Date(s) Judge	
(x)	Hearing on Post-Trial Motions	Date(s) Judge	
(x)	Sentencing Hearing	Date(s) Judge	
()	Other	Date(s) Judge	

- 4.) Cost of a copy of the above record for the joint use of defendant's counsel and the prosecuting attorney; and
- 5.) Costs of the preparation of necessary clerk's papers.

ORDER AUTHORIZING THE DEFENDANT TO SEEK REVIEW AT PUBLIC EXPENSE AND APPOINTING AN ATTORNEY IT IS FURTHER ORDERED that counsel on appeal, or his/her representative, is authorized to remove the clerk's file from the Clerk's Office for the purpose of reproducing clerk's papers and designating the record for review;

AND IT IS FURTHER ORDERED that trial counsel is allowed to withdraw and that counsel on appeal be appointed by the Court of Appeals - Division I. Payment for expenses of this appointment is authorized under contract with the Office of Public Defense.

Co-defendants, if any, are listed below: Case Name	Cause Number	
DONE IN OPEN COURT this _	_day of _September	, 20 <u>17</u>
	JUDGE	

PRIVATE ATTORNEY GENERAL

Bran Tahir-Danett

Presented by:

ORDER AUTHORIZING THE DEFENDANT TO SEEK REVIEW AT PUBLIC EXPENSE AND APPOINTING AN ATTORNEY

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

CTATE OF MACHINICTON	
STATE OF WASHINGTON,)	Superior Court No. 16-2-10905-SEA
Plaintiff,)	Superior Court No. 16-2-10995-SEA
)	Court of Appeals CASE #: 76605-8-I
v.)	NOTICE OF ADDEAL TO
)	NOTICE OF APPEAL TO
Omari Tahir-Garrett ,)	THE COURT OF APPEALS-
Defendant.)	DIVISION
Defendant seeks review by the Co	ourt of Appeals of the State of Washington,
•	
Division I, of the Judgment and Senter	nce, and every part thereof, entered on
in King County Superior	Court, a copy of which is attached to this
notice.	
DATED this day of	September, 20_17
	Respectfully submitted,
	Oman Takin Sanett
	Attorney for Defendant (or Defendant)
Attorney for Plaintiff.	Name and Address of Defendant:
County Prosecuting Attorney	Omari Tahir-Garrett
	PO Box 22328
	Seattle, WA 98122
•	(206) 717-1685

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FEB 2 1 2017

SUPERIOR COURT CLERK BY Regina Saucier DEPUTY

SUPERIOR COURT OF THE STA	TE OF WASHINGTON FOR KING COUNTY
Midtour CTD)	
Plaintiff/Petitioner,)	NO. 16-2-10995-1 SE2
ys. (***)	ORDER ON CIVIEMOTION
Talir-Barret	CONTEMPT
Defendant/Respondent.)	
The above entitled court having he	ard a motion the Court finds
that the Mr. Takir	- barret has between
in a dispospedant a	nd disodery bethis
in Crtron-W355 60	in juside and outside
the constroom and has	not complied with veg
IT IS HEREBY ORDERED that) to conse the
the Mr. Tahir-Ganey	r / disordery conduct.
be removed from.	
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love disordery and is	Estopping the trial currently in process.
DATED: 2/21/ 20 17	urrently in process.
DAILES -	
	SIV ,
Presented by:	JUDGE SUZANNE PARISIEN
- f	

FEB 23 2017

SUPERIOR COURT CLERK BY Regina Saucier DEPUTY

SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY

′	ron i	Miss perma
8	Midtown LTD	NO. 16-2-109951 SEA
9	Plaintiff/Petitioner,	ORDER ON CIVIL MOTION
10	vs.	RE: FOR CONTEMPT
11	Tahir Garrett	\$ 1.12
12	Defendant/Respondent	() Clerk's Action Required
13	And the state of t	The and make day
14	Following Lindings: The	m The court makes the
15	in the second	23,2017. Prior to the
16	HIS HEBERY ORDERED THAT Commen	cement of proceedings,
17	the court course for t	The state of the s
18		ly on the table. He veliced
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20		you being notified that
21	the court has finding him	in contempt, he fell to
22	Commence of the Commence of th	grand and became
23	suaa Lid no	
24	Vestore	to any JUDGE SUZANNE PARISIEN
25	Attorney for Plaintiff/Petitioner, WSBA#	of me
- 11		first responders.
26		
	Attorney for Defendant/Respondent, WSBA #_	en e
- 11		

PHOTOCOPY

KING CO SUPERIOR CO DARGERA MINER Director & Superior CT Clerk Seattle WA

FILE COUNTY WAS HINGTON

FEB 2 4 2017

SUPERIOR COURT CLERK
BY Regina Sauciet
NEPUTY

Hon. Suzanne R. Parisien Trial Date: February 23, 2017 at 1:00 p.m.

RGColastroom4W-355° 02/27/2017 02/27/2017

Tire 11:30 Am

Receipt/Item N Tran-Code 2017-07-00945/01 1110 Cashier: NXN locket-Code SFRAF

\$20.00

'ASIJED

Paid By: NAWGASSER, HUGH MR. Transaction Amount:

IC COLINITY

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,

Plaintiff,

OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and ALL OTHER OCCUPANTS,

Defendants.

NO. 16-2-10995-1 SEA

JUDGMENT AND ORDER
DECLARING UNLAWFUL DETAINER
AND AUTHORIZING ISSUANCE OF
WRIT OF RESTITUTION

(Clerk's Action Required)

A. OVERVIEW

Trial in this unlawful detainer action was held on February 23, 2017. MidTown Limited Partnership ("MidTown") appeared through SIRIANNI YOUTZ SPOONEMORE HAMBURGER, Stephen J. Sirianni. Defendant Omari Tahir-Garrett appeared pro se. Other Occupants of the below-described property at issue did not appear or argue.

This Court considered:

- (1) the oral argument of counsel for MidTown;
- (2) the comments of Mr. Tahir-Garrett;
- (3) the testimony of Margaret Ellen Delaney, Hugh Bangasser, Mr. Tahir-Garrett (by deposition), Arthur Garza, and Thomas F. Bangasser;

JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUTION - 1 HONORABLE SUZANNE PARISIEN KING COUNTY SUPERIOR COURT 516 THIRD AVENUE SEATTLE, WASHINGTON 98104

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(5) MidTown's Trial Memorandum.

EVENTS AND OCCURRENCES AT THE OUTSET OF TRIAL, AND FINDINGS B. RELATED THERETO

- Trial commenced mid-afternoon on Thursday, February 23, 2017, when Mr. Tahir-Garrett was escorted into the courtroom by King County officers. He had been jailed due to previous contemptuous behavior in this Court's courtroom. That behavior is discussed below. He immediately challenged the authority of this Court, claiming that the Court was biased and racist. He stated that he had affidavited the Trial Judge. There is no evidence that an affidavit of prejudice was filed. In any event, this Court has already made discretionary rulings.
- Mr. Tahir-Garrett continually talked over the Court, calling the Court and opposing counsel a variety of pejorative names. Mr. Tahir-Garrett insisted that the relief of George Washington situated on the wall behind the bench be turned around because President Washington had owned slaves. Mr. Tahir-Garrett refused to listen to the Court despite repeated admonitions. In response to one of the Court's admonitions, Mr. Tahir-Garrett stated, "I have PTSD; I can do anything I want."
- Mr. Tahir-Garrett insisted that the trial could not go forward because he did not have his papers. Opposing counsel had served him with MidTown's trial brief, witness list, exhibit list, 47 proposed trial exhibits, and a proposed judgment on February 16, 2017, five business days before trial. Mr. Tahir-Garrett did not serve MidTown's counsel with paperwork prior to trial.
- The Court declined to further delay this already unduly protracted See Trial Exhibits 34 and 35, which include relevant findings by the proceeding.

JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUTION - 2

HONORABLE SUZANNE PARISIEN KING COUNTY SUPERIOR COURT 516 THERD AVENUE

SEATTLE, WASHINGTON 98104

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¹ Plaintiff's counsel may submit certified copies of Exhibits 27-33 and 38-42, which, upon submission to this Court, shall be automatically admitted as trial exhibits without further action by this Court.

5. Based upon the foregoing, this Court entered an Order of Contempt against Mr. Tahir-Garrett. It was the second such Order entered by this Court against Mr. Tahir-Garrett. The first was entered on February 21, 2017, based on his disorderly and disruptive behavior in this Court's courtroom, when he entered and disrupted an ongoing jury trial. Despite this Court's admonitions, Mr. Tahir-Garrett refused to comply with requests to cease his disruptive activity and exit the courtroom.

C. SUMMARY OF TESTIMONY

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- 1. Seattle Police Officer Arthur Garza testified that he: (a) investigated the origins of the encampment at the below-defined "Premises" owned by MidTown; and (b) wrote an investigative report (Trial Exh. 9) in which he concluded that Mr. Tahir-Garrett had invited residents of the former Dearborn Temporary Encampment to move to the Premises.
- 2. Margaret Delaney, one of the MidTown partners, testified that, among other things: (a) the yard portion of the Premises was covered with junk, the amount of junk in that yard had grown considerably since mid-2015 due to Mr. Tahir-Garrett's actions; (b) Mr. Tahir-Garrett had prevented MidTown from cleaning up the yard; (c) MidTown had paid each former Dearborn camper who moved to the Premises \$400 to leave and clean up the mess they had made, and the \$400 offer was not conditioned on the departing camper's agreement to leave behind his or her personal possessions, junk and garbage; (d) neighbors have frequently complained about the conditions at the Premises; (e) proper statutory notice to vacate was on three occasions provided to

JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF RESITTUTION – 3 HONORABLE SUZANNE PARISIEN KING COUNTY SUPERIOR COURT 516 THIRD AVENUE SEATTLE, WASHINGTON 98104

- Hugh Bangasser, one of the MidTown partners: (a) testified to the squalid conditions at the Premises both before, during and after the encampment; (b) described complaints he has received from neighbors concerning those conditions; (c) described the City of Seattle's conclusions that the encampment that Mr. Tahir-Garrett facilitated at the Premises was illegal; and (d) described the numerous (and largely successful) efforts by Mr. Tahir-Garrett to delay this case and prevent it from proceeding.
- Thomas F. Bangasser: Although not identified as a witness by either party, Mr. Thomas Bangasser requested the opportunity to testify in support of the Defendants, and most specifically, Mr. Tahir-Garrett. Over objection by counsel for the Plaintiff, the court permitted the witness to testify. Mr. Bangasser testified as follows: (a) that MidTown was responsible for the chaos and clutter at the Premises; (b) described his disputes with his siblings; (c) stated that MidTown was not sufficiently concerned with the rights of African Americans; and (d) alleged that MidTown had mistreated Mr. Tahir-Garrett. He also claimed that MidTown's offer to pay campers \$400 to leave was conditioned on the campers' agreement that they leave their garbage and junk behind at the Premises. Further, he testified that he never objected to the presence of campers at the Premises and believed they were entitled to camp at the Premises. Much of Thomas Bangasser's testimony was argument rather than evidence.

Based upon the foregoing, this Court finds and concludes that:

MidTown is the lawful owner and entitled to possession of the real

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JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF RESITTUTION - 4

FINDINGS AND CONCLUSIONS

property described as Lots 13 and 14, Block 6, J.H. Rengstorff's addition to the City of SIRIANNI YOUTZ SPOONEMORE HAMBURGER 701 FIFTH AVENUE, SUITE 2560 Seattle, Washington 98104 TEL (206) 223-0303 FAX (206) 223-0246

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Seattle, as recorded in Volume 2 of Plats, page 101, records of King County, Washington, and commonly known as 2314 East Spring Street ("the Premises"). The Premises consists of and includes the house that is situated on it and all of the surrounding yard/ground encompassed within the above legal description.

- For several years, Mr. Tahir-Garrett has occupied the Premises. In March 2016, at Mr. Tahir-Garrett's invitation and with his cooperation, approximately 20 former residents of the Dearborn Transitional Encampment entered and took up residence at the Premises. Those individuals, together with all other individuals who are or were residing at the Premises (including residents of the house, the yard or vehicles of any type at the Premises) shall be referred to as "Other Occupants."
- Mr. Tahir-Garrett and the Other Occupants who are living in the house, in tents, in cars, in trucks, in campers or on the ground at the Premises have no right to possess or occupy the Premises, and are doing so without the permission and contrary to the express demands of MidTown. MidTown does not consent to, and objects to, the presence on the Premises of Mr. Tahir-Garrett and the Other Occupants.
- Mr. Tahir-Garrett and the Other Occupants are, as well, occupying the Premises in defiance of a Notice of Violation from the City of Seattle under Case No. 1037046, issued on and dated March 29, 2016, and a Notice of Violation from the City of Seattle dated October 10, 2016, along with an Emergency Order from the City of Seattle to Vacate dated December 16, 2016.
- Mr. Tahir-Garrett and the Other Occupants have, alone and in 5. combination, permanently despoiled and damaged the Premises, which they have caused to be unsafe, unsanitary and filled with unsightly junk and debris. As a result of their action and inaction, they have: (a) committed and caused waste; (b) created and maintained a nuisance; and (c) by operating an unpermitted encampment, conducted

JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING

ISUANCE OF WRIT OF RESTITUTION - 5

HONORABLE SUZANNE PARISIEN KING COUNTY SUPERIOR COURT 516 THIRD AVENUE *** SEATTLE, WASHINGTON 98104

6. Mr. Tahir-Garrett and the Other Occupants were provided with all notices required by law as preconditions to suit for or determination of unlawful detainer, including Notices to Vacate dated March 30, 2016, April 29, 2016, and October 27, 2016, each of which was timely and properly served in accordance with RCW 59.12.040 and other applicable law. Mr. Tahir-Garrett and the Other Occupants have ignored the deadlines set forth in those Notices and continue to occupy and detain the Premises unlawfully, forcibly and without permission of the owner.

E. JUDGMENT

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It is, therefore, ORDERED, ADJUDGED and DECREED that:

- (a) Defendants are guilty of unlawful and forcible detainer, and any tenancy of any Defendant in the subject Premises is hereby terminated.
- (b) The Clerk of the Court shall issue a Writ of Restitution ("Writ") forthwith, returnable twenty (20) days after its date of issuance, directing the Sheriff to restore to MidTown possession of the Premises located at 2314 East Spring Street, Seattle, King County, Washington 98122, provided that if return is not possible within twenty (20) days, the return on this Writ shall automatically and without the need for further order of this Court be extended for as many subsequent twenty-day (20-day) periods as needed to serve all Defendants with the Writ and related papers.
- (c) The Writ shall also authorize the Sheriff to break and enter as necessary.
- (d) Omari Tahir-Garrett and all Other Occupants at the Premises are permanently barred and enjoined from possession of or entry upon the Premises, and Mr. Tahir-Garrett is further permanently barred and enjoined from possession of or entry upon the MidTown Center, consisting of the one square block situated between

JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUTION - 6

HONORABLE SUZANNE PARISIEN KING COUNTY SUPERIOR COURT 516 THIRD AVENUE SEATTLE, WASHINGTON 98104

1	East Spring Street and East Union Street, and 23rd Avenue and 24th Avenue in Seattle
2	Washington.
3	(e) The undersigned shall retain jurisdiction over this matter to ensure
4	enforcement of this Judgment and Order.
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6	DATED: Ebruary 24, 2017.
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ğ	SUZANNE R. PARISIEN Superior Court Judge
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11	Presented by:
12	SIRIANNI YOUTZ
13	SPOONEMORE HAMBURGER
14	/s/ Stephen]. Sirianni
15	Stephen J. Sirianni (WSBA #6957) Email: steve@sylaw.com
16	Attorneys for Plaintiff
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JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUTION - 7 HONORABLE SUZANNE PARISIEN KING COUNTY SUPERIOR COURT 516 THIRD AVENUE SEATTLE, WASHINGTON 98104

FILED JUDGE SUZANNE PARISIEN 2017 FEB 28 AM 10: 39 2 KING COUNTY RIOR COUNTY CLEAR 3 5 6 DICOUNTY JAME FEB 2.8 2017 7 8 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY 9 MIDTOWN LIMITED PARTNERSHIP. 10 Plaintiffs. NO. 16-2-10995-1SEA 11 ORDER OF IMMEDIATE RELEASE 12 [Clerk's Action Required) 13 OMARI TAHIR-GARRET AKA JAMES CHANDLER GARRETT, ET AL., 14 Defendants. 15 16 The court hereby finds that the Defendant is entitled to immediate release from the 17 Orders of Contempt issued on Tuesday, February 21 2107 and Thursday, February 23, 2017. 18 IT IS HEREBY ORDER, ADJUDGED AND DECREED that the Defendant shall be 19 immediately released on the above-entitled cause number only. 20 DATED this 28th day of February, 2017. 21 22 JUDGE SUZANNE PARISIEN 23 24 25 ORDER OF IMMEDIATE RELEASE 1 Judge Suzanne Parisien

King County Superior Court Courtroom W764, King County Courthouse 516 3rd Ave. Scattle, WA 98104 (206) 477-1579





Jail Inmate Lookup Service - King County

http://blue.kingcounty.gov/Courts/Detention/JILS/...



Jail Inmate Lookup Service

DETAILS:

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GARRETT, JAMES CORDELL	\$0.00	Actosed	

BOOKTNES

Booking &	Booked	Released	Charge(s)
217005054	02/21/2017 12:16 PM	02/28/2017 04:19 PM	CONTEMPT OF COURT

Cause No: 162109951
Charge: CONTEMPT OF COURT
Court: K C Superior Court
Release Reason: CONDITIONAL RELEASE

RCW/GRD: 9.23.010 Ball Amount: BAIL DENIED

- Disclaimer
- Other Resources

SIRIANNI YOUTZ SPOONEMORE HAMBURGER

April 7, 2017

BYECF

Hon. Suzanne R. Parisien KING COUNTY SUPERIOR COURT 516 Third Avenue, Room C-203 Seattle, WA 98104

RE: MidTown Limited Partnership v. Omari Tahir-Garrett, et al. No. 16-2-10995-1 SEA

Dear Judge Parisien:

I represent MidTown Limited Partnership and its principals. Accompanying this letter are a Motion for Contempt, a Note for the motion calendar, the Declaration of Margaret Delaney, and a Proposed Order. The Proposed Order attaches a form Anti-Harassment Order. Should you grant the motion, we request that you sign both the Order we have prepared, and in addition, the Anti-Harassment Order that is attached.

Thank you for your consideration.

Very truly yours,

SIRIANNI YOUTZ SPOONEMORE HAMBURGER

/s/ Stephen J. Sirianni

Stephen J. Sirianni

Enclosures

CC (by email, w/enc.):

Omari Tahir-Garrett Christopher Benis Clients

701 FIFTH AVENUE, SUITE 2560
SEATILE, WASHINGTON 98104
TELEPHONE: (206) 223-0303 FACSIMILE: (206) 223-0246
e-mail: steve@sylaw.com

HON. SUZANNE R. PARISIEN Noted for Consideration: April 17, 2017 Without Oral Argument

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,

Plaintiff,

NO. 16-2-10995-1 SEA

OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and ALL OTHER OCCUPANTS,

Defendants.

BROWN SRP

ORDER GRANTING
MIDTOWN LIMITED PARTNERSHIP'S
MOTION FOR CONTEMPT

MidTown Limited Partnership, LLC ("MidTown") moved for contempt of this Court's Judgment and Order dated February 24, 2017 ("Judgment and Order"). That Judgment and Order permanently bars and enjoins defendant Omari Tahir-Garrett from possession of or entry upon the MidTown Center, consisting of the one square block cituated between East Spring Street and East Union Street, and 23rd Avenue and 24th Avenue in Seattle, Washington (the "Property").

This Court considered MidTown's Motion, the Declaration of Margaret Delaney, and the pleadings and record herein, and FINDS AND CONCLUDES that:

- 1. Mr. Tahir-Garrett violated the Judgment and Order by regularly entering onto and remaining at the Property since March 15, 2017, and by regularly occupying a space at 1158/1160 23rd Avenue that is located on the Property;
 - 2. His violation of the Judgment and Order was knowing and intentional;

ORDER GRANTING
MIDTOWN LIMITED PARTNERSHIP'S
MOTION FOR CONTEMPT - 1

SIRIANNI YOUTZ
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SEATTLE, WASHINGTON 98104
TEL. (206) 223-0303 FAX (206) 223-0246

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4 5 His presence and activities both on and off the Property have interfered with MidTown's legitimate business operations;

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6. He has followed, photographed and/or video recorded, shouted abusively at, and intimidated MidTown's property manager and limited partner, Margaret Delaney and limited partners Carol Zarek and Elizabeth Bangasser Hall, and at workers hired by MidTown, in an effort to interfere with MidTown's business operations.

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For good cause shown, this Court ORDERS that:

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MidTown's Motion for Contempt is GRANTED;

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2. Mr. Tahir-Garrett is permanently restrained from: (a) being on the Property; or (b) being within 200 feet of the Property and/or the persons defined in paragraph 3, below;

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3. Mr. Tahir-Garrett, either individually or by assisting or encouraging others to do the same, is permanently restrained from contacting, following, surveilling, harassing, stalking, video recording, and photographing MidTown's principals, including Margaret Delaney, Carol Zarek, Elizabeth Bangasser Hall, Hugh Bangasser, and workers, contractors, inspectors, employees, vendors, anyone engaged to perform services on the Property, and potential purchasers of the Property and their agents;

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4. Law enforcement officers are directed to remove Mr. Tahir-Garrett from the Property and to jail him as necessary to prevent him from: (a) violating the Judgment and Order that enjoined him from entry upon or possession of any portion of the one-square block of Property owned by MidTown and leasted by the Control of the order to the control of the control of

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square block of Property owned by MidTown and located between 23rd and 24th Avenues and East Spring and East Union Streets in Seattle; and (b) violating this Order;

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ORDER GRANTING
MIDTOWN LIMITED PARTNERSHIP'S
MOTION FOR CONTEMPT 2

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER
701 FIFTH AVENUE, SUITE 2560
SEATTLE, WASHINGTON 98104
TEL (206) 223-0303 FAX (206) 223-0246

The undersigned shall retain jurisdiction over this matter to ensure

Suzanne R. Parisien

Superior Court Judge

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ORDER GRANTING MIDTOWN LIMITED PARTNERSHIP'S **MOTION FOR CONTEMPT - 3**

SIRIANNI YOUTZ SPOONEMORE HAMBURGER 701 FIFTH AVENUE, SUITE 2560 SEATTLE, WASHINGTON 98104 TEL. (206) 223-0303 FAX (206) 223-0246

CERTIFICATE OF SERVICE

I certify, under penalty of perjury under the laws of the State of Washington, that on May 3, 2017, I served a copy of this document on all parties/counsel of record as indicated below:

Omari Tahir P.O. Box 22328 Seattle, WA 98122 Defendant Pro Se

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25 26 [x] By First-Class Mail[x] By Email

omariAfrinet@yahoo.com

Christopher T. Benis (WSBA #17972) HARRISON-BENIS, LLP 2101 Fourth Avenue, Suite 1900 Seattle, WA 98121 Co-counsel for Plaintiff

[x] By Email chemis@harrison_benis.com

DATED: May 3, 2017, at Seattle, Washington.

/s/ Stephen J. Sirianni
Stephen J. Sirianni (WSBA #6957)

ORDER GRANTING
MIDTOWN LIMITED PARTNERSHIP'S
MOTION FOR CONTEMPT - 4

SIRIANNI YOU'TZ
SPOONEMORE HAMBURGER
701 FIFTH AVENUE, SUITE 2560
SEATTLE, WASHINGTON 98104
TEL. (206) 223-0246

Superior Court of Washington For King County

MIDTOWN LIMITED PARTNERSHIP, and MARGARET DELANEY, Petitioners,

VS

OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and ALL OTHER OCCUPANTS, Respondents. No. 16-2-10995-1 SEA Order for Protection - Harassment (ORAH/ORWPNP)

Court Address: 516 Third Avenue Seattle, WA 98104 Tel. No. (206) 296-9100

(Clerk's action required)

Warning to the Respondent: Violation of the provisions of this order with actual notice of its terms is a criminal offense under chapter 10.14 RCW <u>and will subject a violator to arrest</u>. Willful disobedience of the terms of this order may also be contempt of court and subject you to penalties under chapter 7.21 RCW.

1.	Full Faith and Credit: The court has jurisdiction over the parties, the minors and the subject
	matter. This order is issued in accordance with the Full Faith and Credit provisions of
	VAWA.18 U.S.C. § 2265.

2.	Notice of this hearing was served on the respondent by ⊗ personal service □ service by
	publication pursuant to court order other

3. Minors addressed in this order:

Name (First, Middle Initial, Last)	Age	Race	Sex
			
			
		-	

Or for Protection (Harassment) (ORAH, ORWPNP) – Page 1 of 3 UH-04.0500 (12/2014) - RCW 10.14.080 (4), RCW 9.41.800

Based upon the petition, testimony, and case record, the court finds that the respondent committed unlawful harassment, as defined in RCW 10.14.080, and was not acting pursuant to any statutory authority, and it is therefore ordered that:

No-Contact: Respondent is restrained from making any attempts to contact Petitioner and any minors named in the table above.
Surveillance: Respondent is restrained from making any attempts to keep under surveillance Petitioner and any minors named in the table above.
Stay Away: Respondent is restrained from entering or being within 200 feet (distance) of Petitioner's □ residence □ place of employment □ other:
☐ The address is confidential. ☑ Petitioner waives confidentiality of the address which is:
MidTown Center, consisting of the one square block situated between East Spring Street and East Union Street, and 23rd Avenue and 24th Avenue in Seattle, Washington.
☐ Other
Pay Fees and Costs: judgment is granted against Respondent in favor of in the amount of \$ for costs incurred in bringing the action and \$ for attorneys' fees. Notice: Petitioner, you must fill out and file a completed form WPF UH 04.0700, Judgment Summary. The court has granted judgment against the respondent in the amount of \$ for administrative court costs and service fees. A Judgment Summary, form WPF UH 04.0700, must be completed and filed.
☐ Prohibit Weapons and Order Surrender
The respondent must:
 not obtain or possess any firearms, other dangerous weapons, or concealed pistol license; and
 turn in any firearms, other dangerous weapons, and concealed pistol license as stated in the Order to Surrender Weapons filed separately.
Findings – The court (check all that apply):
must issue the above orders and an Order to Surrender Weapons because the court finds by clear and convincing evidence that the respondent has:
 used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or
 previously committed an offense making him or her ineligible to possess a firearm under RCW 9.41.040.

Or for Protection (Harassment) (ORAH, ORWPNP) – Page 2 of 3 UH-04.0500 (12/2014) - RCW 10.14.080 (4), RCW 9.41.800

presents a serious and imminent three	at to public health or safety, or the health or g a firearm or other dangerous weapon; or
	use a firearm or other dangerous weapon in
	ing him or her ineligible to possess a firearm
Washington Crime Information	Center (WACIC) Data Entry
It is further ordered that the clerk of court shall next judicial day to Seattle, East Precinct □ Court where Petitioner lives and shall enter it into W.	nty Sheriff's Office Department,
Servi	ce
□ The clerk of court [and] □ Petitioner shall forw judicial day to:	ard a copy of this order on or before the nex
	County Sheriff's Office,
☑ Seattle, East Precinct Police Department, we personally serve the respondent with a cope and return to this court proof of service.	here Respondent lives, which shall
Or □ Petitioner has made private arrangements	
Or Respondent appeared; further service is r	
Or ☐ Respondent did not appear. The restraint those in the temporary order. The court in personally served with the temporary order.	s satisfied that the respondent was
This Antiharassment protection order expires	
If the duration of this order exceeds one year, the unlawful harassment of the petitioner when the or	court finds that Respondent is likely to resun
Other:	
Dated5 5 17 ata.m(/p.m.)	8
	Judge/Court Commissioner
acknowledge receipt of a copy of this Order:	Suzanne Parisien
>	
Signature of Respondent/Lawyer WSBA No.	Print Name Date
· >	
Signature of Petitioner/Lawyer WSBA No.	Print Name Date
Petitioner or Petitioner's Lawyer must conformation Sheet	

Or for Protection (Harassment) (ORAH, ORWPNP) – Page 3 of 3 UH-04.0500 (12/2014) - RCW 10.14.080 (4), RCW 9.41.800

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2	IN THE COURT	DE ADDE ALC	
3	IN THE COURT (OF TH	IE	
4	STATE OF WAS	SHINGTON	
5	Omari Tahir-Garrett,		
6	Petitioner	Court of Appeals CASE #: 76605-8-I	
7	VS.	(King County Court	
8	Midtown Limited Partnership, King County Superior Court Judge	Case #: 16-2-10995-SEA)	
9	Suzanne Parisien, King County	DETERIOR FOR WARF OF WARFING CORDING	
10	Sheriffs Department, Seattle Police Department, Attorney Stephen	PETITION FOR WRIT OF HABEUS CORPUS	
11	Siriani, Lawfirm Siriani Youtz Spoonemore Hamburger		
12	Respondents,		
13	COMES NOW THE PERSON RES	FRAINED OF HIS LIBERTY,	
14	OMARI TAHIR-GARRETT, TO TH	IE COURT AND SUBMITS THE	
15	FOLLOWING PETITION FOR WI	RIT OF HABEUS CORPUS.	
16	Omari Tahir-Garrett		
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18	Private Attorney General		
19	PO Box 22328 Seattle, WA 98	122 (206) 717-1685	
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I, Omari Tahir-Garrett, do hereby invoke my rights under RCW 7.36, as well as under Section 13 of Article I of the Constitution Of The State Of Washington, as well as under Clause 2 of Section 9 of Article One of the United States Constitution, all of which I have the right to invoke. I have the right to invoke my rights under the above statutes and constitutions (in spite of the standing opinion of the US Supreme court that I, as an Afrikan descendant of Afrikans kidnapped by European Settler Colonial terrorists, have no rights that any white man is bound to respect) under the provisions of my 14th Amendment Treaty Rights and accompanying Civil Rights Act of 1866, as well as Articles One through Thirteen of the Universal Declaration Of Human Rights, which the United States have been obligated to comply with since 1948 as a signatory member of the United Nations. I do hereby invoke and plead for my rights under each of the above provisions of local, national and international law and do hereby, in accordance with RCW 7.36, solemnly swear that the following are true to the best of my knowledge and belief as informed by actions taken and orders issued against me by King County Superior Court:

1) I am currently being restrained in my liberty, on threat of summary incarceration, in violation of each of the above provisions of local, national and international law, and therefore petition this court for full and

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immediate relief from this illegal restraint. The parties restraining me are, respectively, the private company known as MidTown Limited Partnership (and the individual partners who constitute that entity), the attorney Stephen Sirianni of the lawfirm Sirianni Youtz Spoonemore Hamburger (whose actions represent MidTown Limited Partnership), the King County Superior Court Judge Suzanne Parisien (who has issued four successive orders thus illegally restraining me of my liberty upon the request of MidTown Limited Partners and Stephen Sirianni – the last two of which orders were, in fact, authored by those parties before being signed by Parisien), and the King County Sheriff's Department and Seattle Police Department (both of whom are carrying out the orders of Mr. Sirianni and Ms. Parisien in spite of the illegality of those orders). The place where I am being restrained from my liberty is an approximately five city block area in the city of Seattle, Washington, consisting of the entire area within a wide rectangle that has a northern boundary 200 feet north of the eastbound lane of Union Street, a southern boundary 200 feet south of the westbound side of Spring Street, an eastern boundary 200 feet east of the southbound side of 24th Avenue and a western boundary 200 feet west of the northbound lane of 23rd Avenue. This area includes a federal post office, a number of restaurants and stores, several non-profit businesses, a laundromat, a barbershop, a number of residential rental units, the location

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above mentioned public-right-of-way transportation corridors themselves.

of the house I grew up in, as well as a significant stretch of all four of the

2) The pretense of this restraint of my liberty, as admitted by the respondent's own brief in the Appeals Case 76605-8-I to which this Habeus Corpus Petition is associated, is that one former property owning entity--that used to be my landlord at one individual address on one corner of one of these city blocks within this area—harbors a personal grudge against me and wants me indefinitely banned from the neighborhood of my childhood even though they are no longer even a landowner within that neighborhood. Respondents admit in said brief that their reasoning as to why I should be restrained from this entire area rests entirely on the premise that I was evicted, by MidTown Limited Partners, from one small single premises on one single corner of one block (the single address of 2314 E. Spring Street), and that, at the time of my eviction, prior and ongoing legal disputes still also existed (in federal court, between myself as a plaintiff and this same landlord entity as a defendant) and that those disputes involved my many years of service as a caretaker for the entire MidTown Center block. Even though these other legal disputes predated the filing of the landlords brief to evict me by more than four months, and even though neither any of these disputes nor any area beyond the single

address of 2314 E Spring Street was ever named in these landlords' eviction brief, and even though the resolution of several sequential disputes between the parties over proper judicial venue resulted in the federal court deciding to cede ONLY jurisdiction over the unlawful detainer proceeding to King County Court but NOT to thus cede jurisdiction over any other matter in dispute between the parties, and even though the eviction itself was improper and should be overturned for reasons I have already separately and fully explained in my related appellant's brief appealing that matter, the Court of Judge Parisien has nevertheless decided to try to set this extreme anti-tenant precedent to the effect that a writ of unlawful detainer in King County could hereafter, at the request of the landlord, include clauses to ban the evicted tenants not just from the premises of said tenancy but from the entire surrounding neighborhood, on threat of summary arrest and incarceration, and upon threat of enlargement of said banning area as punishment for alleged noncompliance with said banning, and upon real physical demonstration of both those threats upon this petitioner by this Judge and landlord.

3) This restraint is illegal because Judge Parisien violated my Habeus Corpus rights, as well as my 1st, 4th, 5th Amendment, ADA and many other rights, by arbitrarily and summarily kidnapping me and separating me

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from my personal legal papers and effects on February 21, 2017 when I showed up to her courtroom in good faith for a trial date that I had been told would occur at that place and time, but which, unbeknownst to me then, had already been rescheduled at least twice within the prior three weeks and would be rescheduled at least twice more within the next 36 hours. This kidnapping lasted for eight days and seven nights, until the evening of February 28th, when Judge Parisien released me as arbitrarily and with the same lack of explanation with which she had kidnapped me in the first place, and therefore with the clear implication that she might re-imprison me again at any time for any reason or lack thereof.

Two days into this kidnapping, on February 23rd, still having had no access to my legal papers, nor having had any arraignment, nor having been allowed to see any copy of the order upon which I was being held, I was taken from my cell, without being told where I was going, and brought to a place in which a procedure was conducted which these respondents still claim constituted a civil trial for my eviction. I literally did not know that I was being brought to such a proceeding until I was wheeled through the door of that courtroom in restraints and jail clothes. This treatment triggered my PTSD to the point where I was medically unable to engage in any further legal proceedings on that day or any other day during the rest of this eight day kidnapping. Nevertheless, Ms.

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Parisien issued a second kidnapping order agiant me, alleging that my medical inability to proceed constituted contempt of her courtroom and extending my kidnapping for a further indefinite and unspecified period of time.

I did not know when or whether I would be released from this detention until the day upon which I suddenly and arbitrarily was released. and I do not know when or where I might, at any time, be re-arrested just as arbitrarily on similar summary orders from this same judge. At no point during my eight day kidnapping was I shown any copies of the orders/accusations against me, afforded the benefit of any arraignment, or issued any options or instructions as to what steps, if any, I might take in order to get out of "contempt" or secure the physical release of my own person. Furthermore, during this kidnapping I was subjected to various forms of both verbal and physical abuse and torture, including sleep deprivation, willful repeated triggering of my PTSD by jailers, denial of access to counsel, interference with regular access to visitors, denial of medical attention and constant verbal insults from jail authorities. Since no higher authority has yet overruled or modified any of Ms. Parisien's orders, I can only assume that similar conditions will afflict me if and when this Judge summarily decides to kidnap me again for any reason or lack thereof.

During the 4th day of my kidnapping, Judge Parisien issued an order which I did not get to see until some time after my release, and which purports to ban me not only from the address of my tenancy but from an entire city block, the majority of which area has nothing to do with my tenancy or MidTown's request for my eviction therefrom. This order also threatens me with further summary arrest and incarceration should I be alleged to have not complied with it.

Then, on May 5th, 2017, Judge Parisien issued another "contempt order", entirely at the request of MidTown and Sirianni, and fully authored by the same, based upon the unilateral allegation by them that I had failed to comply with part of her first banning order. The May 5th order enlarges the area of my banning by 200 feet in every cardinal direction, thus banning me from most of four additional city blocks, none of which have at any time been owned by Sirianni's MidTown clients.

Both of these banning orders are still in full effect against me at this time, even though niether Sirianni nor his clients any longer have any ownership over any of this geographic area in question. All of these restraints of my liberty have taken place and are continuing to take place in violation of the above named local, national and international provisions of law.

1	Therefore, please issue a writ of habeus corpus granting me full and
2	prompt relief from these unconstitutional restraints.
3	
4	DATED this 22 day of 9. Respectfully Submitted, Emary Tahu Sarret
5	Omari Tahir-Garrett, Private Attorney General
6	
7	VERIFICATION: I, Omari Tahir-Garrett, am an Appellant in the
8	above action and know the contents thereof, which are true of my own
9	knowledge except as to those matters therein alleged on information
10	and belief, which I believe to be true. I declare under penalty of
12	perjury the foregoing is true. Executed at Seattle, WA.
13	DATED this 22 day of 9. Respectfully Submitted, Frank Tahir Landt
14	Omari Tahir-Garrett, Private Attorney General
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COURT OF APPEALS DIVISION ONE

MAR 2 3 2017

Cachier Section Superior Court Clerk MAR 22 2017

SU	PERIOR COURT OF WASHINGTON FOR _	KING	COUNTY
M	IDTOWN LIMITED PARTNERSHIP	No. 16-2-10	0995-1 SEA
	PLAINTIFF)	MOTION FOR FIND	NGS OF INDIGENC
6n	ARITAHIR - GARRETT)		
	· · · · · · · · · · · · · · · · · · ·		-
1)	Identity of moving party		
	OMARI TAHIR (Name)	asks for relief designa	ated in Part 2.
2)	Statement of Relief Sought.		
٠.	Waiver of Filing Fee. Preparation of verbatim report of preparation of verbatim report of preparation of Counsel. Appointment of Counsel. An order to the clerk of the superior Supreme Court the papers designate	•	o the
3.	Facts relevant to motion.		
	a) This is <u>not</u> a criminal case, a case in parental rights, or a case involving a juvenile offense proceeding.	volving a termination disposition in a	of .
			•

b) Indigency (Attach separate affidavit setting forth facts demonstrating indigency).

Brief statement of the nature of the case.

c)

Motion for Findings of Indigency Page Two

Description of the issues sought to be reviewed. (e.g., sufficiency of evidence, erroneous instructions).

I False arrest of Defendant Tehir - Garrett on 2/21/2017 on false contempt of Course

3. Failure of Court to Inform Dendant of Correct 3PM Feb 23rd trial Time 4. Failure of Court/succine to coturn detendant's Legal Papers for trial

 e) Constitutional right to review at public expense. (Explain why the moving party may have such a right). ALL acts committed under "color of law" by Court and SHERIFF OFFICER WERE/ARE BLATANTLY UNCONSTITUTIONAL, Defendant 15 90 year old Vietnam Veteran with SSI established PTSD Disability social security Administration has establish requiring Defendant to have "FORLED PRYEE" for past 10 years

f) Statement that the appeal is brought in good faith. Refendant Omari Tation is former school teacher with extensive record of Litigation in U.S. FEDERAL COURT CASES

g) A brief statement stating why the review you seek has probable merit. Defendant Tahir - Garrett is Very familiar with and Litigation in MILITARY, FEDERAL, SWASHINGTON STATE and Birty of Seattle MUNICIPAL LAW / LITIGATION

_ days of FEB 21, 23(24, mes) The decision sought to be reviewed was entered on the

Affidavit of Indigency Page Three

Name and Address	Relationship	Age
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		· ·
		
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12. I owe the following	bills:	
Name of Creditor	Address	Amount Owed
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<u> </u>	-	\$ 23,000
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		-
	.)	
State of Washington		
) ss)	·
County of)	·
)	
I declare under penalty of p	perjury of the laws of the	State of Washington that I have
Pared this 22 ⁿ don of		avit is true.
Dated this 22" day of	FLAR ZOLT	
. e	- Amari	johir - Scritt
	Mor	ring Party

SUPERI	OR COURT OF WASHINGTON FOR	KING	COUNTY
MIOTOWN	LIMITED PARTNERSHER) Plaintiff	No. 16-2-10	195-1 SEA
DMAMI T	VS. TAHIR- GARAETTS et al } Defendants	AFFIDAVIT OF I	NDIGENCY
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	unic aka JAMES (. LARCET, cannot	t afford to pay all of t	the expenses of
1.	I can contribute the following amount of review:番りむ. 0つ	ts towards the expens	e
2.	I request that the following expenses be provided at public expense:	be waived or	· ·
	Waiver of Filing Fee. Preparation of verbatim report Costs for reproduction of Clerk Costs for reproduction of brief Appointment of Counsel.	k's Papers.	
3.	I believe the following parts of the recommendation verbation report of proceedings. X Clerk's Papers. Transmittal of exhibits.		r review:
4.	I believe to the best of my knowledge in paragraph 3 of the "MOTION FOR (facts relevant to motion) are correct	ORDER OF INDIGEN	contained CY"
5.	The request for appellate court review	w in this case is brou	ght

Affidavit of Indigency Page Two

	(Name and address)
	I do \(\sqrt{ do not} \) have any checking or savings accounts. The amount in all accounts is \(\frac{1.50}{.50} \).
	In the past 12 months, I did did not receive any interest, dividends, rental payments, or other money. The total amount of such money I received was \$ 1.50
	List all real estate, stocks, bonds, notes, and other property you own or in which you have interest. Do not list household furniture, furnishings, and clothing which you or your family own.
(<u>Item</u> <u>Value</u> <u>Amount Owed</u> (e.g. automobiles, make, model, and year, valued \$3,000.00, still owe \$50
	1986 FORD 150 TRUCK VALUED AROUND \$600.00
	I am am not X married. My spouse is is not employed.

SUPERIOR	R COURT OF WASHINGTON	FOR KING	OUNTY
MIDTOWN LIM	TED PARTNERSHIP)		
	PLAINTIFE)	No. 16-2-10975-1 S	EA.
DHART TAK	TR-GARRETT	FINDINGS OF INDIGENCY	
	Desendant/Ling	AND ORDER TO TRANSMIT FIN	•
	/	N N	
The Co	urt finds that UMAL Tail (moving party	the Applant (designation such as appel	lant)
finds, howeve		review in this action. The Court le to contribute \$ The formatter for review:	ollowing
- ·	NEED ALL CLERI	e Clerk's Papers necessary for review).	
2.		て PROCEEDINGS FOR RE e verbatim report of proceedings	EVIEW DUE YO ABSENCE FROM COU
3.	Reproduction of briefs and or reproduced by the Clerk of	other papers on review which are the Appellate Court.	·
4.		D PLAINTIFFS 3 KING BINDER exhibits which need to be transmitted	
5.	Other items ATAMEN (If the moving party has refinds such to be necessary on appeal designate appoin	quested appointed counsel, and the 20	purt

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.

Superior Court Judge

Suzanne Parisien

Presented by:

MAR 2 3 2017

Cashier Section
Superior Court Clean

IN THE SUPERIOR COURT OF WA	SHINGTON STATE FOR KING COUNTY
MIDTOWN	~
v.	16-2-10995-1 SEA
TAHIR	ORDER Re: Appellate Fee Waiver
This way)

This matter came before the court, in the Ex parte department, on the motion of the alleged indigent party to waive the fee for appeal to the Court of Appeals

Now therefore, in accordance with the applicable court rules,

IT IS HEREBY ORDERED that the petitioner must address this issue to the Trial Court Judge. Rule RAP 7.2 (g) states The trial court has authority to decide questions relating to indigency as provided in Title 15 of these rules.

(The applicable rules are attached to this order for ease of reference.)

Dated and signed _____day of

Carlos Y Velategui / Ken Schubert Court Commissioner / Judge

Copies of this Order Provided/Mailed/E-Mailed/Faxed on the above date to the parties

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4	IN .	THE COURT (~
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6	Midtown Limited Parts	nership,		
7 8		Respondent,	Court of Appeals CASE #: 76605-8-I	
9	VS.		(King County Court	
10	Omari Tahir-Garrett,		Case #: 16-2-10995-SEA)	
11		Appellant	TITLE PAGE:	
12			REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT	
13	COMES NOW THE A	PPELLANT, O	MARI TAHIR-GARRETT, TO THE	,
14	COURT AND SUBMI	TS THE FOLL	OWING BRIEF.	
15	Omari Tahir-Garrett			
16	Private Attorney Gener	al		
17	·	a.		
18	Appellant		(204) 515 1405	
19	PO Box 22328	Seattle, WA 98	122 (206) 717-1685	
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24	REPLY BRIEF OF APPELLANT	2

OMARI TAHIR-GARRETT

I. ARGUMENT

7.

A. Rebuttal to Respondents' "Statement of Issues"

All seven questions that Respondents' have inscribed in their brief under "statement of issues" (pages 3-4) are frivolous question that do not actually arise in connection with the matters I have appealed or the reasons I have presented for appealing them. They appear to have been raised merely as rhetorical attempts to distract from the actual questions at hand.

Respondents ask: "1. Was the Judgment and Order authorizing issuance of the writ of restitution supported by substantial evidence?"(p3) Incidentally, the answer to this question is no, it was not supported by substantial evidence, as both my initial brief and the record itself already illustrate. But even if it had been, this Judgment and Order would still be illegal as presently written. Respondents here are trying to distract the court from the fact that the lower court had no authority to rule over the entire block in the first place, as no question relating to any piece of land beyond 2314 E. Spring Street was before that court. Both the original and amended versions of MidTown's own complaint for unlawful detainer (CP 360-365; CP 373-376), as well each of the several remand orders from the federal court relating thereto (CP 125-138L; CP 331-332; CP 533-538), make it absolutely clear that the unlawful detainer case about 2314 E.

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

Spring Street was the one and only disputed matter over which the King County Superior Court was conferred jurisdiction.

Respondents ask: "2. Is a tenant entitled to a show cause hearing before trial in an unlawful detainer action, especially when that tenant frivolously removed the matter to federal court in order to avoid the show cause hearing?" (p3)

The first part of that question is directly answered by the first two sentences of RCW 59.18.380 itself. The statute is unequivocal on the fact that I do have the right to answer this landlord's complaint orally, and that my oral answer "shall" (as opposed to "may") be endorsed upon the complaint by the court, and further that the court "shall" examine the answering party orally in the course of determining the merits of my answer. The fact is that I still have yet to be afforded the opportunity by any court in Washington to orally answer MidTown's complaint accusing me of unlawful detainer, let alone to be orally examined by said court to evaluate the merits of my answer. The dependent clause inserted at the end of that question is merely subjective speculation by these landlords as to ulterior motives they claim to believe I had for filing motions for removal. They submit no evidence to substantiate their accusation that my I had such an ulterior motive, let alone that said motive was to avoid the very show cause hearing that I am still asking for. In reality, my motive for filing those three motions was my

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24. REPLY BRIEF OF APPELLANT
OMARI TAHIR-GARRETT

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sincere belief that the federal court was the proper venue in which for this case to be tried.

Respondents ask "3. Does a trial court properly exercise its discretion to hold a party in contempt when that party disrupts an ongoing trial, is disrespectful and insulting to the court and the opposing party and its counsel, repeatedly interrupts and talks over the court, and fails to heed the court's warnings to de-escalate?"(p3)

This question would only be relevant if the appellant party had actually committed these actions. Fortunately, there is a record of the two transcripts which, show that the appellant party did not do so. These transcripts show that it was the lower court judge herself, not the appellant party, who disrupted and ongoing trial, that it was the court and the respondents who were, in fact, disrespectful and insulting to the the appellant, that is was the appellant who was repeatedly prevented by the judge from presenting relevant argument and information to the court, and that the appellant never prevented the court from saying anything the court wished to say. Furthermore, these records show that there was no "escalated" conduct on the part of the appellant from which the appellant had any option to "de-escalate". Appellant at all times complied with every request from the court with which he could safely comply.

Respondents ask "4. Must a trial court recuse itself when a party fails to timely file an affidavit of prejudice and demands recusal after a discretionary ruling has been made, and when the recusal would reward contemptuous courtroom behavior?" (p4)

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REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

This question is mis-stated. The empirically accurate way to state this question in the context of the actual facts of this case would be as follows: Can a trial court consider an affidavit of prejudice untimely by means of claiming that an action taken by that trial court during a different and unrelated trial two days prior constitutes a discretionary ruling in the trial to which the affidavit of prejudice pertains, particularly when that prior action by that court during that prior unrelated trial itself constitutes the grounds for said affidavit of prejudice, and when said prior action by that court has consisted of physically incarcerating the affidaviting party and restricting that party's access to court and papers for two days prior to a hearing at which the affidavit is first considered?? The trial court should not hold an affidavit of prejudice untimely under these circumstances.

Respondents ask "5. May a judgment entered after trial in an unlawful detainer action include additional injunctive relief in support of the writ of restitution?" (p4)

This is a false question because it does not arise from any challenges posed to the eviction judgement by this appeal, and is instead being posed by respondents' counsel as a distraction. The actual question at hand is not whether such a judgement can include injunctive relief, but whether such injunctive relief can consist of banning the evicted tenant from additional properties which were never included in the unlawful detainer brief or in the scope of the limited and specific remand which conferred the lower

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

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court jurisdiction over ONLY that unlawful detainer action rather than any other issues then in dispute between these parties. The additional and unrelated properties from which Omari Tahir-Garrett is completely and indefinitely banned by this so called "additional injuctive relief" include an entire shopping mall and federal post office, a barber shop, a laundromat, restaurant, several stores and offices.

Respondents ask "6. Does a trial court abuse its discretion by enforcing injunctive relief with a remedial contempt order?" Respondents' Question 6 is also frivolous and not relevant to the issues brought forth in this appeal and would still be just as irrelevant even if the February 24th Judgement and Order were upheld without modification. Nobody has here alleged that a court cannot enforce injunctive relief with a remedial contempt order, and Mr. Sirianni is dis-ingenuous in ascribing such a position to Omari Tahir-Garrett. The actual matter in question is, of course, whether such a remedial contempt order can consist of indefinitely banning the evicted tenant from an entire neighborhood of five city blocks, four of which the landlord have never owned. The additional unrelated properties from which Omari Tahir-Garrett is completely and indefinitely banned by this so called "enforcing injunctive relief with a remedial contempt order" include several more stores and restaurants, several non profit businesses, numerous commercial offices owned at all times by entities other than MidTown, numerous residential rental units owned at

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

1	all times by entities other than MidTown, and significant lengths of at
2	least four major public-right-of-way transportation corridors.
3	Respondents ask "7. When a party's own delay tactics, failure to follow rules, and courtroom contempt create the very procedural
4	irregularities complained of, is that party entitled to reversal of the trial court's judgment?"
5. 6	This question would only be relevant if I were actually guilty of the crimes
7 [:]	which Mr. Sirianni herein subjectively and sarcastically accuses me of.
8	However, the record and relevant transcripts show that I am not.
9	B. Rebuttal to Respondents' "Statement of Facts"
10	MidTown and their counsel begin this Section of their brief by
11	repeating the three accusations they lodged against me in their trial brief:
12	"Mr. Tahir-Garrett Maintained a Nuisance, Committed Waste, and
13	Maintained an Illegal Business on the Premises."(p5)
14	I continue to assert my right under RCW 59.18.380 to orally explain why
15	these accusations against me are not true, a right I have so far been denied.
16	Respondents then go on to make the follwing admission:
17	"A single-family residence is located on the tax parcel situated on the southeast corner of the Property. RP 24:23–24:2. That residence is referred
18	to as the "Premises" in the Judgment and Order and this Brief. Most of the
19	remaining Property is improved for commercial use. Until March 2017, Mr. Tahir-Garrett occupied the Premises."(p5)
20	I appreciate this admission, but they follow it with this new accusation:
21	"He had no written lease and paid no rent."(p5)
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24	REPLY BRIEF OF APPELLANT 8
25	OMARI TAHIR-GARRETT

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The fact is that MidTown never alleged in their trial brief that my eviction had anything to do with any lack of lease or failure to pay rent. CP 360-365; 373-366

On page 6 of their brief, Respondents state:

"In 2015, after a change in MidTown's management with which he disagreed, Mr. Tahir-Garrett moved eight unlicensed vehicles, including a large truck and a camper, onto the Premises." (page 6)

Respondents clearly want the Court to assume that those vehicles were not already on MidTown's property prior to being moved onto the 2314 E. Spring Street parcel that they refer to as "the Premises". This is one of the reasons they wanted me to be absent from their so called "hearing" on February 23, 2017. Had I been present I could have explained that those vehicles were already present on MidTown's property, and that I was simply fulfilling my caretaker duties by consolidating them in the least commercially utilized corner of the block in order to assist MidTown in preparing their entire property for sale. Contrary to Respondents' cynical rumormongering about me it was never my goal to prevent them from selling their property. I have only sought to advocate that my own community be included in the benefits of such a sale in return for the generations of work we have put into the block.

Respondents go on to further slander me, alleging:

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

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"He refused to allow MidTown's agents onto the Property to assist in cleanup."(p6)

This allegation is not true, and I would have refuted this lie had I been allowed to defend myself at this "hearing". MidTown's agents had access full access to what they call "the Property, which was never limited by me in any way, and they had regular reasonable access to what they call "the Premises", which access they exercised multiple times.

Respondents admit, on same page, that on December 28, 2015, I filed a federal lawsuit against MidTown for racial discrimination, assault, defamation and lack of compensation for years of service, and that I also filed a lis pendens. I appreciate these admissions by MidTown. I made the claims contained in those filings because they are true. By admitting the existence of this ongoing lawsuit, MidTown is also admitting that any matters in dispute between them and myself, concerning any other part of "the Property" besides 2314 E. Spring Street, were not under the jurisdiction of King County Superior Court. Only one exclusive issue was remanded to that Court by the federal Court, in an order order partly granting and partly denying a motion by MidTown. CP 125-138

On page 7 of their brief, Respondents accuse me of the following:

"In March 2016, Mr. Tahir-Garrett invited a group of about twenty homeless people who had previously been camping on Dearborn Street onto the Premises. The campers pitched tents in the yard, and Mr. Tahir-Garrett agreed to let them stay as long as they wanted." (p7)

REPLY BRIEF OF APPELLANT
OMARI TAHIR-GARRETT

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llegation that I "invited" any such group or "agreed" to "let" them is long as they wanted" is simply not true. I would have refuted this I been allowed to be present at this "hearing". The fact is that I had nority to "invite" such a group or to "agree to" or "let" them do any ning, any more than to prevent them from doing so. Respondents rately characterize that encampment as "Mr. Tahir-Garrett's use of operty", but any such was not by me. Although I respect everyone's a place to live, and although I do not consider my personal ience to be the center of the universe, the encampment's presence fact very inconvenient toward any use of those premises by myself. been allowed to participate in this "hearing" I would have testified Sirianni also fails to mention that I explained to both the City of and to MidTown that the encampment was not created by me, but nomic and social factors outside my control. I explained this in my y as a founder of the Umojafest Peace Center while offering to help , Midtown and the Encampment mediate with one another for a tive solution to the problem.

MidTown's counsel then proceeds to further embellish this accusation in the following footnote:

'3 Mr. Tahir-Garrett testified by deposition. RP 60:14-18. He testified that: (a) he was asked if the campers who had been forced to leave the Dearborn encampment could move onto the Premises; (b) he spoke to a Native American woman in the neighborhood and asked her if she had any objection, which she did not; and (c) he had no power to ask the

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT 11

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campers to leave because the Property was on Native American land and a Native American woman had authorized their presence. The campers then moved onto the Premises because, he testified, he believed it "was an effective utilization of space." CP 279-282. There was ample evidence to conclude that Mr. Tahir-Garrett invited the campers onto the Premises.'(p7)

Mr. Sirianni is perjuring himself by claiming my testimony says something that it does not. He alleges I testified that the reason the campers moved to "the Premises" was "because" of my belief that it was an effective utilization of space. The record of my actual testimony shows no such assertion because I never made one. Such an assertion would not

be true. No belief held by me was ever causal to either the problem of homelessness in Seattle or the decisions of some persons suffering from it to begin or to cease utilizing that space. ¹

On page 8 of their brief, Respondents relate that the City of Seattle's communicated its displeasure to them regarding some problems related to the encampment, such as lack of sanitation and accumulation of trash. They insinuate that these problems were somehow all my fault, but the only action they claim to have taken to remedy the problems is to have requested that I personally depart. They do not mention any details about their communications with the campers, though it appears to me that MidTown had more of a working relationship with encampment than I did. MidTown here appears to be arguing that I should

1. It is also necessary to note that this testimony Mr. Sirianni inaccurately describes was acquired in the original December 2015 federal case filed by myself against MidTown, rather than as testimony in this case. CP 287-282

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

somehow have personally implemented the physical ejection of any and all campers, and that, by not engaging in such self-deputizing vigilante activity, I somehow involuntarily granted MidTown permission to conflate my legal identity with that of an amorphous and unspecified number "campers". I never authorized any such conflation of my name; no court has granted me the authority of a land-owner to initiate an eviction proceeding as the Respondents clearly can do. Nor do I have the police authority to physically implement any such eviction. Nor do I have any indigenous sovereign authority by which to overrule the Native American disposition toward the use of the land.

Respondents then admit:

"In September 2016, in an effort to clean up the Property and alleviate the nuisance, MidTown paid each of the illegal campers \$400 to leave the Property. As part of the deal, the campers were to remove their belongings from the Premises. RP 88:8–89:9. Although the campers removed "a lot of stuff," they left garbage behind. Id. In the weeks that followed, the trash piles continued to grow. Id. New campers moved onto the Property."(p8)

I appreciate this admission by MidTown that a contractual fiduciary relationship existed between MidTown and the campers in question. In contrast, no such contractual relationship ever existed between any of those campers and this Appellant. Yet, Respondents' characterization of that contractual relationship between themselves and these campers is still less than accurate. A much more

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

accurate description was provided by witness Tom Bangasser, (RP 63-87) Had I been allowed to participate in this so called "hearing", I could have provided a more accurate description as well.

On page 9 of their brief, Respondents accuse me of refusing to "let" them onto the premises. This allegation is not true, and I would have refuted this lie had I been allowed to be present at this "hearing". MidTown's agents and partners came and went from the premises regularly during this period. Respondents then describe in detail the squalid and garbage ridden conditions of 2314 E. Spring Street that existed after MidTown paid these campers to depart and leave their trash behind, and as this trash pile continued to grow. The assumption that these landlords hope the court will make is that I somehow desired and/or facilitated the creation and growth of this huge horrible pile of trash in my own yard. The fact is, far from enjoying this trash heap, I found it most inconvenient to any use of said premises by myself and contrary toward any pursuit of my own happiness.

On pages 10-11 of Respondent's brief, Mr. Sirianni again accuses me of "Delay Tactics", of avoiding service, and once again ascribes sinister ulterior motives to my entirely legal motions to assert my sincerely held position that the federal court was the more appropriate venue for this

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REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

case. Once again these are completely subjective, speculative and cynical accusations which Mr. Sirianni cannot prove.

On pages 12-13 of Respondents' brief, Mr. Sirianni refers to my diagnosed and documented PTSD as "Mr. Tahir-Garrett's Resistance" and spends four full paragraphs of effort endeavoring to characterize the symptoms of my PTSD in this manner. In doing so, Mr. Sirianni is once again making a completely subjective, speculative and cynical accusation which he cannot prove. Moreover, Mr. Sirianni is demonstrating gross contempt of court, and gross contempt toward everyone who suffers from PTSD, and gross contempt toward all disabled persons. CP 417-418

In a separate motion, I will be asking this court to accept my introduction into the record of my medical records for the last three years. If Mr. Sirianni really believes his own disgusting and contemptuous slanders against me, then neither he nor his clients will have any reason to oppose that motion.

On page 144 of their brief, Respondents offer the following partial and highly selective account of the scheduling events of early 2017:

"On January 25, 2017, the matter was reassigned to the Honorable Suzanne Parisien. CP 433. Judge Parisien set trial for February 21, 2017, but rescheduled to February 23, 2017, because of a courthouse closure. CP 434, 437. MidTown filed and served a trial memorandum, witness and exhibit lists seven days before trial. CP 338. Mr. Tahir-Garrett neither filed nor served anything."

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REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

1	Respondents appear here to be pretending that the trial date and time was
2	only changed once within the month of February. In fact, it was changed
3	four times that month, the first two times within the last three weeks of the
4;	new time without proper notification being given to myself, and the last
5	two times within 36 hours of the new time without said proper notification
6	to myself at that point being held in indefinite detention by Judge
7	Parisien without access to my legal papers. CP 431-442; 451
8	Nevertheless, I appreciate this admission by respondents that the reason
9	alleged by the court for the rescheduling from the sheduled February 21st
0	date and time to the first of the several later scheduled times on February
1	23 rd was supposedly "courthouse closure". Although not admitted here by
2 3·	respondents, the record further shows that the alleged reason for this
4	supposed "courthouse closure", was "inclement weather". CP 437 Yet,
5	neither this alleged courthouse closure nor this alleged inclement weather
5	prevented a different trial from being in session on February 21st at the
7	exact time and in the exact courtroom when and where the MidTown vs
3	Tahir-Garrett trial had previously been scheduled. RP (Feb.21) 1-24
•	Neither this alleged courthouse closure nor this alleged inclement weather
)	prevented Ms. Parisien from sending that other trial into recess, in order
L	in her own words"to deal with some other matters", when I appeared in
2	good faith in that courtroom on said previously scheduled date. RP
.	DEDLY DRYFF OF A DRYF 1 127

REPLY BRIEF OF APPELLANT **OMARI TAHIR-GARRETT**

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(Feb.21) 2:6-10 Nor did either the alleged closure or inclement weather prevent Ms. Parisien from inscribing the case number of the allegedly postponed trial at the top of the "other matters" she thus immediately proceeded to "deal with". CP 439

On pages 14-15, Respondents construct an inaccurate tale of what occurred in King County Superior Court during the February 21st 2017 hearing of case No. 15-2-15338-2 SEA (JBD vs Zhang) leading up my kidnapping by Judge Parisien and her issuance of the first contempt order against me. In reply, I simply refer the court to the JBD vs Zhang transcript itself, which the Respondents choose to refer to as "RP (Feb. 21)", as well as to my initial appellant's brief and the line-by-line citations of this transcript therein. As for his allegation therein that I was instructed to leave the courtroom but refused to do so, I reiterate that I was not actually given that physical option under any conditions of safety. I was at that moment being threatened by armed white men who would have been free to inflict physical harm upon me, off of the record, had I volunteered at that time to move outside the range of the courtroom's recording equipment and the small degree of safety that it provided me. On pages 15-17 of their brief, Respondents likewise construct an inaccurate tale of what occurred in King County Superior Court during the February 23rd 2017 so called "hearing". In reply, I likewise refer the court to the

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

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MidTown vs Tahir-Garrett transcript itself, which respondents choose to refer to as "RP". Both of these documents already refute respondents' tale for any thorough reader.

On page 18 of their brief Respondents claim the following: On March 2, 2017, the King County Sheriff served the writ of restitution on Mr. Tahir-Garrett."(p18) Actually, this writ had already been placed on my at 2314 E. Spring Street pefore Ms. Parisien finally decided to release me from the eight days and even nights of arbitrary incarceration in which she held me from mid-day on February 21st until the evening of February 28th. CP 439; 451 Some eighbors told me that it had been placed there on the morning of ebruary 28th, again while I was still being held captive by Ms. Parisien, nd that Detective David Easterly, of the King County Sheriff's Office, ad told them that he was serving it on me at that time by placing it there. CP 460-461 March 2nd is actually the date that I first appealed this writ nd eviction order, rather than the day on which it was "served" upon me. Perhaps Mr. Sirianni will also argue that I was "avoiding service" of this rit by being involuntarily held in jail on February 28th?) For some reason oth the trial court and even this appeals court refused to acknowledge my ling of that notice of appeal until twenty days later, on March 22nd. But ne fact is March 2nd was the day I began this appeals process. CP 458-461

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REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

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Respondents then go on to claim, "On March 15, 2017, the Sheriff executed the writ."(p18) This claim is simply not true. To have executed the writ on that date, the Sheriff would have had to remove me from 2314 E. Spring Street. I was present within the building at that address throughout the entirety of March 15th, 2017, and was still there on March 16th. Instead of removing me, the Sheriff aided and abetted MidTown's agents in boarding me up inside those premises, severely triggering my PTSD in the process. The next morning, March 16th, 2017, having only partially recovered from the previous day's ordeal and PTSD attack, I made arrangements via telephone and through a public defender, with the East Precinct of the Seattle Police Department, to voluntarily remove myself from those premises at Noon that day as long as both a city councilor, authentic MidTown manager Tom Bangasser, and members of the press would be present to ensure my physical safety from injury or death at the hands of any armed persons. However, the SPD, reportedly on the orders of Chief O'Toole herself, violated this agreement by unilaterally and violently removing me from the structure at 9 am, three hours before the agreed upon time and in the absence of all of those agreed upon parties who would have re-assured my safety. In a separate motion I will be asking this court to accept a declaration of fact concerning the above from the public defender through whom I made these arrangements

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

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on March 16, 2017 while I was still on the premises of 2314 E. Spring Street, which is the last time I was there. If MidTown and their counsel sincerely believe their above claim, then they'll have no reason to oppose this motion.

Respondents then go on to allege the following:

"Soon after Mr. Tahir-Garrett was evicted, however, he returned to the Property. He snuck into a recently-vacated commercial space, where he took up residence." (p18)

I absolutely dispute this subjective

allegation. No such presence or alleged presence on my part (which, even according to the accusation itself, would have occurred on the absolute opposite corner of the city block from the 2314 E. Spring Street address) ever consisted of any "sneaking" or "taking up residence". Firstly, respondents admit that the space they are referring to is commercial, not residential. Secondly, any presence by myself in that space during this time would have been authorized by the authentic General Partner of MidTown, Mr. Tom Bangasser, who has never yet been legitimately removed from that position according to the terms of MidTown Limited Partnership's bylaws to compensate him for his years of service in that role, and who authorized the use of 1160 and 1158 23rd Ave, Seattle, WA 98122 by myself and various other parties working with the Africatown Community Land Trust in his letter to me of April 13, 2017. CP 481-482

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

Respondents then go on to allege the following:

2	"He also interfered with MidTown's ability to carry out its business operations and harassed, stalked and attempted to intimidate MidTown's
3	principals and contractors. He even followed them off the Property. "(p18)
4	The purpose of Mr. Sirianni's continued repetition of this false accusation, as
5	I stated in my notice of appeal, is to legitimize crimes committed against me
6	by his clients and to prevent me from further documenting said crimes,
7	which include but are not limited to theft, vandalism and destruction of
8	Appellant's personal property in violation of multiple RCWs and the
9	Americans With Disabilities Act. Contrary to this lie I have never abused,
10	harrassed or stalked any of MidTown's principals or workers, contractors,
11	inspectors, employees or vendors engaged by them to perform services on
12 13	the Property. I have only photographed, video recorded or followed any such
14:	persons for the legal, necessary and specific purpose of documenting them in
15	the act of committing criminal acts against myself and my personal
16	possessions. Since the May 5 th contempt order was issued, I have been
17	effectively prevented by that order from assessing the full extent of the
18	damage I have incurred as a victim of these continued crimes. However, I
19	will be submitting a separate motion for permission to enter into this court's
20	record the full extent of the photographic, video, and eye witness evidence of
21	these crimes that I was able to compile prior to the issuance of this May 5th
22	order. If Mr. Sirianni and his clients are sincere in their professed belief that
	processed deliver that

REPLY BRIEF OF APPELLANT **OMARI TAHIR-GARRETT**

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they are the law abiders and that I am the criminal, then they'll have no reason to oppose this.

C. Rebuttal to Respondents' "Argument"

Mr. Sirianni opens respondents' "ARGUMENT" with this lie: 'Mr. Tahir-Garrett claims the Judgment and Order were "one hundred percent empirically false," and based on a "false narrative." (p19) This statement by Sirianni about my brief is simply untrue, as anyone who simply refers to the actual text of my brief can see. What my brief does claim, in contrast to what Sirianni says it claims, is that the text of the Judgement and Order INCLUDED STATEMENTS by the trial judge that are one hundred percent empirically false (see Appellant's Br. P 6, 14-17). The record clearly vindicates this actual claim by me, particularly in regard to Ms. Parisien's statements therein about the testimony of Tom Bangasser. Ms. Parisien claims that Tom Bangasser testified that he never objected to the presence of campers at the Premises and believed they were entitled to camp at the Premises. CP 447: 18-19 Tom Bangasser never testified any such thing. RP 63:15 – 87:2 Furthermore, the only purpose that could be served by this false claim that Tom Bangasser testified such a thing would be that of discrediting Tom Bangasser.

Sirianni clearly hopes that the Court will simply decline or neglect to read my Appellant's brief, because he then proceeds to argue, on pages 19 -20 of Respondents' brief, that this Court should refuse to consider the

REPLY BRIEF OF APPELLANT **OMARI TAHIR-GARRETT**

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contents of my appellant's brief due to an alleged failure on my part to meet the technical writing requirements of RAP 10.3(g). This allegation is incorrect. My appellant's brief is in full compliance with RAP 10.3(g) because, in accordance with the final sentence of that RAP 10.3(g), (which Mr. Sirianni omits from his incomplete quotation thereof), the erroneous finding of fact was clearly disclosed in the associated issue number 9, pertaining to assignments of error 1, 2, 3 and 4, and also again clearly disclosed in the associated issue number 10, pertaining to assignments of error 1, 2 and 3, all of which are thereto included with reference by number on each respective occasion.

In the footnote at the bottom of page 19, Sirianni also makes the following strange claim, accompanied by a significant admission:

"6. To the extent Mr. Tahir-Garrett challenges issuance of the writ of restitution authorized in the Judgment and Order, his appeal is moot. He did not file a supersedeas bond, the writ was executed, and MidTown no longer owns the Property."(p19) I appreciate Mr. Sirianni's admission that MidTown no longer owns what Sirianni refers to as "the Property", as this once more supports my claim that the banning orders against me should be lifted. As for the allusion a "supersedeas bond", Mr. Sirianni is claiming that I should have pursued a remedy that he should be well aware was not open to me. Such a bond is only available to a party appealing a specific quantitative money judgement. No such specific money judgement has been placed against me, and, even if one were, I have been accurately found indigent.

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

1;	On pages 20-21, Sirianni asserts that the incorrect findings of fact
2	contained in the text of Judge Parisien's February 24th Judgement And
3	Order against me were supported The substantial evidence which clearly
4	supported by "substantial evidence", but he does not cite any actual
5	evidence that, when reviewed in reference to those so called "findings of
6	fact", would actually lend them any support. To the contrary, the
7	substantial evidence supports this Appellant's denoting that the trial judge
8	perjured herself here. Sirianni also incorrectly alleges herein that my
9	argument depends solely on the testimony of Thomas Bangasser, which
10.	anyone reading my brief can see is not the case. However, it is true that,
11	due to my involuntary absence from this so-called "hearing", Tom
12 [°]	Bangasser was the only witness there who was not called by MidTown,
13	and therefore also the only one not hostile to me. The fact that Tom
15	Bangasser felt morally compelled to come to the stand on his own
16	initiative, even as a partner in the opposing party, and the fact that a clear
17	lie about his testimony was then written into the Judgement and Order
18	following from this hearing in an apparent effort to specifically discredit
19	him, does indicate that the testimony of Thomas Bangasser should be
20	afforded some measure of elevation and credibility by the Court. RP 63-87
21	On page 21 of their brief, Sirianni makes this outlandish claim:
22;	"B. Mr. Tahir-Garrett Was Not Entitled to a Show Cause Hearing."(p21)
23	
24	REPLY BRIEF OF APPELLANT 24

REPLY BRIEF OF APPELLANT **OMARI TAHIR-GARRETT**

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He then proceeds to inaccurately allege that I cited no authority as to why I am entitled to such a hearing, and to further alleges for the next two pages that nothing in law requires me to be afforded the benefit of one. Although is not clear from his convoluted argument whether Mr. Sirianni is denying that the first two and a half sentences of RCW 59.18.380 exist, or whether he is denying that I cited this authority, the facts are that this statute does exist, its first several sentences are quite clear that the court's obligation to receive and an examine the merits of my oral testimony at a hearing are mandatory rather than optional, I still have yet to be afforded the opportunity to present such answer in my own defense at a hearing, a did cite this authority on page 38 of my appellant brief.

Respondents claim, on pages 23-24 of their brief, that the Trial Court's Pretrial Contempt Orders Were Proper", and, on page 25, claim once again that the first contempt order in particular was proper. In reply, I once again simply refer the Court to the JBD vs Zhang transcript itself, as well as to my initial Appellant's brief and the line-by-line citations of this transcript therein. Respondents further claim, on pages 26-27 of their brief, that the second contempt order in particular was proper. In reply, I refer the court to the MidTown vs Tahir transcript itself, as well as to my initial appellant's brief and the line-by-line citations of this transcript

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REPLY BRIEF OF APPELLANT **OMARI TAHIR-GARRETT**

therein. These documents already fully refute the above false narratives of Mr. Sirianni for any thorough reader.

On pages 27-29 of Respondents' brief, Mr. Sirianni attempts to argue that my affidavit denoting Judge Parisien's strong racial bias against me was somehow procedurally invalid. I denote and appreciate Mr. Sirianni's admission, in his final paragraph on page 28 of that brief, that what is being held up here by Ms. Parisien, MidTown and by Sirianni himself as the alleged "prior discretionary ruling" supposedly preempting my affidavit of prejudice is, in fact, the first contempt order issued by Judge Parisien on February 21s, two days before this case in question was allegedly into session. This admission proves and vindicates most of my arguments against all three contempt orders as well as the eviction order. The admission clarifies that all of the orders herein appealed by myself hinged upon that first contempt order, the true purpose of which was to lock me up during the week of this "trial" so as to prevent me from effectively defending myself therein. Therefore, all of the other technicalities advanced here by Sirianni, in his effort to argue that the court should not consider the validity of my affidavit of prejudice, are rendered moot by the extremity of the very human rights violation which compelled the necessity of this affidavit. The fact that this habeus corpus violation itself is being presented by Sirianni as basis upon which to

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REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

discard my affidavit of prejudice starkly illustrates the contempt that Respondents, their counsel and their compatriot Judge Parisien all hold for for the notion that I might have any rights they are bound to respect.

On pages 30-32 of Respondents' brief, Mr. Sirianni alleges that it was proper for Judge Parisien's jurisdiction to ban me from an entire nine address city block as part of evicting me from just one address. He alleges at page 30 that I cited no authority in arguing otherwise. While it is unclear here whether Mr. Siranni is denying the existence of the 1st and 5th Amendments or denying that I cited them, the facts are that they do exist and that I did cite them in my brief on pages 11 and 39 respectively.

On page 31 of their brief, Respondents admit the specific alleged reasons for which Omari Tahir Garrett was banned from an entire nine address city block instead of a single address. I very much appreciate each of these above admissions by Mr. Sirianni because they confirm with certainty that all of the baseis upon which MidTown sought and obtained my complete banning from the entire block, and later five blocks, were matters over which King County Superior Court lacked jurisdiction.

It is unnecessary for me to respond to Pages 33-37 of Respondents' brief, as these pages merely repeat arguments that I have already refuted.

II. IN CONCLUSION, please overturn these four unconstitutional orders.

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

III. APPENDIX--First Eighty-Six (86) Words of RCW 59.18.380 (Forcible entry or detainer or unlawful detainer actions):

The first eighty-six (86) words of RCW 59.18.380 read as follows: At the time and place fixed for the hearing of plaintiff's motion for a writ of restitution, the defendant, or any person in possession or claiming possession of the property, may answer, orally or in writing, and assert any legal or equitable defense or set-off arising out of the tenancy. If the answer is oral the substance thereof shall be endorsed on the complaint by the court. The court shall examine the parties and witnesses orally to ascertain the merits of the complaint and answer,

DATED this 22 day of 257 2617.

Respectfully Submitted, Grnari Tahir. - Larrett

Omari Tahir-Garrett, Private Attorney General.

VERIFICATION: I, Omari Tahir-Garrett, am an Appellant in the above action and know the contents thereof, which are true of my own knowledge except as to those matters therein alleged on information and belief, which I believe to be true. I declare under penalty of perjury the foregoing is true. Executed at Seattle, WA.

DATED this 22 day of 557 2517

Respectfully Submitted, 3mari Talin - Santt

Omari Tahir-Garrett, Private Attorney General

REPLY BRIEF OF APPELLANT OMARI TAHIR-GARRETT

RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

September 27, 2017

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The appellant's reply brief filed in the above case on September 22, 2017, along with the attached checklist, is being returned for failure to comply with the Rules of Appellate Procedure. Appellant is directed to refile and reserve the brief in compliance with the checklist on or before October 2, 2017.

Failure to timely comply with the Rules of Appellate Procedure may result in the imposition of sanctions pursuant to RAP 18.9.

Sincerely,

Richard D. Johnson

Court Administrator/Clerk

jh

Enclosures

CHECKLIST FOR BRIEFS

Appellants	76605-8, <u>N</u>	<u>Aldtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., </u>
CONTENT	<u>S</u>	
	_ (1)	Title Page. RAP 10.3(a)
	_ (2)	 Tables. RAP 10.3(a) 1. of contents, with page references 2. Cases arranged alphabetically and where cited 3. Other sources, where cited
	_ (3)	Assignments of Error Required for appellant and for respondent only if also seeking review. RAP 10.3(a); RAP 10.4(c). 1. Separately stated 2. Issue pertaining thereto 3. If involving proposed or actual findings of fact or instruction a. Separate assignment for each b. Referenced by number c. Text of instruction, finding of fact or the like
	_ (4)	Statement of Case (necessary for respondent only if dissatisfied with appellant's statement). RAP 10.3(a) 1. Facts & Procedure 2. References to record. All references to the record should be to specific pages in the Clerk's Papers or the Report of Proceedings rather than to sub numbers or to the appendix
	_ (5)	Argument. RAP 10.3(a) 1. Record references 2. Authorities cited
	_ (6)	Conclusion stating precise relief sought. If issue relating to statute, rule, regulation, instruction, or finding of fact, set out verbatim in text of appendix
X	_ (7)	A brief of appellant, petitioner, or respondent, and a pro se brief in a criminal case should not exceed 50 pages. A reply brief should not exceed 25 pages . An amicus curiae brief should not exceed 20 pages.
-	_ (8)	Failure to comply with the provisions of the Rules of Appellate Procedure related to font size, margins, or spacing. RAP 10.4 (a)

FILED 17 OCT 03 PM 4:20

KING COUNTY SUPERIOR COURT CLERK E-FILED

CASE NUMBER: 16-2-10995-1 SEA

IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF KING INDEX TO CLERK'S PAPERS

Title: MIDTOWN LTD PARTNERSHIP VS TAHIR-GARRETT

Case No.: 16-2-10995-1 SEA

Index Date: 10-03-2017

Appeal No.: 76605-8-I

Desg. Party: OMARI TAHIR-GARRETT

Pages: 539 - 545

Sub No.	Document Description	Page#
85	ORDER GRANTING MOTION FOR CONTEMPT	539 - 545



OCT 0 5 2017

SUPERIOR COURT CLERK
BY Regina Saucier
DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,

Plaintiff,

V

OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and ALL OTHER OCCUPANTS,

Defendants.

NO. 16-2-10995-1 SEA

ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE

THIS MATTER having come on regularly before the undersigned judge upon the motion of the defendant for an order authorizing the defendant to seek review at public expense and appointing an attorney, and the Court having considered the records and files herein, now therefore,

IT IS HEREBY ORDERED that pursuant to RAP 15.2(c), the defendant is not entitled to appellate review partially or wholly at public expense.

The Court has reviewed the Declaration of Omari Tahir-Garrett and finds that he is unable by reason of poverty to pay for all or some of the expenses of review. However, pursuant to RAP 15.2(c), the Court finds the case at issue is not governed by subsection

ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE - 1 HONORABLE SUZANNE PARISIEN KING COUNTY SUPERIOR COURT 516 THIRD AVENUE SEATTLE, WASHINGTON 98104

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(b) of RAP 15.2. The Court further finds that the issues the defendant seeks to have reviewed lack probable merit.

WHEREFORE, IT IS FURTHER ORDERED that the Defendant's Motion to Appoint an Attorney at Public Expense is HEREBY DENIED.

DATED: October 5, 2017.

SUZANNE R. PARISIEN
Superior Court Judge

No Envelopes Provided

RECEIVED

RECEIVED COURT OF APPEALS DIVISION ONE

OCT 16 201/

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square 600 University Street, Seattle, WA 98101 OCT 16 2017

HARRISON-BENIS, LLP ATTORNEYS AT LAW

October $/\sqrt{2017}$

Omari Tahir Garrett, Private Attorney General PO Box 22328 Seattle, WA 98122 (206) 717-1685

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121 **CC:** Stephen J. Sirianni

Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104

Reply to The Court of Appeals of the State of Washington:

RE: CASE # 76605-8-I - Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Dear Court of Appeals of the State of Washington, DIVISION 1, On this very past Friday, October 13, 2017, I received the attached letter and enclosures from your Court Administrator/Clerk Richard D. Johnson, which purports to have been dated September 27 and which further purports to threaten me with sanctions for not responding to it by October 2 (five days after its purported date and eleven days prior to my actually receiving it). Upon receiving this, I suffered a TIA mini stroke resulting in my hospitalization over this weekend, as documented in the hereto attached medical information. Nevertheless I am exhausting all possible remedies by responding to this letter as soon as humanly possible, which is today. I appreciate this letter's acknowledgement of the fact that I filed my reply brief on September 22, 2017.

However, Mr. Richard D. Johnson alleges in this letter and its first attachment that my reply brief exceeded 25 pages in length and thereby failed to comply with the Rules of Appellate Procedure. I therefore must first and foremost denote that this allegation about my reply brief is inaccurate. As I previously denoted to this same Clerk in relation to my original appellant's brief, RAP 10.4(b), "Length of Brief", most explicitly denotes that appendices, the title sheet, table of contents, and table of authorities are NOT included in determining compliance with this rule. Pages 1 and 2 of my reply brief are a title sheet and table of contents respectively, while page 28 is an appendix. The length of my reply brief runs from page 3 through page 27 and is EXACTLY 25 pages, not longer. It would appear that the Clerk either miscounted the number of pages in my brief or else erred by failing to exclude the title sheet, table of contents and/or appendix from said count.

The only other possibility is that Mr. Johnson may be suggesting that the signature block at the end of my brief should be included in determining the brief's length under the Washington RAP. Since Washington RAP does not call for the inclusion of signature block in the calculation of brief length, we must reasonably presume that Washington's courts comply with both the preemption doctrine of Article VI of the US Constitution, as well as the federal judicial investiture of Article III of that same Constitution, by abiding in concert with with the Federal Rules of Appellate Procedure TITLE VII Rule 32(f), which specifies that the signature block is EXCLUDED from computing any length limit of a brief.

My reply brief has therefore at all times been in compliance with the Rules of Appellate Procedure, and was properly submitted by my on September 22, 2017. Nevertheless, in order to completely exhaust all remedies and to comply as fully as possible with the court's instructions as issued, I am doing the only thing I can possibly do to make my reply brief arguably even more compliant with these rules than before, which is to move my signature to page 27 (so that it falls on a page that is explicitly included within the brief's computed length) and refiling and reserving it accordingly as directed.

Please therefore accept my reply brief as the appellant in this matter, and place it before the appeals judge in this case # 76605-8-I.

Sincerely, I mai Taker - Harrett Omari Tahir-Garrett, Private Attorney General



nes C. Garrett Date of birth: 5/4/1946 🗔 10/13/2017 - 10/14/2017 🧿 Cherry Hill 3 East - Med/Tele

structions



Your medications have changed

START taking: aspirin 81 mg Chew tab atorvastatin 10 mg Tab (aka LIPITOR)

Review your updated medication list below.

Vext Steps

∬ Do

☐ Pick up these medications from Walgreens Drug Store 03632 - SEATTLE, WA - 2400 S JACKSON ST AT 23RD & JACKSON

- aspirin
- atorvastatin

Visit Information

Date & Time 10/13/2017

Provider

Team, Inpatient Neurology

Department

Cherry Hill 3 East - Med/Tele

Current Immunizations

FLU VACCINE QS 2017-18(36MOS UP)(PF)60MCG (15 MCGX4)/0.5 ML IM SYRINGE (aka INFLUENZA)

10/13/2017 Deferred (Patient Refused)

Allergies

No active allergies

Intolerance

No active intolerances/contraindications

Instructions

These instructions are from your provider, Margaret Bloor, PA-C

Diagnosis:

You have been diagnosed with a TIA. A stroke occurs when a blood vessel carrying oxygen and other nutrients to the brain is blocked or bursts. When a blood fails to get through to the brain, the brain cells die, causing a stroke. Strokes caused by blocked vessels are called ischemic strokes, while strokes caused by a burst artery are hemorrhagic strokes. A TIA (Transient ischemic attack) is similar to a stroke, but lasts a few minutes to an hour. A TIA occurs when the brain blood supply is blocked briefly and then reopens. It is a warning that a full stroke my soon occur.

Your risk factors for stroke or TIA are: high cholesterol, lack of regular exercise and an unhealthy diet

If you experience new stroke symptoms, THINK F-A-S-T! Below some common symptoms of a stroke are listed:

- F Facial weakness or numbness on one side NEW
- A Arm or leg weakness or numbness on one side NEW
- S Slurred speech or difficulty with word finding NEW
- T Time is BRAIN! Call 911 as soon as you recognize these symptoms

Follow up appointments:

Primary Care:

Please follow up with your primary care doctor within 1-2 weeks of discharge. Please call for an appointment.

Neurology:

The Swedish Cherry Hill Stroke Clinic in the next 4 weeks with Dr. Sheila Smith or Dr. Tom Kushner. To schedule an appointment please call 206-320-3278.

Questions or concerns:

If you have not seen your clinic neurologist yet and you have questions or concerns, please do not hesitate to call our Swedish Stroke Clinic at Cherry Hill, (206)320-3278 (FAST)! Please ask to speak to our stroke nurse or our patient care coordinator.

You may also reach out to your primary care doctor.

Incomplete test results:

The following test results were incomplete at the time of your discharge:

Hemoglobin A1C - this is a test for diabetes

It is imperative that you follow up on these tests results with your primary care doctor and/or your neurologist. Please discuss these tests at your follow up appointment.

Your discharge medications:

RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

September 27, 2017

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The appellant's reply brief filed in the above case on September 22, 2017, along with the attached checklist, is being returned for failure to comply with the Rules of Appellate Procedure. Appellant is directed to refile and reserve the brief in compliance with the checklist on or before October 2, 2017.

Failure to timely comply with the Rules of Appellate Procedure may result in the imposition of sanctions pursuant to RAP 18.9.

Sincerely,

Richard D. Johnson

Court Administrator/Clerk

jh

Enclosures

CHECKLIST FOR BRIEFS

Appellants	76605-8, <u>N</u>	<u>Aldtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., </u>
CONTENT	<u>S</u>	
	_ (1)	Title Page. RAP 10.3(a)
	_ (2)	 Tables. RAP 10.3(a) 1. of contents, with page references 2. Cases arranged alphabetically and where cited 3. Other sources, where cited
	_ (3)	Assignments of Error Required for appellant and for respondent only if also seeking review. RAP 10.3(a); RAP 10.4(c). 1. Separately stated 2. Issue pertaining thereto 3. If involving proposed or actual findings of fact or instruction a. Separate assignment for each b. Referenced by number c. Text of instruction, finding of fact or the like
	_ (4)	Statement of Case (necessary for respondent only if dissatisfied with appellant's statement). RAP 10.3(a) 1. Facts & Procedure 2. References to record. All references to the record should be to specific pages in the Clerk's Papers or the Report of Proceedings rather than to sub numbers or to the appendix
	_ (5)	Argument. RAP 10.3(a) 1. Record references 2. Authorities cited
	_ (6)	Conclusion stating precise relief sought. If issue relating to statute, rule, regulation, instruction, or finding of fact, set out verbatim in text of appendix
X	_ (7)	A brief of appellant, petitioner, or respondent, and a pro se brief in a criminal case should not exceed 50 pages. A reply brief should not exceed 25 pages . An amicus curiae brief should not exceed 20 pages.
-	_ (8)	Failure to comply with the provisions of the Rules of Appellate Procedure related to font size, margins, or spacing. RAP 10.4 (a)

NOTICE RE UNSCANNABLE DOCUMENT

MINE ALEXANDER TO A STATE OF THE STATE OF TH	RSHIP		*
Vs.			ŧ
		,0	
TAHIR-GARRETT			, , , , , , , , , , , , , , , , , , ,
		Case No. <u>16-2-10</u>	995-1 SEA
		Document Title:	MOTION TO INTRODUCE ADDITIONAL EVIDENCE INTO
		Filed Date: 10-20	-2017
reason(s) indicated below	v. It has been	converted to the sta	anned electronic images for the itus of a "File Exhibit," per KCLR
reason(s) indicated below	v. It has been tored in the E	converted to the sta xhibit room. Please	atus of a "File Exhibit," per KCLR contact a Records Access clerk if
reason(s) indicated below 79(2)(d)* and has been s	v. It has been tored in the E	converted to the sta	atus of a "File Exhibit," per KCLR contact a Records Access clerk if
reason(s) indicated below 79(2)(d)* and has been s	v. It has been tored in the E	converted to the sta xhibit room. Please Original photogra CDs/Cassette tap	atus of a "File Exhibit," per KCLR contact a Records Access clerk if phs es/Video tapes (e.g., pictures / drawings /
reason(s) indicated below 79(2)(d)* and has been s	v. It has been tored in the E	converted to the sta xhibit room. Please Original photogra CDs/Cassette tap Too large to scan	atus of a "File Exhibit," per KCLR contact a Records Access clerk if phs es/Video tapes (e.g., pictures / drawings /

Deputy Clerk

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4	IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON			
5	IN AND FOR KI	NG COUNTY		
6	Midtown Limited Partnership,			
7	Plaintiff.	CASE: 16-2-10995-SEA		
8	vs.	(Associated Court of Appeals Case #s 76605-8-I and 77417-4)		
9	Omari Tahir-Garrett,	,		
10	Defendant.	MOTION TO INTRODUCE ADDITIONAL EVIDENCE INTO THE RECORD		
11				
12				
13	COMES NOW THE DEFENDANT	C, OMARI TAHIR-GARRETT, WHO		
14	IS THE APPELLANT IN THE ASSO	OCIATED COURT OF APPEALS		
15	CASES 76605-8-I AND 77417-4, AN	ID SUBMITS THE FOLLOWING		
16	MOTION TO INTRODUCE ADDIT	IONAL EVIDENCE INTO RECORD:		
17				
18	Whereas MidTown and Mr. Sirianni	have alleged that I harrassed stalked		
19				
20	and attempted to intimidate MidTown's principals and contractors thus			
21	justifying the issuance of the May 5 th o	contempt order, while I maintain that I		
22				
23	MOTION TO INTRODUCE ADDITED TO THE RECORD	IONAL 2		
24				

1	have only ever photographed, video recorded or followed any such persons
2	for the legal and necessary purpose of documenting them in the acts of
3	committing crimes against myself and my personal possessions, and
4	
5	Whereas there exists a body of empirical photographic, video and eye
6	witness evidence of such crimes committed against me by Respondents that I
7	was able to compile prior to the issuance of the May 5 th order,
8	
9	Omari Tahir-Garrett therefore moves for the court to permit me to
10	introduce a sampling of this body of empirical evidence I have compiled, as
11	hereby submitted into the hands of the Court in the appendix of Exhibits 1
12	through 10 on USB drive and consisting of 7.94 GB of data (comprised by
13	one master folder holding ten (10) individual folders each constituting the
14	EXHIBIT of corresponding number and together containing a combined
1516	total of 173 image files).
17	
18	Respectfully submitted this day of
19	Omari Tahir-Garrett
20	Private Attorney General
21	PO Box 22328 Seattle, WA 98122
22	(206)-717-1685.
23	
24	MOTION TO INTRODUCE ADDITIONAL 2

1		×.
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3		
4		
5	IN THE SUBERIOR COURT OF V	VACUINCTON FOR KING COUNTY
6		WASHINGTON FOR KING COUNTY
7	MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,	NO 16 2 10005 1 0FA
8	Plaintiff,	NO. 16-2-10995-1 SEA
9		ORDER STRIKING MOTION
10	OMARI TAHIR-GARRETT, a.k.a. OMARI	
11	TAHIR, a.k.a. JAMES C. GARRETT, and	
12	ALL OTHER OCCUPANTS,	
13	Defendants.	
14	IT IS HEREBY ORDERED that for the re-	asons set forth below defendant's motion to introduce
15	additional evidence into the record is stricken with	nout prejudice.
16	X Failure to include a calendar note for motion	on. (KCLR 7(b)(4)(A)).
17	X Failure to include a proposed order (KCLR X Failure to timely note the motion without or	
18	X Failure to include stamped envelopes address the action. (KCLR 7(b)(4)(C)).	essed to all parties who have appeared in
19		ties who have appeared in the action (CR 5).
20	Does not comply with RCW 38.42.050(1)(a) - Service Members' Civil Relief Act.
21	Moving party authorizes Court to strike mo X Other: This court no longer has jurisdiction	
22	Dated this 27th Day of October, 2017.	
23		81/-
24	JUDO	GE SUZANNE PARISIEN
25	Forms and court rules are available online at http://www.kinge ORDER STRIKING MOTION - 1	county.gov/courts/scforms.aspx
26		SUZANNE PARISIEN, JUDGE KING COUNTY SUPERIOR COURT 516 THIRD AVENUE Seattle, WA 98104 (206) 477-1579

RICHARD D. JOHNSON, Court Administrator/Clerk The Court of Appeals
of the
State of Washington

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

October 30, 2017

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 77417-4-I
Personal Restraint Petition of Omari Tahir-Garrett

Counsel:

A notation ruling was entered on October 30, 2017, which authorized the filing of the above-referenced personal restraint petition without the payment of a filing fee.

Petitioner's request for appointment of counsel is premature. However, if the Acting Chief Judge orders that the personal restraint petition shall be retained by this court or transferred to the superior court for determination on the merits or transferred to the superior court for a reference hearing under RAP 16.11, counsel will be appointed. Honore v. Board of Prison Terms and Paroles, 77 Wn.2d 660, 466 P.2d 485 (1970); RCW 10.73.150(4).

You will be informed when a decision on the petition is reached. Any request limited solely to the status of the petition will be placed in the file without further action.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

khn

FILED KING COUNTY WASHINGTON

NOV 01 2017

SUPERIOR COURT CLEAK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR KING COUNTY

Midtown Limited Partnership,

Plaintiff.

CASE: 16-2-10995-SEA

VS.

(Associated Court of Appeals Case #s 76605-8-I and 77417-4)

Omari Tahir-Garrett,

Defendant.

MOTION TO INTRODUCE MEDICAL EVIDENCE INTO THE RECORD

COMES NOW THE DEFENDANT, OMARI TAHIR-GARRETT, WHO
IS ALSO THE APPELLANT IN THE ASSOCIATED COURT OF
APPEALS CASES 76605-8-I AND 77417-4, AND SUBMITS THE
FOLLOWING MOTION TO INTRODUCE EVIDENCE INTO RECORD:

Whereas it is a matter of legal record that Judge Suzanne Parisien, in the text of pages 2 and 3 of her February 24th, 2017 "JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUTION", clearly and intentionally expresses an unequivocal disbelief on her part toward the authenticity of the medical emergency suffered by Omari Tahir Garrett on

the previous day, which emergency caused Omari Tahir Garrett to be removed from her courtroom in an aid car, and

Whereas it is a matter of legal record that Judge Suzanne

Parisien, in the text of her February 23rd "ORDER ON CIVIL MOTION

FOR CONTEMPT" also clearly and intentionally expresses an

unequivocal disbelief on her part toward the authenticity of the medical

emergency suffered by Omari Tahir Garrett on that day, which emergency

caused Omari Tahir Garrett to be removed from her courtroom in an aid

car, and

Whereas it is a matter of legal record that Mr. Stephen Sirianni, counsel for Midtown Limited Partnership, during the course of the proceeding in this case 16-2-10995-SEA that occurred in the courtroom of Judge Suzanne Parisien on February 23rd, 2017 from 2:46 pm until 4:44 pm, did on his part verbally and intentionally express an unequivocal disbelief toward the authenticity of the medical emergency suffered by Omari Tahir Garrett on that day and also did verbally urge Judge Susanne Parisien to disbelieve the authenticity of that same medical emergency, which emergency caused Omari Tahir Garrett to be removed from that courtroom in an aid car, and

Whereas it is a matter of legal record that both Judge Suzanne

Parisien and Mr. Stephen Sirianni, counsel for Midtown limited

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MOTION TO INTRODUCE MEDICAL EVIDENCE INTO THE RECORD

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partnership, have also at various times clearly and intentionally expressed similar disbelief on their respective parts toward the authenticity of a similar medical emergency suffered by me on December 23, 2016, and

Whereas it is a matter of legal record that Mr. Stephen Sirianni, counsel for Midtown Limited Partnership, has even filed a document in a court of law in which he characterizes the symptoms and effects of my PTSD as "Mr. Garrett's Resistance", thus clearly and intentionally insinuating that he thinks courts of law should doubt the authenticity of my PTSD entirely, and

Whereas it is a matter of *medical* record that, during the above referenced medical emergency that I suffered on February 23rd, 2017, "In the field the patient was hypertensive to systolics 220s", and that this fact is even admitted in said medical record by physicians who therein demonstrate a subjective political hostility towards me and bias against me, and

Whereas it is a matter of *medical* record that I also suffered similar hypertensive symptoms and was given a similar diagnosis during the above referenced medical emergency of December 23, 2016, and

Whereas it is a matter of legal record that I was extracted from the building of what plaintiffs call "The Premisis" at 2314 E. Spring Street, Seattle, WA 98122 on March 16 (as opposed to March 15), 2017 by the Seattle Police Department (as opposed to the King County Sheriff's

7_.;

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Department), after having spent the previous night boarded up inside that building, and

Whereas it is matter of *medical* record that just a few hours later on that same day (March 16, 2017), I was hospitalized at Swedish Hospital for nausea, vomiting, dehydration and hypertension, and was not discharged therefrom until March 18, 2017, and

Whereas it is a matter of *medical* record that, upon discharging me on said day of March 18, 2017, due to the fact that I was then homeless as a result of having just been evicted by the SPD upon the Judgement And Order of Judge Suzanne Parisien issued on behalf of Midtown Limited Partners at the request of Mr. Stephen Sirianni, I had no private resting place to which to repair upon being discharged, and that, under the context of the above details, Swedish Hospital and the Seattle Police Department for some reason made the decision NOT to transfer me to either the Veterans

Administration's Housing Program or to the Seattle Housing Authority, as I requested, but instead attempted to transfer me back into the same King County Jail from which I had only been released eighteen (18) days previously (on February 28, 2017), and

Whereas it is also a matter of *medical* record that, upon attempting to transfer me back into that King County Jail on that day (March 18, 2017), the above parties were unable to do so because the King County Jail Nurse

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accurately found my medical condition too severe to accept me into incarceration there, noting that my blood pressure was 221/134, that my headache and dizzyness were NOT better, that I was unable to walk and ordering that I be transferred to Harborview Medical Center instead, where I and then later some of my medical information from Swedish Hospital were then subsequently transferred and where I was accordingly diagnosed with hypertensive urgency, and

Whereas it is also a matter of *medical* record that, on September 8, 2016, long before any eviction order was issued against me by this Court, I was physically injured by an entity who was wielding a piece of heavy equipment, on behalf and in the pay of Midtown Limited Partnership, in an attempt by Midtown and that hired entity to block the ingress and egress of my personal automobile to and from the premises of 2314 E. Spring Street where I still at that time held an unterminated tenancy, and

Whereas, regardless of any aspersions of doubt that Midtown's counsel may continue attempting to cast upon the matter, it also a matter of both medical AND legal record that I do in fact have a history of PTSD, and

Whereas it would significantly improve the Court's ability to determine the truth of many disputed matters that have been placed before it in this case if each of the above referenced matters of medical record were

24

also rendered into matters of legal record available to the review of this court and the appellate bodies holding jurisdiction over its decisions,

Omari Tahir-Garrett therefore hereby moves for the court to

EXHIBIT 11, which is a dossier of pages from my Harborview Medical
Center medical record for the past three years, EXHIBIT 12, which is some
pages of my Swedish Hospital medical record from December 23, 2016,
EXHIBIT 13, which is two pages of the DSHS Social Service Case Notes
about me from April 20, 2004 through November 10, 2005 documenting two
of my psychiatric evaluations and their two respective resulting Incapacity
Decisions about me, and EXHIBIT 14, which is a folder of official Social
Security Administration Papers about me from 2011 through 2014—my only
surviving folder of such SSA papers as all other such folders of mine were
stolen from me by Midtown on or after March 15, 2017—documenting,
among other things, that my psychiatric condition is apparently so severe
that the Social Security Administration deems it necessary to assign me a
payee rather than disburse any monetary benefits to me directly.

Respectfully submitted	I this 13 day of 401	2017
Omari Tahir-Garrett_	Smare Takir	Sanett

Private Attorney General, PO Box 22328 Seattle, WA 98122, 206-717-1685

EXHIBIT 11

GARRETT, JAMES CORDELL H5225827
 ED Patient Summary Modified
 Service Date: Mar-18-2017

Dictated by England RN, Susan A on Mar-18-2017

ED Patient Summary

Harborview Medical Center Emergency Department Discharge Instructions 325 9th Ave, Seattle, WA 98104

Phone: (206) 744-3074

Name: GARRETT, JAMES CORDELL DOB: 05/04/1946 Age: 70 Years

MRN: H5225827 Printed at: 3/18/2017 23:02:55

Arrival Date/Time: 3/18/2017 6:53 PM

Attending Provider:

E. Dorn

Other Providers:

L. Gizaw

Diagnosis: Hypertensive urgency

Comment:

Fill New Prescriptions:

hydroCHLOROthiazide (hydroCHLOROthiazide 25 mg oral tablet) 25 mg by Mouth daily

Allergies:

No Known Allergies

Comment:

Follow-up Instructions:

With: Address: When:

HMC Patient: GARRETT, JAMES C (H5225827) Doc pg 1 of 4 Req ld: katieros : 09/15/17 14:55:14

IMPORTANT EMERGENCY DEPARTMENT COMMUNICATION AFTER YOUR VISIT:

If you have questions about your ED visit, please call:

Harborview Medical Center ED: 206-744-3074

You may receive a phone call from us in the next few days to ensure that you are improving. Please be sure that we have an accurate phone number and address for you.

To assist us with continuing to improve the quality of the Emergency Care we provide, we would like your input. In the coming weeks, you may receive a survey in the mail about our processes.

Please complete this and return it to us. Our goal is to provide you with excellent medical care. If we have not reached this goal, please let us know how we can improve our services.

Harborview Medical Center would like to thank you for allowing us to assist you with your healthcare needs.

It is important to see your doctor or primary care provider. Emergency Care may be incomplete without proper follow-up. For help scheduling your UW Medicine or Harborview Clinic doctor appointment, call the Patient Contact Center at 206.520.5000 or toll free at 877.520.5000.

If you become worse in any way, it is important that you call your doctor, or return to the Emergency Department. Please remember to take these instructions to your next doctor's appointment.

Patient and Family Education

Hypertension / High Blood Pressure

What you should know

Chronic hypertension is a long-term condition in which your blood pressure (BP) is higher than normal. Your BP is the force of your blood moving against the walls of your arteries. Normal blood pressure is less than 120/80. Prehypertension is BP between 120/80 and 139/89. High blood pressure is 140/90 or higher.

Instructions

Medicines: The following medicines may be ordered for you.

- **Blood pressure medicine** is given to lower your blood pressure. A controlled blood pressure helps protect your organs, such as your heart, lungs, brain, and kidneys. You may need more than 1 type of blood pressure medicine. Take your blood pressure medicine exactly as directed.
- **Diuretics** help decrease extra fluid that collects in your body. This will help lower your BP. You may urinate more often while you take this medicine.
- Take your medicine as directed. Call your primary healthcare provider if you think your medicine is not helping or if you have side effects. Tell him if you are allergic to any medicine. Keep a list of the medicines, vitamins, and herbs you take. Include the amounts, and when and why you take them. Bring the list or the pill bottles to follow-up

visits. Carry your medicine list with you in case of an emergency.

Follow up with your primary healthcare provider as directed: You will need to return to have your blood pressure checked and to have other lab tests done. Write down your questions so you remember to ask them during your visits.

Self-care

- Take your BP at home. Sit and rest for 5 minutes before you take your BP. Extend your arm and support it on a flat surface. Your arm should be at the same level as your heart. Follow the directions that came with your BP monitor. If possible, take at least 2 BP readings each time. Take your BP at least twice a day at the same times each day, such as morning and evening. Keep a log of your BP readings and bring it to your follow-up visits. Ask your primary healthcare provider what your blood pressure should be.
- Eat less sodium. Foods that are high in sodium are table salt and salty foods, such as canned foods, potato chips, and cold cuts. Your primary healthcare provider may suggest that you follow the DASH Eating Plan. The plan is low in sodium, unhealthy fats, and total fat. It is high in potassium, calcium, and fiber. You get these nutrients by eating more fruits, vegetables, and whole grains. Ask your primary healthcare provider or dietitian what meal plan you should follow.
- Exercise to maintain a healthy weight. Exercise at least 30 minutes per day, on most days of the week. This will help decrease your blood pressure. Ask about the best exercise plan for you.
- Decrease stress. This may help lower your BP. Learn ways to relax, such as deep breathing or listening to music.
- Limit alcohol. Women should limit alcohol to 1 drink a day. Men should limit alcohol to 2 drinks a day. A drink of alcohol is 12 ounces of beer, 5 ounces of wine, or 1½ ounces of liquor.
- **Do not smoke:** If you smoke, it is never too late to quit. Ask for information about how to stop smoking if you need help.

Contact your primary healthcare provider if:

- You feel faint, dizzy, confused, or drowsy.
- You have been taking your BP medicine and your BP is still higher than your primary healthcare provider says it should be.
- You have questions or concerns about your condition or care.

Return to the emergency department if:

- You have a severe headache or vision loss.
- You have weakness in an arm or leg.
- You become confused or have difficulty speaking.
- You have discomfort in your chest that feels like squeezing, pressure, fullness, or pain.
- You suddenly feel lightheaded or have trouble breathing.
- You have pain or discomfort in your back, neck, jaw, stomach, or arm.

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Reviewed 08/13

EM Medicine Discharge - Signature Page

Harborview Medical Center

Emergency Department
Discharge Instruction
325 9th Ave
Seattle, WA 98104

HMC Patient: GARRETT, JAMES C (H5225827) Doc pg 3 of 4 Req ld: | katieros : 09/15/17 14:55:14

Name: GARRETT, J MR#: H5225827	AMES CORDELL Acct#: 1814617052	DOB:5/4/1946 Visit Date:3/18	Date/Time: 3/18/2017 23:02 3/2017 18:53:00	2:55
Patient Education ED, Hypertension /	n Material(s) High Blood Pressure (0	Custom)		
l, GARRETT, JAMES verbalized understan	CORDELL, have receiding of instructions give	ived printed and pen.	personalized patient education	n materials/instructions and

Date/Time

Relation to Patient

have

Discharging Staff Member

Patient/Guardian Signature

UW Medicine Harborview Medical Center – UW Medical Center

CC Address Information

none .

"GARRETT, JAMES CORDELL H5225827

ED Clinical Summary Modified Service Date: Mar-18-2017

Dictated by England RN, Susan A on Mar-18-2017

ED Clinical Summary

Harborview Medical Center Emergency Department Clinical Summary 325 9th Ave, Seattle, WA 98104 Phone: (206) 744-3074

PERSON INFORMATION

Name: GARRETT, JAMES

CORDELL

MRN: H5225827

Provider Contact Time:

03/18/2017 19:00

Sex: Male

Acuity: 3 Urgent

DOB: 05/04/1946

Phone: 206 639-0162

Visit Reason: Hypertension, Med

eval

Age: 70 Years

Disposition: Discharge to

Shelter

Address:

PO BOX 22328 SEATTLE WA 98122

ED Admit Date/Time (EPIC Registration Date/Time)

03/18/2017 18:53

ED Discharge Date/Time (ED Checkout)

03/18/2017 23:02

ED Decision to Admit (ED Decision to Admit Order Date/Time)

Not entered

FirstNet Disposition Date/Time

DIAGNOSIS: Hypertensive urgency

Attending Provider:

Elizabeth Dorn

Fill New Prescriptions:

hydroCHLOROthiazide (hydroCHLOROthiazide 25 mg oral tablet) 25 mg by Mouth daily

Allergies:

No Known Allergies

Patient Education and Follow-up Information

Instructions:

ED, Hypertension / High Blood Pressure (Custom)

HMC Patient: GARRETT. JAMES C (H5225827) Doc pg 1 of 2 Reg ld: katieros : 09/15/17 14:55:14

· I UIIUW UD.	. F	lo:	low	up:
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With:

Address: When:

Follow up with primary care provider

In 3 days 3/21/2017

CC Address Information

none

"GARRETT, JAMES CORDELL H5225827

ED Note Authenticated Service Date: Mar-18-2017

Dictated by England RN, Susan A on Mar-18-2017

ED RN Discharge/Transfer

DISCHARGE/TRANSFER:

Transfer details:

Belongings: ED Patient Belongings

3/18/2017 19:22 Emergency Department - Patient Belongings No belongings .

Discharge details:

Discharge disposition: Home/Self Care.
Patient meets clinical criteria for discharge.

Discharge method: self. Belongings with patient: Yes.

Prescriptions: printed.

No IV placed.

ED General Topic(s) Taught: Medications.

Discharge Instructions reviewed and patient verbilizes understanding: Yes.

Signature Line

Electronically Reviewed/Signed On: 03/18/17 at 22:42

England RN, Susan A Registered Nurse, Emergency, HMC Box 359875 Seattle WA

SAE DD:03/18/17

ED RN Discharge/Transfer

CC Address Information

none

HMC Patient: GARRETT, JAMES C (H5225827) Doc pg 1 of 1 Req Id: katieros : 09/15/17 14:55:14

"GARRETT, JAMES CORDELL H5225827

ED Note Modified

Service Date: Mar-18-2017

Dictated by Gizaw PA-C, Lulu Mulugeta on Mar-18-2017

ED NOTE

PHYSICIANS PRESENT:

The following resident(s) participated in the care and documentation of this patient: Gizaw PA-C, Lulu Mulugeta.

ID/CC:

Patient brought in by SPD from King County Jail for poorly controlled hypertension.

HISTORY OF PRESENT ILLNESS:

A 70 years old male with a history of PTSD presented to ED accompanied by SPD from King County Jail for poorly controlled hypertension. He reports mild headache. He denies chest pain or shortness of breaths. No nausea or vomiting. He denies visual symptoms, numbness or tingling sensation. Patient does not believe in taking blood pressure medication. He reports spending 2 nights at the Swedish Hospital before coming to the ER.

PAST MEDICAL HISTORY:

PTSD

PRIMARY CARE PRACTITIONER:

Primary Care Provider: VA Hospital.

MEDICATIONS:

Denies

ALLERGIES:

NKA

FAMILY HISTORY:

Unknown

SOCIAL HISTORY:

Denies smoking cigarettes Denies drinking alcohol

HMC Patient: GARRETT. JAMES C (H5225827) Doc pg 1 of 4 Reg ld: katieros : 09/15/17 14:55:14

REVIEW OF SYSTEMS:

Constitutional:

Denies symptoms.

A complete ROS was performed and is negative, except where noted in the above ROS or HPI.

PHYSICAL EXAMINATION:

Constitutional:

Well developed/well nourished. Vital Signs : Vital Signs - ED

3/18/2017 21:56	SBP - Noninvasive	174 mmHg High
	DBP - Noninvasive	110 mmHg High
	Heart Rate	82 bpm
	Respiratory Rate	16 br/min
•	Sp02	98 %
	BP Method	Automatic
	BP Extremity	RIGHT, Arm, Upper
	Vital Sign Reason	Routine
	O2 Delivery Device	Room air
	SpO2 Activity	Resting
3/18/2017 21:21	SBP - Noninvasive	187 mmHg >HHI
	DBP - Noninvasive	146 mmHg >HHI
•	Heart Rate	81 bpm
	Respiratory Rate	18 br/min
•	SpO2	97 %
	BP Method .	Automatic
	BP Extremity	RIGHT, Arm, Upper
	Vital Sign Reason	Routine
	O2 Delivery Device	Room air
	SpO2 Activity	Resting
3/18/2017 20:58	SBP - Noninvasive	169 mmHg High
	DBP - Noninvasive	118 mmHq >HHI
	Heart Rate	84 bpm
	Respiratory Rate	18 br/min
	SpO2	99 %
3/18/2017 19:22	SBP - Noninvasive	195 mmHg >HHI
	DBP - Noninvasive	115 mmHg >HHI
	Heart Rate	85 bpm
	Respiratory Rate	16 br/min
	SpO2	97 %
	BP Method	Automatic
	BP Extremity	RIGHT, Arm, Upper
	Vital Sign Reason	Routine
	O2 Delivery Device	Room air
· ·	SpO2 Activity	Resting
3/18/2017 18:55	SBP - Noninvasive	202 mmHg >HHI
	DBP - Noninvasive	110 mmHg High
	Heart Rate	86 bpm
	Respiratory Rate	16 br/min
•	SpO2	98 %
	Temperature - C	36.6 degC .
	-	,

HENT:

Trachea midline.

Oropharynx symmetric and uvula midline.

Normocephalic/atraumatic.

MC Patient: GARRETT, JAMES C (H5225827) Doc pg 2 of 4 Req ld: | katieros : 09/15/17 14:55:14

Supple/non-tender neck.

Eves:

Pupils equal round reactive to light, extraocular movements intact.

Normal conjuctiva.

Normal sclera.

Cardiovascular:

Regular rate and rhythm, no murmur, rub or gallop.

No clubbing, cyanosis, or edema:.

Respiratory/Chest:

Clear to auscultation bilaterally.

Normal respiratory effort.

No rales/wheezes/rhonchi.

Musculoskeletal:

Normal strength, tone and range of motion.

No clubbing, cyanosis, or edema.

Neurologic:

Alert and oriented to person, place, and time.

Grossly normal sensation present and equal in all 4 extremities.

Skin:

No rash, bruises or ulcers.

ED COURSE & MEDICAL DECISION MAKING:

A 70 years old male brought in from King County Jail for only controlled hypertension. Patient spent 2 days at Swedish Hospital for dehydration and hypertension. He is discharged from the hospital today. Patient does not want to take hypertension medication. He has a history of PTSD. He denies SI or HI. He does not want see psychiatrist. His blood pressure was 202/110. After long discussion, patient agreed to take metoprolol 50 mg by mouth. His blood pressure went down to 174/110. Patient is not symptomatic. I have discussed the risk of not taking blood pressure medication. Patient is aware of the risk of stroke and heart attack. I have also discussed his case with ED social worker to facilitate shelter placement. Patient insisted in staying in the hospital. There is no indication for him to be admitted to the hospital. He received a prescription for hydrochlorothiazide. He is advised to come back to the ER if he notes any worsening of his symptoms. Patient discharged in stable condition.

ARNP/PA STATEMENT:

Dr. Dorn

DISPOSITION/PLAN:

Final disposition:

Discharge shelter.

Theraputic plan:

Hydrochlorothiazide 25 mg.

Follow-up:

PCP when necessary.

IMPRESSION/DIAGNOSIS:

Hypertensive urgency

ATTENDING STATEMENT:

I was the supervising attending involved in this patient's Emergency Department care. I have personally

obtained a history and evaluated this patient and discussed the history, physical exam, diagnostic studies, and treatment plan with the ARNP/PA. I agree with their documentation and where necessary for either clarification or accuracy, I have added directly to the above note or provided additional comments below. Attending Comments: Patient's with significant hypertension, apparently labile per his report, now with persistently elevated in the absence of any substances per his report who is otherwise asymptomatic for this.

We had a very long discussion with the patient the patient's friends about the importance of close blood pressure diary in the importance of compliance with medications and follow-up.

Signature Line

Electronically Reviewed/Signed On: 03/18/17 at 23:02

Gizaw PA-C, Lulu Mulugeta Emergency Department, Harborview Medical Center Box 359904 Seattle WA

Electronically Co-Signed On: 03/19/17 at 23:14

Dorn MD, Elizabeth Magassy Attending, Emergency Medicine Box 359702 Seattle WA

LMG DD:03/18/17

ED NOTE

CC Address Information

none

HMC Patient: GARRETT, JAMES C (H5225827) Doc pg 4 of 4 Req ld: katieros : 09/15/17 14:55:14

GARRETT, JAMES CORDELL H5225827 EDIE Notifications Authenticated Service Date: Mar-18-2017 Dictated by on

H5225827_20170318185648.pdf Please click on link to see image.

CC Address Information none

"GARRETT, JAMES CORDELL H5225827

ED Note Authenticated Service Date: Mar-18-2017

Dictated by Sotelo, Claire Nicole on Mar-18-2017

ED Triage Form

ED Triage Form Entered On: 3/18/2017 18:57 Performed On: 3/18/2017 18:55 by Sotelo, Claire Nicole

Triage

Chief Complaint: Sent from KCJ for evaluation of nausea and headache.

Mode of Arrival to Emergency Dept: AMR
Transport Unit Number - Emergency Dept: 925
Transport Agency BLS/ALS-Emergency Dept: BLS

Health History: Denies

Sotelo, Claire Nicole - 3/18/2017 18:55 (As Of: 3/18/2017 18:57:21 PDT)

Problems(Active)

Chest pain

Name of Problem: Chest pain; Recorder: SYSTEM; Confirmation: Confirmed; Classification: Medical;

(SNOMED CT

Code: 49966017; Last Updated: 2/23/2017 19:58; Life Cycle Date: 2/23/2017; Life Cycle Status:

:49966017)

Active; Vocabulary: SNOMED CT

Diagnoses(Active)

Hypertension

Date: 3/18/2017; Diagnosis Type: Reason For Visit; Confirmation: Confirmed; Clinical Dx: Hypertension;

Classification: Nursing; Clinical Service: Non-Specified; Code: ED RFV; Probability: 0

Med eval

Date: 3/18/2017; Diagnosis Type: Reason For Visit; Confirmation: Confirmed; Clinical Dx: Med eval;

Classification: Nursing; Clinical Service: Non-Specified; Code: ED RFV; Probability: 0

Vitals/Ht/Wt

SBP - Noninvasive: 202 mmHg (>HHI) DBP - Noninvasive: 110 mmHg (High)

Heart Rate: 86 bpm

Respiratory Rate: 16 br/min

SpO2: 98 %

Pain Symptoms in Emergency Dept: Yes

Temperature - C: 36.6 degC(Converted to: 97.9 degF)

Sotelo, Claire Nicole - 3/18/2017 18:55

Allergies/Medication

ED Current/Patient Reported Medications: Other: cyclobenzaprine

Sotelo, Claire Nicole - 3/18/2017 18:55

(As Of: 3/18/2017 18:57:21 PDT)

Allergies (Active)

NKA

Estimated Onset Date: Unspecified; Created By: Macklin BSPharm, RPh, Michael J; Reaction Status: Active;

HMC Patient: GARRETT, JAMES C (H5225827) Doc pg 1 of 2 Req ld: katieros : 09/15/17 14:55:14

Category: Drug; Substance: NKA; Type: Allergy; Updated By: Macklin BSPharm, RPh, Michael J; Source:

Patient; Reviewed Date: 2/6/2008 13:05

ESI

DCP GENERIC CODE

Tracking Acuity: 3 Urgent

ED Tracking Group: HMC Tracking Group

Sotelo, Claire Nicole - 3/18/2017 18:55

Assessment/Screening

ED Neurological - GENERAL Asmt: Alert

Orientation: Oriented x 4 (person, place, time, situation)

Affect/Behavior: Cooperative

Have you fallen within the past year?: No

Are you afraid of falling?: Yes

Issues w/ walking/balance/feel unsteady?: Yes

Sotelo, Claire Nicole - 3/18/2017 18:55

Pain Associated Behaviors

Pain Intensity 0 - 10 Scale: 7 Location of Pain: headache

Sotelo, Claire Nicole - 3/18/2017 18:55

CC Address Information

none

IMC Patient: GARRETT, JAMES C (H5225827) Doc pg 2 of 2 Req ld: katieros : 09/15/17 14:55:14



AMR SEATTLE OPERATIONS PRE-HOSPITAL CARE REPORT

Case #: 1036260

Unit ID: 925

Date: 3/18/2017

Case #. 1030200	UNK ID: 920	' <u> </u>	· ·	Date; 3/	18/2017
SERVICE	DISPA	TCH INFORMATION		TIMES	
FROM:	CALLER	SEATTLE POLICE		CALL RECEIVED:	18:23:20
500 5TH AVENUE	RESPON	SE MODE: LIGHTS AND SIREN		DISPATCHED:	18:23:59
SEATTLE, WA 98104	TRANSP	ORT MODE: NO LIGHTS AND SIRE	EN	ENROUTE:	18:24:09
(LAW/CORRECTIONAL FACILITY)	ALS ASS	ESSMENT: NONE		AT SCENE:	18:34:33
то:	DISPOSI ER/ED	TION: TRANSPORTED - TO HOSPI"	TAL	AT PT SIDE:	18:36:00
HARBORVIEW MEDICAL CTR	ı		•	TRANSPORT:	18:47:39
325 9TH AVE		<u>'</u>	;	ARRIVAL:	18:51:22
SEATTLE, WA 98104				CARE TRANS'D: 7:10:00 PM	3/18/2017
(HOSPITAL - ED)				AVAILABLE:	19:30:00
ROOM/DEPT: HOSPITAL-EMERGENCY DEPARTMENT	RESPON	i DER(S) ON SCENE:			
DESTINATION DECISION: CLOSEST/MOST APPROPRIATE	POLICE			DEST MILES:	1
	١			TOTAL MILES:	1
PATIENT DEMOGRAPHICS		<u> </u>	<u> </u>	·	
NAME: GARRETT, JAMES C	· ·		DOB: 5/4	/1946	
ADDRESS: PO BOX 22328			AGE : 70	1. *	
·	-		GENDER:	MALE	
CITY, STATE ZIP: Seattle, WA 98122		•	ETHNICITY BLACK/AFI AMERICAN	RICAN	
PHONE: (206)639-0162					
CELL PHONE:	.	•	•		
SSN: xxxx-xx-0549					
NSURANCE POLICY MEDICARE	İ	GROUP			
INITED HEALTHCARE 111132839	,				•
RESPONSIBLE PARTY: GARRETT, JAMES			NAME OF E	EMPLOYER: 11	•
HONE: (206)639-0162			EMPLOYER	R PHONE:	
OSPITAL MRN:	ĺ	•	SUPERVISO	OR:	
OSPITAL FIN:			SUPERVISO	OR PHONE:	
MEDICAL HISTORY		·			
ISTORY OBTAINED PATIENT ROM:		THE REPORT OF THE PARTY OF THE			
EDICAL HISTORY: NONE STATED		H5225827 BD:5/4/1946 GARRETT	70YII 🖟		}
LLERGIES: NONE,		JAMES			
LLERGY DESCRIPTION:		CORDELL H EMERGENCY DEPARTMENT			
EDICATIONS: ACETAMINOPHEN, CYCLOBENZ	APRINE	DOS:3/18/2017 Enc:1814617052 RES:	<u>.</u>	·	
ISTORY OF PRESENT ILLNESS:	-				
HEF COMPLAINTS					
T. STATED COMPLAINT: KCJ NURSE REPORTED	HTN, CHIEF C	OMPLAINT CATEGORY: HYPERTE	NSION/REL	ATED SYMPTOMS	
					

Case #: 1036260

PCR: 2017031818262202468

Date of Service: 03/18/2017 Patient: James Garrett Page: 1 of 3 Printed: 3/18/2017

Doc pg 1 of 5 Req ld: katieros : 09/15/17 14:55:14

PHYSICAL FINI			• *	→ HAKBO	DRVIEW MEDICAL	CIR	
PHYSICAL FINI	DINGS						*
WEIGHT: 140 LBS;	63 KG						
PHYSICAL ASSESS	MENT						
HEAD: SYMMETRIC	AL						
NECK: NO JVD							•
CHEST: SYMMETRI	C WITH BILATER	AL CHEST F	RISE				
ABDOMEN: SOFT, I	ION-TENDER	•					
PELVIS: STABLE	•			j			
POSITIVE: PAII					•		
BACK: SYMMETRIC							•
EXTREMITIES: FULI	Y INTACT, PURF	POSEFUL MO	OVEMENT			••	
IMPRESSION					 	<u> </u>	
PRIMARY IMPRESS	ON: GASTROIN	ESTINAL -	NAUSEA	- 			
SECONDARY IMPRE			~			•	•
VITAL SIGNS				-		· · · · · · · · · · · · · · · · · · ·	
			CLARC	OW COMA		 	
	•		GLASC	UW CUMA			
BLOC	ם ווום			CALE		, BLO	OD PAIN
BLOC TIME PRESSI	ם ווום	RESP			EKG	BLO SP02 GLUC	
,	RE PULS	RESP	SC	CALE	EKG		
TIME PRESSU	RE PULS		E V	M TOTAL	EKG		
TIME PRESSU	RE PULS		E V	M TOTAL	EKG		
TIME PRESSI 18:56 202/110 TREATMENTS	PULS E 141) 86		E V	M TOTAL			
TIME PRESSI 18:56 202/110 TREATMENTS	PULS E 141) 86	16	80 E V 4 5	PROCEDUI	RE CONSCIOUSNESS TO PERSON: YES	SP02 GLUC RESPONDS TO (A) CORIENTED TO PLA	OSE SCAL
TIME PRESSION 18:56 202/110 FREATMENTS PTA TIME	PULS E 141) 86 CARE SANTI	16	E V 4 5	PROCEDUI	RE CONSCIOUSNESS TO PERSON: YES ORIENTED TO EV	SP02 GLUC RESPONDS TO (A) CORIENTED TO PLA	OSE SCAL
TIME PRESSO 18:56 202/110 TREATMENTS PTA TIME 18:46	PULS E 141) 86 CARE SANTI	16 GIVER IAGO, ERWI	E V 4 5	PROCEDUI LEVEL OF ORIENTED TIME: YES; VITAL SIGN	RE CONSCIOUSNESS TO PERSON: YES ORIENTED TO EV IS - COMA SCALE GO	SP02 GLUC RESPONDS TO (A) CORIENTED TO PLA	OSE SCAL /PU): ALERT; CE: YES; ORIENT
TIME PRESSION 18:56 202/110 TREATMENTS PTA TIME 18:46	PULS E 141) 86 CARE SANTI	16 GIVER IAGO, ERWI	E V 4 5	PROCEDUI PROCEDUI LEVEL OF ORIENTED TIME: YES; VITAL SIGN GLASGOW 6; GCS SCC VITALS BP	RE CONSCIOUSNESS TO PERSON: YES ORIENTED TO EV IS - COMA SCALE GO DRE: 15; GCS SCO	SP02 GLUC RESPONDS TO (A) RESPONDS TO	/PU): ALERT; .CE: YES; ORIENT RBAL: 5; GCS MO' QUALIFIER RITY: REGULAR; F
TIME PRESSO 18:56 202/110 TREATMENTS PTA TIME 18:46	PULS E 141) 86 CARE SANTI	16 GIVER IAGO, ERWI	E V 4 5	PROCEDUI PROCEDUI LEVEL OF ORIENTED TIME: YES; VITAL SIGN 6; GCS SCC VITALS BP STRENGTH	RE CONSCIOUSNESS TO PERSON: YES ORIENTED TO EV IS - COMA SCALE GO PRE: 15; GCS SCO : 202/110; PULSE: : NORMAL; PULSE	SP02 GLUC S RESPONDS TO (A) S; ORIENTED TO PLA /ENT: YES CS EYES: 4; GCS:VEI RE QUALIFIER: NO (/PU): ALERT; .CE: YES; ORIENT RBAL: 5; GCS MO' QUALIFIER RITY: REGULAR; F ; RESPIRATORY F
TIME PRESSION 18:56 202/110 TREATMENTS PTA TIME 18:46	PULS E 141) 86 CARE SANTI	16 GIVER IAGO, ERWI	E V 4 5	PROCEDUI PROCEDUI LEVEL OF ORIENTED TIME: YES; VITAL SIGN 6; GCS SCC VITALS BP STRENGTH 16; RESPIR	RE CONSCIOUSNESS TO PERSON: YES ORIENTED TO EV IS - COMA SCALE GO PRE: 15; GCS SCO : 202/110; PULSE: : NORMAL; PULSE	SP02 GLUC RESPONDS TO (AVAILED TO PLAILED T	/PU): ALERT; .CE: YES; ORIENT RBAL: 5; GCS MO' QUALIFIER RITY: REGULAR; F ; RESPIRATORY F

PRIORITY DRIVE TO KCJ. PT ABLE TO STAND, PIVOT, AND THEN SIT ON GURNEY FROM HOLDING CELL BENCH WI SOME ASSISTANCE -PLACED IN 2-POINT SOFT RESTRAINTS. ABCS, PHYSICAL EXAM, AVPU, VITALS, GCS. OXYGEN ON AMBIENT AIR. ROUTINE TRANSPORT TO HMC. PT ABLE TO SCOOT OVER FROM GURNEY ONTO HOSPITAL BED THEN PLACED INTO 4-POINT SOFT RESTRAINTS. PT UNABLE TO SIGN; TRANSFERRED CARE TO HOSPITAL AND NURSE SIGNED.

FOLLOW-UP-CARE	٠.			·.	
FOLLOW-UP:]		FOLLOW-UP-DATE:	2	FOLLOW-UP-TIME:	
FOLLOW-UP CARE:	•			,	

Case #: 1036260 PCR: 2017031818262202468 Date of Service: 03/18/2017 Patient: James Garrett Page: 2 of 3 Printed: 3/18/2017

Bevice: WSEAMEDS043

IMC Patient: GARRETT, JAMES C (H5225827)

Doc pg 2 of 5

Req Id: katieros: 09/15/17 14:55:14

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	HOSPITAL VISIT NUMBER: Bl:	e Bed 1					

PRIVACY PRACTICES: THE NOTICE OF PRIVACY PRACTICES WAS UNABLE TO BE PROVIDED

Case #: 1036260 PCR: 2017031818262202468

Date of Service: 03/18/2017 Patient: James Garrett

Page: 3 of 3 Printed: 3/18/2017

AMR SEATTLE OPERATIONS PRE-HOSPITAL CARE REPORT SIGNATURES SEATTLE

Date: 3/18/2017

4000360	Unit ID: 925	
Case #: 1036260 MR CREW MEMBERS		
CREW 1 NAME: SANTIAGO, ERWIN,AMR NUMBER: 60696755 CERTIFICATION: EMT		J.
CREW 2 NAME: WIGGINS, TANNER, AMR NUMBER: 60594527 CERTIFICATION: EMT	· .	Turra
DESTINATION TURNED OVER TO: LUG.		En .

Req ld:

Patient: GARRETT, JAMES C (H5225827)

JEFFERSON HEALTHCARE Emergency Department 834 Sheridan Port Townsend, WA 98368

385-2200 Ext. 4226 Fax # (360) 344-1019

rax C	ver	Sheet
	Time:	
Date:	From:	Jefferson Healthcare Emergency Department
To: Harborview Transfer Center	:	
	Pages	
Fax: (206) 744-6167	CC:	
Phone:		
B:		
•		
•	1410	information. Please call the
4- -t 0	a healtn	
To fax contains protecte		to confirm receipt of this
- 1/2MIII 300	1	information. Please call the to confirm receipt of this
sender at (360) 360	eived:	
sender at (360) 300 — Confirmation Rec	eived:	☐ Discharge Summary ☐ Emergency Department
sender at (360) 300 — Confirmation Rec	eived:	☐ Discharge Summary ☐ Emergency Department
sender at (360) 366 □ fax. Confirmation Rec Information sent: □ Face (demographic) sheet Record □ Op Report □ Progress Notes □ Co Record □ Op Report □ Labor & Delivery □	et DH&P! nsult DPat	☐ Discharge Summary ☐ Emergency Department th Report ☐ X-ray reports ☐ Lab Reports ☐ EKG nsfer form ☐ Other (specify)
fax. Confirmation Record ☐ Op Report ☐ Progress Notes ☐ Confirmation Sent: ☐ Face (demographic) sheet ☐ CT ☐ Prenatal record ☐ Labor & Delivery ☐	eived: et	☐ Discharge Summary ☐ Emergency Department th Report ☐ X-ray reports ☐ Lab Reports ☐ EKG insfer form ☐ Other (specify)
sender at (360) 366 ☐ fax. Confirmation Rec Information sent: ☐ Face (demographic) sheet Record ☐ Op Report ☐ Progress Notes ☐ Co ☐ CT ☐ Prenatal record ☐ Labor & Delivery ☐	eivedi et	☐ Discharge Summary ☐ Emergency Department th Report ☐ X-ray reports ☐ Lab Reports ☐ EKG insfer form ☐ Other (specify) mission is privileged and confidential and
Sender at (360) 366	eivedi et	☐ Discharge Summary ☐ Emergency Department th Report ☐ X-ray reports ☐ Lab Reports ☐ EKG insfer form ☐ Other (specify) mission is privileged and confidential and ty named above.
Information sent: ☐ Face (demographic) sheet Record ☐ Op Report ☐ Progress Notes ☐ Co ☐ CT ☐ Prenatal record ☐ Labor & Delivery ☐ NOTICE: The information contained in the facsing intended only for the use of the Individual record and received this fax in error, p	et H&P nsult Pal pr Tra nile transr ual or entite the origin	Discharge Summary Department Emergency Department In Report Department Lab Reports Department Depar
Information sent: ☐ Face (demographic) sheet Record ☐ Op Report ☐ Progress Notes ☐ Co ☐ CT ☐ Prenatal record ☐ Labor & Delivery ☐ NOTICE: The information contained in the facsing intended only for the use of the Individual of the lace of the lac	eived: H&P nsult Pal PT Tra nile transmual or entit lease notin the origin	Discharge Summary Department Emergency Department In Report Discharge Summary Department
Sender at (360) 366 Each fax. Confirmation Reconstruction Sent: ☐ Face (demographic) sheet Record ☐ Op Report ☐ Progress Notes ☐ Confirmation Contained & Delivery ☐ NOTICE: The information contained in the facsing intended only for the use of the Individual If you have received this fax in error, pand extension shown above and return the Rostal Service.	et H&P nsult Pal nsult Tra pT Tra nile transmual or entite lease noting the original	Discharge Summary Department the Report Department Lab Report Department Depa
fax. Confirmation Reconstruction Sent: ☐ Face (demographic) sheet Record ☐ Op Report ☐ Progress Notes ☐ Confirmation Confirmation & Delivery ☐ NOTICE: The information contained in the facsing intended only for the use of the Individual of the Individual Reconstruction Shown above and return the Restal Service.	et H&P nsult Pal nsult Tra pT Tra nile transmual or entite lease noting the original	Discharge Summary Department the Report Department Lab Report Department Depa
fax. Confirmation Reconstruction Sent: ☐ Face (demographic) sheet Record ☐ Op Report ☐ Progress Notes ☐ Cor ☐ Prenatal record ☐ Labor & Delivery ☐ NOTICE: The information contained in the facsing intended only for the use of the Individual If you have received this fax in error, pand extension shown above and return the Rostal Service.	et H&P nsult Pal nsult Tra pT Tra nile transmual or entite lease noting the original	☐ Discharge Summary ☐ Emergency Department th Report ☐ X-ray reports ☐ Lab Reports ☐ EKG insfer form ☐ Other (specify) mission is privileged and confidential and ty named above.

Doc pg 5 of 5

Req ld:



Cherry Hill 5 East - Acute Care 500 17th Ave Seattle WA 98122-5711 Phone: 206-320-2530

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3/16/2017

James Cordell Garrett | MRN: 1000897431

Provider Department
3/16/2017 Swedish Hospitalist, MD C 5 East

Follow-up Information
Follow up with No Doc, No Doc In 1 week.

Allergies as of 3/18/2017

No Known Allergies

Medication List

CONTINUE taking these medications

	Morning	Afternoon	Evening .	' Reatime :	ĺ
acetaminophen 500 mg Tab	·				
Commonly known as: aka TYLENOL			. ~		l
Take 1-2 Tabs by mouth every six hours	Ì	!		•	ĺ
as needed for Pain or Fever.					ĺ
cyclobenzaprine 5 mg Tab		1			ĺ
Commonly known as: FLEXERIL	}]	-	j. ~	
Take 1 Tab by mouth three times a day as		1			
needed for Muscle spasm.	1	1			l

Current Immunizations

FLU VAC QS 2016-17 36 MOS UP(PF) 60 MCG (15 MCG X 4)/0.5 ML IM SYRINGE

3/16/2017 **Deferred** (Patient Refused), 3/16/2017 **Deferred** (Patient Refused)

Discharge Instructions

Swedish Hospital Medicine Discharge Instructions for James Cordell
Garrett

Brief explanation of your hospitalization:

H5225827 BD:5/4/1946 70YM
GARRETT
JAMES
CORDELL
H EMERGENCY DEPAL
OUTSIDE DEPAL
OUTSIDE DEPAL
OUTSIDE DEPAL
OUTSIDE DEPAL

emergency depail Outside Records - General

HMC Patient: GARRETT, JAMES C (H5225827)

Doc pg 1 of 6

d: 1814517982 | Hotiores : 09/15/17 | 4:55:14

Dehydration, acute kidney injury

You were cared for by the Swedish Hospital Medicine Team:

The provider who discharged you from the hospital was Miwa Vernon, MD You were also seen in consultation by the following providers.

Followup:

Timely followup with your doctors is very important to your recovery. See the instructions above for our specific followup recommendations.

Medications:

Please see the the list above for your medications.

Possible side effects:

Report any side effects to your primary care doctor immediately

Diet and activity:

Diet: Resume your previous diet

Activity: Resume your previous level of activity

Additional Instructions:

Return to the hospital for confusion

Call your primary care physician for new symptoms that develop after your hospitalization or things feeling like they are getting worse

We want to thank you for choosing Swedish for your health care. We always want to provide you excellent care. Your input is important to us. After discharge, you may be randomly selected to provide feedback regarding your experience. We would really appreciate it if you would take the time to complete the survey. Thank you

MyChart Activation Code

We are pleased to provide MyChart, a secure online service for accessing some portions of your medical information. Once the sign up process is completed, medical information related to your subsequent clinic or hospital visits will be available.

Remember, MyChart is NOT for urgent needs. For medical emergencies, dial 9-1-1.

The access code for your MyChart account is noted below.

DG2G3-D24XM-K9Q47 Expires: 4/29/2017 10:08 PM

НМС	Patient: GARRETT, JAMES C (H5225827)	Doc pg 2 of 6	Reg ld:	katieros : 09/15/17 14:55:14
THVIO	Tallotte Granter 1, Grantes Grantes	113		

Once an account is activated, the code can be thrown away. Should the access code expire before you activate your MyChart account, you may request a new code through your physician's office (if they use the Swedish Epic electronic health record). As always, you may request copies of your medical records by contacting the Swedish Release of Information Department found on the Swedish internet homepage under 'Medical Records', or by calling 206-320-3850.

Use the Quick Start Guide (below) to set up your account (and that of any other family member for whom you will have access).

We appreciate the opportunity to continue providing exceptional care and convenient access to our healthcare facilities.

If you have any questions about the medical information you see in MyChart, please feel free to call your primary care clinic or the physician who is following up on your care after your hospital stay.

If you have technical questions or concerns about MyChart, please call the MyChart Help Desk at (206) 320-4278 (or 877-240-4474, if long distance). For the Polyclinic please contact their MyChart Help Desk at 206-320-6767 (or 855-322-6767, if long distance).

Quick Start Guide to MyChart

How to Set Up Your Account

Create an account using the following steps:

In your internet browser, go to https://www.myonlinechart.org and set it as a favorite.

Click Sign Up Now box under 'New User' to see the New Member Sign Up page.

Enter your Mychart Access Code exactly as it appears in your welcome letter. You will not need to use this code after you have completed this sign-up process. If you do not sign up before the expiration date, you must request a new code.

Enter the last four digits of your Social Security Number and your Date of Birth (mm-dd-yyyy) as indicated and click Next box.

Create a MyChart ID. This will be your MyChart login ID and cannot be changed, so think of one that is secure and easy to remember.

Create a MyChart password. You can change your password at any time.

Enter your Password Reset Security Question and Answer. This can be used at a later time if you forget your password. Click Next.

Enter your e-mail address. You will receive e-mail notification when new information is available in MyChart.

NOTE: Some e-mail programs may mark MyChart e-mails as junk mail. To avoid this, please add donotreply@MyOnlineChart.org to your e-mail address book to ensure your e-mails reach your inbox.

For our patients who access MyChart (electronic health information):

Inpatient test results that are complete at the time of discharge will be viewable in MyChart within 36 hours. Lab results that appear outside of the standard range are often considered "normal". Abnormal results considered meaningful will have been discussed with you by your healthcare team while you were hospitalized.

Labs in the "Pending Lab" group below were not finalized by the time of your discharge. As results become available, you will see them in MyChart. If your doctor is concerned with any of these lab values, you will be contacted by someone from your hospital healthcare team.

If you have questions or concerns about hospital test results after discharge, please discuss them with your primary care provider.

Unresulted Tests

None

Smoking Cessation

If you use tobacco or have used tobacco in the past twelve months, it is critical for you to stop NOW. Your life AND the lives of your family and children are shortened by YOUR smoking through direct and second-hand smoke.

For help in quitting, review the Smoking Cessation Information Brochure, and call or visit the Washington State Quit Line at 1-877-270-7867 (STOP), http://www.quitline.com/>.

Your loved ones will thank you.

Surgical and Procedural Summary

2625375 3/13

HMC Patient: GARRETT, JAMES C (H5225827) Doc pg 5 of 6 Req Id: katieros : 09/15/17 14:55:14

Arrestee Medical Clearance

Department of Adult and Juvenile Detention

☐ Maleng Regional J 620 West James St Kent, Washington 9 Medical Intake: 206	reet 8032-4487		500 - Seat	J County Correc 5 th Avenue tle, Washington ical Intake: 206-4	98104-2	•
	نم	Date: 3 18	5/17	Time:	810	•
Name of Arrestee:	Garrett	James		D.O.B:	5/4/1	llo ·
Name of Arresting Agend	cy:S	PD.				
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				•		∏ a.m.
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	-					
Printed Name of attending phys	H5225827	BD:5/4/1946 70YM		<u>.</u>	~	П а.m. П р.m
Signature of arrestee IF REFUS	ING GARRETT JAMES CORDELL H EMERGENCY DEPA		ne	Date	Time	_ ,
	Dos:3/18/2017 Enc:181461705		·	•		∏ a.m. □ p.m
Signature of witnessing Officer a	and medical staff if an	restee refuses to sign a	refusal form	Date	Time	_
Upon return from H.M.C. or othe (CDAJD F-587 (rev. 07/14) White	er medical authority – Arresting Agency	I.T.R. Nurse Notifi Yellow – Me	ed dical Record	Pink (TR File	Outsid	THOODS
Patient: GARRETT, JAMES C (H5	225827)	Doc no 6 of 6		Pop Ide		General General

Financial Agreement & Consent for Disclosure

By signing below, I agree:

- 1. That Harborview Medical Center and Clinics (HMC), Northwest Hospital & Medical Center and Clinics (NWH), University of Washington Medical Center and Clinics (UWMC), Valley Medical Center and Clinics (VMC), UW Medicine Neighborhood Clinics (UWNC), UW Medicine Sports Medicine Clinic (UW Sports Med), Hall Health Primary Care Center (HHPCC), and University of Washington Physicians (UWP) (collectively known as "UW Medicine"), University of Washington School of Dentistry (SOD), Children's University Medical Group (CUMG) and Seattle Cancer Care Alliance (SCCA) may share any financial information I provide to facilitate payment.
- 2. To pay UW Medicine, SOD, CUMG and/or SCCA for balances remaining after insurance benefits are paid, unless prohibited by law or contract.
- To notify UW Medicine, SOD, CUMG and/or SCCA of changes to my insurance coverage and/or address.
- That UW Medicine, SOD, CUMG and/or SCCA may impose reasonable interest, late charges, costs and/or reasonable attorney's fees should my account become delinquent.
- 5. To notify UW Medicine, SOD, CUMG, and/or SCCA if I am not able to pay my balance due within 30 days of receipt.
- 6. To apply to other financial programs that I may qualify for as requested by UW Medicine, SOD, CUMG and/or SCCA, should I be unable to pay my account.
- 7. That any lawsuit for collection of my account may be brought in King County, Washington.
- 8. To receiving information related to treatment, payment or health care operations, including receiving autodialed and prerecorded message calls and/or text messages, at any number I have provided or, if not current, to any number I am reasonably found to be associated with.
- That UW Medicine may, at its discretion, disclose to appropriate parties my medical records or information from my records for treatment, payment and health care operation purposes.

By signing this page, I acknowledge that I have read and agreed	I to the terms on both sides of this form.
Signature (Patient or Person Authorized to Give Authorization)	Date /10/1
If Signed by Person Other than Patient, Check Relationship to Patient:	
☐ 1. Guardian ☐ 2. Durable Power of Attorney for Heal	Ith Care 3. Spouse/registered domestic partner
☐ 4. Adult Child(ren) ☐ 5. Parent(s) FOR MINOR PATIENTS:	6. Adult Brother(s)/Sister(s)
☐ 1. Guardian/legal custodian ☐ 2. Court-authorized person for child	☐ 3. Parent(s)
H5225827 BD:5/4/1946 70YM GARRETT JAMES CORDELL HEMERGENCY DEPARTMENT D09:3/19/2017 Enc:1814617052 RES:	REEMENT & CONSENT FOR DISCLOSURE
Patient: GARRETT, JAMES C (H5225827)	WHITE - MEDICAL RECORD

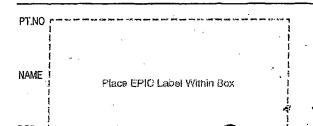
Financial Agreement & Consent for Disclosure

I understand that:

- Each UW Medicine entity, SOD, CUMG, and/or SCCA bill separately for their services.
- Patients who receive outpatient services at UWMC or HMC sites generally receive two bills: one bill from the physician or other provider (for the costs of the professional services) and one bill from the hospital (for the facility costs, i.e. building, equipment, supplies, staff time). Each of these bills may incur a co-payment or co-insurance responsibility, depending on my insurance coverage. The exact amount of the co-insurance or co-payment will depend upon the actual services provided and the coverage provisions of any insurance I have. Sometimes patients will pay more for certain outpatient services and procedures at hospital-based outpatient locations. The amount will depend on my insurance. I may review my insurance benefits or contact my insurer to learn what my policy will pay and what out-of-pocket expenses I may need to pay. At my request, clinic staff will provide me with an estimate of the billed charges for outpatient services I am likely to receive.
- UW Medicine requests and, if I provide it, will use my Social Security Number to facilitate access to any potential federal or state health care benefits, to verify my identity, or to facilitate discharge planning. Providing my Social Security Number is voluntary except when applying for state and federal health care benefits.
- My Consumer Credit Report information may be accessed for the following reasons: to make determination of available financial assistance, assistance in managing the payment process, or if I report that my identity has been stolen.

Statement to Permit Payment of Medicare or Insurance Benefits to Provider

I request payment of authorized Medicare or insurance benefits for any services furnished to me by UW Medicine, SOD, CUMG, and/or SCCA. I authorize any holder of medical and other information about me to release to Medicare [and its agents] or other insurance providers any information needed to determine these benefits for related services.



UW Medicine

Harborview Medical Center – Northwest Hospital & Medical Center Valley Medical Center – UW Medical Center University of Washington Physicians Seattle, Washington

PATIENT FINANCIAL AGREEMENT/AUTHORIZATION



, Oix

katieros : 09/15/17 14:55:14

Patient GARRETT, JAMES C (H5225827)

Thos no JUH 3865 REV MAR 16

EM Medicine Discharge - Signature Page

Harborview Medical Center

Emergency Department Discharge Instruction

> 325 9th Ave Seattle, WA 98104

Name: GARRETT, JAMES CORDELL

DOB:5/4/1946

Date/Time: 3/18/2017 21:56:11

MR#: H5225827

Acct#: 1814617052

Visit Date:3/18/2017 18:53:00

Patient Education Material(s)

ED, Hypertension / High Blood Pressure (Custom)

I, GARRETT, JAMES CORDELL, have received printed and personalized patient education materials/instructions and have verbalized understanding of instructions given.

vardian Signature

Relation to Patient Date/Time

Discharging Staff Wiember

UW Medicine Harborview Medical Center - UW Medical Center

H5225827 BD:5/4/1946

GARRETT **JAMES** CORDELL

EMERGENCY DEPARTMENT

DOS:3/18/2017

Enc: 1814617052

RDELL

4 of 4

03/18/2017 21:56:15

Doc pg 1 of 1

Req ld:

katieros : 09/15/17 14:55:14

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Doc pg | 01F0225 REV MAY 15 | Req ld: | katieros : 09/15/17 14:55:14

Patient: GARRETT, JAMES C (H5225827)

WHITE - MEDICAL RECORD
YELLOW - PATIENT
Ikatieros: 09/15/17 14:55:14

Reg Id:

CARE AGREEMENT

This form contains facts you should know about your health care at UW Medicine and from Children's University Medical Group, University of Washington Dentists and Oral Surgeons, and Seattle Cancer Care Alliance. If there is any part of this form that is unclear you can ask questions about it. At the bottom of the form there is a place for you to sign your name so that we know you have read this form (or had it read to you) and agree to receive health care from us.

UW Medicine includes:

- Harborview Medical Center and Clinics
- Northwest Hospital & Medical Center and Clinics
- University of Washington Medical Center and Clinics
- Airlift Northwest
- UW Medicine Neighborhood Clinics
- UW Physicians-Sports Medicine Clinic
- Hall Health Primary Care Center,
- Summit Cardiology, and
- UW Physicians

Your health care team consists of medical doctors, doctors in training (residents and fellows), nurses, other health care professionals, and students of the health sciences. They will work together to diagnose and treat you. You will have an attending physician. This is the doctor who has primary responsibility for your care.

Photographs, videotapes, or other images of you may be used to keep a record of your care and treatment (including surgery). These images may become part of your medical record.

<u>SIGNATURE</u>

H EMERGENCY DEPARTMENT

By signing below, it shows that you leave from UW Medicine. If there is an questions about it.	nave read this document y part of this form that is	and agree to receive health s unclear, be sure to ask
SIGNATURE (Patient or person authorized to give authorization)	PRINT NAME	3/18/17
IF SIGNED BY PERSON OTHER THAN PATIE	NT, SPECIFY SURROGATE'S	RELATIONSHIP TO PATIENT:
☐ GUARDIAN ☐ HEALTH CAR ☐ HUSBAND/WIFE ☐ ADULT CHILD	E POWER OF ATTORNEY	☐ PARENT ☐ ADULT BROTHER/SISTER
H5225827 BD:5/4/1946 70YM GARRETT JAMES	UW Medicine Harborvlew Medical Center – UW i Northwest Hospital & Medical Cent Seattle, Washington CARE AGREEMENT	Medical Center ter – University of Washington Physicians

GARRETT, JAMES CORDELL H5225827 ED Patient Summary Modified Service Date: Feb-23-2017 Dictated by Aldridge, Kayla M on Feb-23-2017

ED Patient Summary

Harborview Medical Center Emergency Department Discharge Instructions 325 9th Ave, Seattle, WA 98104

Phone: (206) 744-3074

Name: GARRETT, JAMES CORDELL DOB: 05/04/1946 Age: 70 Years

MRN: H5225827

Printed at: 2/23/2017 20:19:20

Arrival Date/Time: 2/23/2017 3:32 PM

Attending Provider:

A. Sabbatini

Other Providers:

P. Charlton

Diagnosis: Acute headache; Agitation; Chest pain; Hypertension

Comment:

Allergies:

No Known Allergies

Comment:

Follow-up Instructions:

With:

Address:

When:

Jeffrey Fox, MD

IMC Patient: GARRETT, JAMES C (H5225827) Doc pg 1 of 3 Req ld: katieros : 09/15/17 14:55:14

Resident, HMC, Dept Of Medicine Box 356421 Seattle, WA (206) 543-3249 Business phone (1)

With:	Address: When:
Follow up with primary care provide	er
Comments:	

IMPORTANT EMERGENCY DEPARTMENT COMMUNICATION AFTER YOUR VISIT:

If you have questions about your ED visit, please call: Harborview Medical Center ED: 206-744-3074

For evaluation of your hypertension

You may receive a phone call from us in the next few days to ensure that you are improving. Please be sure that we have an accurate phone number and address for you.

To assist us with continuing to improve the quality of the Emergency Care we provide, we would like your input. In the coming weeks, you may receive a survey in the mail about our processes.

Please complete this and return it to us. Our goal is to provide you with excellent medical care. If we have not reached this goal, please let us know how we can improve our services.

Harborview Medical Center would like to thank you for allowing us to assist you with your healthcare needs.

It is important to see your doctor or primary care provider. Emergency Care may be incomplete without proper follow-up. For help scheduling your UW Medicine or Harborview Clinic doctor appointment, call the Patient Contact Center at 206.520.5000 or toll free at 877.520.5000.

If you become worse in any way, it is important that you call your doctor, or return to the Emergency Department. Please remember to take these instructions to your next doctor's appointment.

On reevaluation several hours after arrival, the patient displayed volatile behavior and became threatening (physically and verbally) towards members of the team. He expressed delusions that make us concerned that he may have an underlying psychiatric disorder. Given his threatening behavior and his apparent psychoses, we strongly recommended the patient be evaluated by psychiatry at jail regarding his most appropriate ultimate disposition.

Recs for Jail:

HMC	Patient: GARRETT, JAMES C (H5225827)	Doc pg 2 of 3	Req ld:	katieros : 09/15/17 14:55:14

- -- Please obtain psychiatric evaluation given concerns for delusions and aggressive behavior
- -- Consider starting antihypertensive agent if patient remains consistently hypertensive

EM Medicine Discharge - Signature Page

Harborview Medical Center

Emergency Department Discharge Instruction

325 9th Ave Seattle, WA 98104

Name: GARRETT, JAMES CORDELL MR#: H5225827 Acct#: 1813927185

DOB:5/4/1946 **Date/Time**:2/23/2017 20:19:20

Visit Date:2/23/2017 15:32:00

Patient Education Material(s)

Blank (Custom)

I, GARRETT, JAMES CORDELL, I	Tave received printed and po		
I, GARRETT, JAMES CORDELL, I verbalized understanding of instruc	ctions given.	ersonalized patient education	on materials/instructions and have
Patient/Guardian Signature	Relation to Patient	Date/Time	
Discharging Staff Member			
•			
	. •		

UW Medicine Harborview Medical Center - UW Medical Center

CC Address Information

none

Patient: GARRETT, JAMES C (H5225827) Doc pg 3		tierne - 00/45/47 4 4 55 4 4
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GARRETT, JAMES CORDELL H5225827

*ED Clinical Summary Modified Service Date: Feb-23-2017

Dictated by Aldridge, Kayla M on Feb-23-2017

ED Clinical Summary

Harborview Medical Center **Emergency Department Clinical Summary** 325 9th Ave, Seattle, WA 98104 Phone: (206) 744-3074

PERSON INFORMATION

Name: GARRETT, JAMES CORDELL MRN: H5225827

Provider Contact Time:

02/23/2017 15:43

Sex: Male

DOB: 05/04/1946

Age: 70 Years

Acuity: 2 Emergent

Visit Reason: Chest pain Disposition: Home/Self-Care

Phone: 206 639-0162

Address:

PO BOX 22328 SEATTLE WA 98122

ED Admit Date/Time (EPIC Registration Date/Time)

02/23/2017 15:32

ED Discharge Date/Time (ED Checkout)

02/23/2017 20:19

ED Decision to Admit (ED Decision to Admit Order Date/Time)

Not entered

FirstNet Disposition Date/Time

DIAGNOSIS: Acute headache; Agitation; Chest pain; Hypertension

Attending Provider:

Amber Sabbatini

Allergies:

No Known Allergies

Patient Education and Follow-up Information

Instructions:

Blank (Custom)

Follow up:

With:	Address:		When:	· · · · · · · · · · · · · · · · · · ·
HMC Patient: GAR	RRETT, JAMES C (H5225827)	Doc pg 1 of 2	Req ld:	katieros : 09/15/17 14:55:14

Jeffrey	/ Fox.	MD

Resident, HMC, Dept Of Medicine Box 356421 Seattle, WA (206) 543-3249 Business phone (1)

With:	Address: When:
Follow up with primary care provide	r ·
Comments:	
For evaluation of your hypertension	

CC Address Information none

GARRETT, JAMES CORDELL H5225827

ED Note Authenticated
 Service Date: Feb-23-2017

Dictated by Sabbatini MD, MPH, Amber Kathleen on Feb-23-2017

Patient presented to ED from courthouse where he apparently was sitting in a chair, and fell over c/o CP and then en route also c/o HA. When I went to evaluate patient and asked about his symptoms, he began to perseverate on the judge presiding over his case having postponed his case and placed him in contempt of court for unclear reasons. He became very agitated and started talking nonsensically stating he had PTSD from slavery and "George Washington owned slaves", wheras Hitler "didn't have any slaves". He tells me he saw that "slave-owning" George Washington standing in court. When I told him that George Washington has been dead for hundred of years he told me that the whole state is George Washington, there are George Washington's everywhere. He began to scream at me that I wasn't listening, told me his head was going to explode. I was actally fearful that had he not been restrained he would be violent with me. I could not get him to discuss his chest pain or headache as he kept perseverating on George Washington, Hitler, the Judge who he somehow alinged with slavery. He also stated that his forced payee was pocketing his social security money up in the library. His speaking was pressured, his thoughts tangential, could not put together a coherent history or sentence. He was incredibly volitile.

Overall, I think he is psychotic and given his volitaility is a danger to others and he will need emergent psychiatric evaluation at the jail. We attempted to give him ativan, but that increased his agitation. We would have had to hold him down and forcibly sedate him. However, the guards were able to deescalate him and felt comfortable dealing with his agitation and volatility. Again, he will absolutely need to be seen by psychiatry at jail. I doubt serious cause for his chest pain or HA since his main concern seems to be with his trial/judge.

Of note, his utox was negative. troponin was negative x 2, HCT negative for ICH (and is within 6h so unlikely SAH).

Signature Line

Electronically Reviewed/Signed On: 02/23/17 at 20:02

Sabbatini MD, MPH, Amber Kathleen Acting Instructor, Emergency Box 359702 Seattle WA 98104

AKS DD:02/23/17

CC Address Information

НМС	Patient: GARRETT, JAMES C (H522	25827) Doc pg 1 of 2	Req ld:	katieros : 09/15/17 14:55:14

GARRETT, JAMES CORDELL H5225827

ED Note Authenticated Service Date: Feb-23-2017

Dictated by Charlton MD, Paul William on Feb-23-2017

ED Note Medicine

VISIT INFORMATION:

CC: Chest pain

HPI: A 70-year-old man denying any prior history of cardiac issues who presents from the King County Courthouse under jail custody when he states that he collapsed to the ground while awaiting his hearing, after which he then reported 6/10 severity aching chest pain, retrosternal, nonradiating, not worsened or improved with movement, associated with a mild 4/10 severity aching headache but no neurologic deficits, vision changes, difficulties breathing, nausea or vomiting, or history of trauma. The patient has been in jail for the past one week and denies any recent substance use.

PMHx: Denies any past medical history

Meds: Denies any medication use

Allergies: No known allergies

SocHx: Denies tobacco, etoh, or illicits. Currently staying at jail

ROS:

As per history of present illness. Additionally,

Constitutional: Denies fevers or chills.

Head: Endorses headache. Eyes: Denies new vision loss.

ENT: Denies sore throat or neck pain

CVendorseschest pain

Pulm: Denies difficulties breathing.

GI: Denies abdominal pain.

Neuro: Denies numbness or weakness. MSK: Denies joint pain or recent trauma.

Skin: Denies new rash.

Physical Exam:

VS: Temperature: 35.9 Pulse: 79 Blood Pressure: 168 / 129 Respirations: 16 Oxygen Saturation: 100%

Gen: NAD, cooperative, initially quiet but later more conversant

HEENT: PERRL, pupils 3mm-->2mm, EOMI w/o nystagmus, moist mucous membranes, no epistaxis, nc/at.

Chest: no ttp or crepitus

CV: RRR, no murmurs, rubs, or gallops. Warm extremities, no lower extremity edema

Pulm: CTAB, no wheezes, crackles, or rhonchi

Abd: Soft, nt, nd, BS present, no rebound or guarding

Neuro: A&O x 3, CNII-XII intact, strength 5/5 throughout BL UE and LE, sensation intact to light touch throughout BL

UE and LE

MSK: full range of motion, no ttp or long bone deformities

Psych: appropriate affect, though quiet and initially reluctant to engage in conversation

Skin: No abrasions, lacerations, contusions, or rashes

LING B-tit CAE	RRETT, JAMES C (H5225827)	Doc pg 1 of 6	Reg Id:	katieros : 09/15/17 14:55:14
HMC Patient: GAF	(REII.JAMES GIDS2230211	1Doc pg 1 ol o		

ECG: Rate 74, normal sinus rhythm, normal axis, normal intervals with occasional PACs, less then 1 mm of AST depression in leads 2 and 3 but not in aVF, otherwise no SC elevations or depressions, no T-wave inversions. My interpretation: Nonspecific ST-T changes in leads 2 and 3 only, not meeting criteria for subendocardial ischemia

RESULTS REVIEW:

Patient: GARRETT, JAMES C (H5225827)

Results

Results	•		
Laboratory	·		
2/23/2017 19:00	Troponin-I	In Progress ng/mL (In Progress	;)
2/23/2017 16:30		n In Progress (In Progress)	
2/23/2017 16:30	Amphet/Metamphetamine Qua		
·	Alcohol (Ethyl), URN	Negative mg/dL	
	Barbiturate Qual, URN	Negative	
	Benzodiazepines Qual, URN		
	Cocaine Qual, URN	Negative	
	Methadone Qual, URN	Negative	
	Opiates Qual, URN	Negative	
	Phencyclidine Qual, URN		
	Cannabinoids Qual, URN	Negative	
	Tricyclic Antidepressant		
	Acetaminophen Qualitative		
2/22/2015 16 00	Drug Screen Info, URN	Drug screen comment Ur-Imp	
2/23/2017 16:08	Na	140 mEq/L	
	K .	3.7 mEq/L	
	Cl	102 mEq/L	
•	CO2	28 mEq/L	
	Anion Gap	10	
	Glucose Level	120 mg/dL	
	BUN	13 mg/dL	
	Creatinine	0.83 mg/dL	
•	eGFR, Calculated, African		
-	eGFR, Calculated, European	· · · · · · · · · · · · · · · · · · ·	
mI /min /1 72 -2 hr. MDDD	eGFR, Additional Informat:	· ·	-11
_	equation. Inaccurate with n.edu/labweb/test/bclim/cGF		
nccp://depts.washington	Ca	9.8 mg/dL	
	Troponin-I	<0.03 ng/mL	
	Troponin-I Interpretation		
	B-Type Natriuretic Peptide		
·	AST (GOT)	e 31 pg/mL 17 units/L	
		11 units/L	
	Alk Phos (Total)	70 units/L	
	Bilirubin (Total)	0.4 mg/dL	
	Protein (Total)	7.6 g/dL	
	Albumin	4.3 g/dL	
	WBC ·	4.90 thousand/microL	
	RBC	4.17 million/microL Low	
		13.1 g/dL	
		38 %	
	•	91 fL	
		31.4 pg	
•		34.7 g/dL	
-		256 thousand/microL	
		13.1 %	
2/23/2017 16:05	Amphet/Metamphetamine Qual		đ.
label error		.,	-,
	Alcohol (Ethyl), URN	Reorder requested, label error	
mg/dL		-	
-	Barbiturate Qual, URN	Reorder requested, label error	

Doc pg 2 of 6

Req Id:

katieros : 09/15/17 14:55:14

Benzodiazepines Qual, URN Reorder requested, label error Cocaine Qual, URN Reorder requested, label error Methadone Qual, URN Reorder requested, label error Opiates Qual, URN Reorder requested, label error Phencyclidine Qual, URN Reorder requested, label error Cannabinoids Qual, URN Reorder requested, label error Tricyclic Antidepressant Qual, URN Reorder requested,

label error

Acetaminophen Qualitative, URN

Reorder requested,

label error

Drug Screen Info, URN

Drug Screen Info, URN

RADIOLOGICAL STUDIES:

Radiology Results

CT Head (02/23/2017 19:02)

~PRELIMINARY NEURORADIOLOGY REPORT

EXAMINATION:

CT Head without Contrast

CLINICAL INDICATION:

Concern for SAH, acute onset severe HA

TECHNIQUE:

5 mm MDCT images from skull base to vertex without contrast. Patient age specific parameters were used for radiation exposure.

COMPARISON:

None.

PRELIMINARY FINDINGS:

No acute intracranial abnormalities.

No acute intracranial hemorrhage, infarct, or mass.

Ventricles are normal in size and configuration.

Basal cisterns are patent. No significant mass effect or midline shift.

No extra-axial collection.

There are atherosclerotic calcifications within the bilateral internal carotid arteries.

Orbits are normal. Mild mucosal thickening of the bilateral maxillary sinuses with a small left maxillary mucous retention cyst. There is also mild mucosal thickening of the right ethmoid air cells.

The calvarium is intact. No acute fracture.

This is a preliminary report dictated by Dr. Whitney Shofner Michalsky.

ATTENDING FINAL REPORT

IMPRESSION:

ATTENDING RADIOLOGIST AND PAGER NUMBER

999999 SUPPORT SERVICE MD

RESULT DETAIL

Ordering Provider:Paul William Charlton 505726

Diagnosis: Concern for SAH, acute onset severe HA

History:

Comment:From ORCA:

Assisting Radiologist(s): Whitney Shofner Michalsky 503680

XR Chest (02/23/2017 16:06)

~RADIOGRAPH OF THE CHEST, 1 VIEW

CLINICAL INDICATION:

Chest pain, concern for ACS

COMPARISONS:

None

FINDINGS AND IMPRESSION:

Cardiac and mediastinal contours are normal.

	НМС	Patient: GARRETT, JAMES C (H5225827)	Doc pg 3 of 6	Req ld:	katieros : 09/15/17 14:55:14
- 1	סואוו ון	Tradent Oracle in State of the second			

The lungs and pleural spaces are clear. There is no pneumothorax.

No acute bone or soft tissue abnormality. ATTENDING RADIOLOGIST AND PAGER NUMBER 462697 Robinson Jeffrey D MD ***RESULT DETAIL*** Ordering Provider: Paul William Charlton 505726 Diagnosis: Chest pain, concern for ACS

History: Comment:From ORCA:

Assisting Radiologist(s):Shaimaa Fadl 508621

ED COURSE & MEDICAL DECISION MAKING:

70-year-old man presenting from the court house in jail custody due to acute onset chest pain with accompanying mild headache. In the field the patient was hypertensive to systolics 220s but this had improved on time of arrival. Initial concern is for possible ACS, including possible inferior ischemia which is why the patient was not given nitroglycerin, possible malingering or conversion disorder, or less likely aortic dissection given the patient has no neurologic deficits and appears quite well with improving chest pain my evaluation, no evidence for pulse asymmetries in bilateral lower extremities. His initial story of collapse does not sound consistent with syncope (he did not appear to lose consciousness) per bystanders and the patient's report of his symptoms are reassuring that this is less likely be aortic dissection and therefore present do not believe that he needs a CTA of his chest. The patient's headache though continued to worsen during his ED stay and therefore I obtained a CT head which showed no evidence for subarachnoid hemorrhage. Given this was performed within 6 hours of the onset of symptoms, no need for LP. EKG, troponin, other labs, and chest x-ray were obtained to workup the above etiologies. Labs were reassuring for no acute injury to his kidneys or other electrolyte abnormalities or signs of anemia or infection. Evidence for mild ST-T depressions less than 1 mm in leads 2 and 3 not meeting criteria for subendocardial ischemia in inferior leads, and delta troponin were negative. I do suspect that the patient's underlying stress and agitation is the cause of his hypertension and which may be placing him at higher risk for ACS, however I do not believe there is anything today that requires intervention. Patient denies any history of significant sustained hypertension or cardiac risk factors requiring emergent cardiac stress testing today.

The patient was given aspirin in the field and was given labetalol 10 mg IV in the emergency department, with good effect. He otherwise refused to take all other medications. There appears to be a volitional component to his presentation today, as the patient appears comfortable and is conversant once he has established relationship with the ED providers.

On reevaluation several hours after arrival, the patient displayed volatile behavior and became threatening (physically and verbally) towards members of the team. He expressed delusions that make us concerned that he may have an underlying psychiatric disorder. Given his threatening behavior and his apparent psychoses. we strongly recommended the patient be evaluated by psychiatry at jail regarding his most appropriate ultimate disposition.

Recs for Jail:

- Please obtain psychiatric evaluation given concerns for delusions and aggressive behavior
- -- Consider starting antihypertensive agent if patient remains consistently hypertensive

DISPOSITION/PLAN:

Final disposition:

Discharge jail.

IMPRESSION/DIAGNOSIS:

Hypertension Headache Chest pain Aggressive behavior Delusions

ATTENDING STATEMENT:

Attending Statement

A laboratory evaluation was ordered and I have personally reviewed all of these findings .

A radiology evaluation was ordered and I have personally reviewed all of these findings .

A ECG evaluation was ordered and I have personally reviewed all of these findings.

I was the supervising attending involved in this patient's Emergency Department care. I have personally obtained a history and evaluated this patient and discussed the history, physical exam, diagnostic studies, and treatment plan with the resident. I agree with their documentation and where necessary for either clarification or accuracy, I have added directly to the above note or provided additional comments below.

Attending Comments: Patinet presented to ED from county courthouse where he was awaiting a hearing. Per guards patinet was sitting in the chair when he fell out of the chair and then complained of chest pain. After EMS was called, he then complained of headache. In ED, pt is tangential and provides little detail about his symptoms to me that prompted his ED visit. He tells me he has chest pain, but does not describe it. He is very perseverative about his court hearing and angry with the judge presiding over his case. While speaking to him, he began to talk nonsensically. As he was talking about the judge rescheduling his hearing and placing him in contempt of court (sounds like this happened a few days ago and unclear why), he then began to say that George Washington was in the court and he was a slave owner, and the patient states he was a victim of slavery. He then began to state that the Nazi's never owned slaves. He was becoming more agitated as he talked about slavery, George Washington, and Nazi's and his court case. When I tried to have him clarify what he was saying and told him that George Washington has not been alive for hundreds of years, he told me that the whole state is George Washington and there are a lot of George Washington's. He became very angry with me. I kept trying to reorient him back to his symptoms but he became more agitated, and was yelling at me at the top of his lungs stating I am making him angry and his head is going to explode. He told me he did not want to talk to me anymore. What I could get from him about his HA during this interaction is that he has had similar HAs in the past when his blood pressure is elevated. Overall, I am concerned that he has underlying psychosis that he does not admit to. He is also extremely volatile and had he not been restrained I would have been worried for my safety. I think he needs evaluation by a psychiatrist at KCJ to determine if he is a danger to others. Regarding his CP and HA, given he is a poor historian, was significantly hypertensive, we performed a thorough workup including ACS r/o, CT head for SAH, which were negative. His BP did decline with labetalol. Overall, he had reported that his symptoms were improving in the ED to the resident and I think at this time he is safe for discharge...

Signature Line

Electronically Reviewed/Signed On: 02/23/17 at 19:58

Charlton MD, Paul William Resident, Department of Emergency Medicine Box 359702 Seattle WA

Electronically Co-Signed On: 02/27/17 at 09:49

Sabbatini MD, MPH, Amber Kathleen Acting Instructor, Emergency Box 359702 Seattle WA 98104

PWC DD:02/23/17

ED Note Medicine

CC Address Information none

GARRETT, JAMES CORDELL H5225827

ED Note Authenticated Service Date: Feb-23-2017

Dictated by Jensen, Laura P on Feb-23-2017

ED Triage Form

ED Triage Form Entered On: 2/23/2017 15:39 Performed On: 2/23/2017 15:38 by Jensen, Laura P

Triage

Chief Complaint: Pt arrives via medics, sthb at court, c/o chest pain radiating to L side with ischemic EKG changes. Pt direct

to Green 1. Pt not answering questions.

Mode of Arrival to Emergency Dept: Seattle Medic | (ALS)

Transport Unit Number - Emergency Dept: 1 Comm Disease Screening in ED: N/A

Mask placed on patient?: No

Health History: See Medical Record

Jensen, Laura P - 2/23/2017 15:38 (As Of: 2/23/2017 15:39:22 PST)

Diagnoses(Active)

Chest

pain

Date: 2/23/2017; Diagnosis Type: Reason For Visit; Confirmation: Confirmed; Clinical Dx: Chest pain;

Classification: Nursing; Clinical Service: Non-Specified; Code: ED RFV; Probability: 0

Allergies/Medication

ED Current/Patient Reported Medications: Unable to obtain

Jensen, Laura P. - 2/23/2017 15:38 (As Of: 2/23/2017 15:39:22 PST)

Allergies (Active)

NKA

Estimated Onset Date: Unspecified; Created By: Macklin, BSPharm, RPh, Michael J; Reaction Status: Active; Category: Drug; Substance: NKA; Type: Allergy; Updated By: Macklin, BSPharm, RPh, Michael J; Source:

Patient; Reviewed Date: 2/6/2008 13:05

ESI

DCP GENERIC CODE

Tracking Acuity: 2 Emergent

ED Tracking Group: HMC Tracking Group

Jensen, Laura P - 2/23/2017 15:38

CC Address Information

none

НМС	Patient: GARRETT, JAMES C (H5225827)	Doc pg 1 of 1	Req ld:	katieros : 09/15/17 14:55:14

GARRETT, JAMES CORDELL H5225827

 ED Note Authenticated Service Date: Feb-23-2017

Dictated by Aldridge, Kayla M on Feb-23-2017

ED RN Discharge/Transfer

DISCHARGE/TRANSFER:

Discharge details:

Discharge disposition: Jail.

Patient meets clinical criteria for discharge.

Vital Signs Data

2/23/2017 20:09

Heart Rate

72 bpm

Respiratory Rate

16 br/min

SBP - Noninvasive

181 mmHg >HHI

DBP - Noninvasive

112 mmHg >HHI

BP Method

Automatic

BP Extremity

LEFT, Arm, Upper

Vital Sign Reason

Routine

Discharge method: self.

Belongings with patient: Yes. Prescriptions: no prescriptions.

IV removed.

Discharge Instructions reviewed and patient verbilizes understanding: Yes.

Signature Line

Electronically Reviewed/Signed On: 02/23/17 at 20:19

Aldridge, Kayla M Box 359875

KMA DD:02/23/17

ED RN Discharge/Transfer

CC Address Information

none -

			<u></u>	·	
ļ	НМС	Patient: GARRETT, JAMES C (H5225827)	Doc pg 1 of 1	Re	q ld: katieros : 09/15/17 14:55:14

Financial Agreement & Consent for Disclosure

By signing below, I agree:

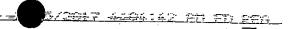
- 1. That Harborview Medical Center and Clinics (HMC), Northwest Hospital & Medical Center and Clinics (NWH), University of Washington Medical Center and Clinics (UWMC), Valley Medical Center and Clinics (VMC), UW Medicine Neighborhood Clinics (UWNC), UW Medicine Sports Medicine Clinic (UW Sports Med), Hall Health Primary Care Center (HHPCC), and University of Washington Physicians (UWP) (collectively known as "UW Medicine"), University of Washington School of Dentistry (SOD), Children's University Medical Group (CUMG) and Seattle Cancer Care Alliance (SCCA) may share any financial information I provide to facilitate payment.
- 2. To pay UW Medicine, SOD, CUMG and/or SCCA for balances remaining after insurance benefits are paid, unless prohibited by law or contract.
- 3. To notify UW Medicine, SOD, CUMG and/or SCCA of changes to my insurance coverage and/or address.
- 4. That UW Medicine, SOD, CUMG and/or SCCA may impose reasonable interest, late charges, costs and/or reasonable attorney's fees should my account become delinquent.
- 5. To notify UW Medicine, SOD, CUMG, and/or SCCA if I am not able to pay my balance due within 30 days of receipt.
- 6. To apply to other financial programs that I may qualify for as requested by UW Medicine, SOD, CUMG and/or SCCA, should I be unable to pay my account.
- 7. That any lawsuit for collection of my account may be brought in King County, Washington.
- 8. To receiving information related to treatment, payment or health care operations, including receiving autodialed and prerecorded message calls and/or text messages, at any number I have provided or, if not current, to any number I am reasonably found to be associated with.
- 9. That UW Medicine may, at its discretion, disclose to appropriate parties my medical records or information from my records for treatment, payment and health care operation purposes.

By signing this page, I acknowledge that I have read and agreed to the terms on both sides of this form.

If Signed by Person Other than Patient, Check Relationship to Patient: 1. Guardian 2. Durable Power of Attorney for Health Care 3. Spouse/registered domestic partne 6. Adult Brother(s)/Sister(s) FOR MINOR PATIENTS: 1. Guardian/legal custodian 2. Court-authorized person for child 3. Parent(s) PT.NO H 5 2 2 5 8 2 7 BD:5/4/1946 70YM GARRETT JAMES CORDELL H EMBRGENCY DEPARTMENT DDS:12/23/2017 Enc:1813927185 RES: DOB T 1865*	Signature (Patient or Person Authorize	d to Give Authorization)	Date 02 23 17
□ 1. Guardian □ 2. Durable Power of Attorney for Health Care □ 3. Spouse/registered domestic partner □ 4. Adult Child(ren) □ 5. Parent(s) □ 6. Adult Brother(s)/Sister(s) FOR MINOR PATIENTS: □ 1. Guardian/legal custodian □ 2. Court-authorized person for child □ 3. Parent(s) PT.NO H 52 2 5 8 2 7 pD:5/4/1946 70Y M GARRETT JAMES CORDELL H EMERGENCY DEPARTMENT D05:2/23/2017 Enc:1813927185 RES: CORDELL H EMERGENCY DEPARTMENT D05:2/23/2017 Enc:1813927185 RES: #*1/1865**	If Signed by Person Other than Patient, C	heck Relationship to Patient:	JON JABJ. 1
PT.NO T. Guardian/legal custodian 2. Court-authorized person for child 3. Parent(s)		•	3. Spouse/registered domestic partne
PT.NO PT.NO AME AME CORDELL H EMERGRENCY DEPARTMENT DOS::2/23/2017 Enc::1813927185 RES: CORDEL H SC 1813927185 CORDEL H EMERGRENCY DEPARTMENT DOS::2/23/2017 Enc::1813927185 RES: CORDEL H SC 2 5 8 2 7 BD::5/4/1946 CONSENT FOR DISCLOSURE CORDEL H EMERGRENCY DEPARTMENT DOS::2/23/2017 Enc::1813927185 RES: CORDEL H SC 2 5 8 2 7 BD::5/4/1946 CONSENT FOR DISCLOSURE CORDEL H EMERGRENCY DEPARTMENT DOS::2/23/2017 Enc::1813927185 RES: CORDEL H SC 2 5 8 2 7 BD::5/4/1946 CORDEL CORDEL H SC 2 5 8 2 7 BD::5/4/1946 CORDEL H SC 2 5 8 2 7 BD::5/4/1946 CORDEL CORDEL H SC 2 5 8 2 7 BD::5/4/1946 CORDEL H SC 2 5 8 2 7 BD::5/4/1946 CORDEL H SC 2 5 8 2 7 BD::5/4/1946 CORDEL CO	4. Adult Child(ren)	☐ 5. Parent(s)	☐ 6. Adult Brother(s)/Sister(s)
PT.NO H 5225827 BD:5/4/1946 70YM GARRETT JAMES CORDELL H EMERGENCY DEPARTMENT DOS:2/23/2017 Enc:1813927185 RES: UW Medicine Harborview Medical Center — Northwest Hospital & Medical Center Valley Medical Center — UW Medical Center University of Washington Physicians Seattle, Washington FINANCIAL AGREEMENT & CONSENT FOR DISCLOSURE	FOR MINOR PATIENTS:		
Harborview Medical Center — Northwest Hospital & Medical Center Valley Medical Center — UW Medical Center Valley Medical Center — UW Medical Center Valley Medical Center — UW Medical Center Valley Medical Center — UW Medical Center Valley Medical Center — Northwest Hospital & Medical Center Valley Medical Center — Worthwest Hospital & Medical Center Valley Medical Center — Northwest Hospital & Medical Center Valley Medical Center — Northwest Hospital & Medical Center Valley Medical Center — Worthwest Hospital & Medical Center Valley Medical Center — Northwest Hospital & Medical Center Valley Medical Center — Northwest Hospital & Medical Center Valley Medical Center — Northwest Hospital & Medical Center Valley Medical Center — Worthwest Hospital & Medical Center Valley Medical	☐ 1. Guardian/legal custodian	2. Court-authorized person for child	☐ 3. Parent(s)
	H5225827 BD:5/ GARRETT JAMES CORDELL H EMERGENCY DEPARTMENT D09:2/23/2017 Fnc:1813927185	Harborview Medical Center – Valley Medical Center – UW Medical Cen	Medical Center sicians Seattle, Washington ENT & CONSENT FOR DISCLOSURE

SSESSMENT AND RESTRAINED PATI PATIEN MEDICATIONS ALLERGIES: SEARCHED B VALUABLES REMOVED BY/ PLACED 19 US TIME E SAFETY/PRIVACY CHECK W TYPE OF RESTRAIN 0 'n 3 2 3 4 LEVEL OF RESTRAINT ٥ R CIRCULATION D CHECKED Ε LEVEL OF R R 0 0 O 0 0 0 0 0 D 0 WARENESS FLUIDS/FOOD 0 OFFERED **ELIMINATION** 0 0 O 0 0 O D **HYGIENE** ACTIVITY C **POSITION** S 2 S S 5 5 CHANGED LOCATION G, G G G G INITIALS BEHAVIOR REQUIRING RESTRAINTS **ALTERNATIVES** TRIED/CONSIDERED TIME: P: RR: PAIN SCALE Unable to rate VS: B/P: T: O2 SAT ASSESSMENT Unable to Asses FOR RESTRAINTS PES Arrival Time: ☐ IMMEDIATE RISK TO PT/ **OTHERS** HMCMHP Evaluation Time: VIOLENT KCDMHP Referral Time: DANGER TO: OTHERS COGNITIVELY VIOLENT IMPAIRED ☐MED DEVICE **MEDICAL ISSUES:** LESS RESTRICTIVE ALTERNATIVES TRIED/ CONSIDERED RESTRAINT ORDER SIGNED LAW ENFORCE MENT TEACHING DISCUSSED PATIENT **FAMILY** Restraint Use Behavior required for release Date/Time: TAMULU. RN Print Name Signature RN PRINT NAME Monitor PRINT NAME Mellelm Signature/Initials Signature/initials SAFETY/PRIVACY LEVEL OF LEVEL OF FLUIDS/ POSITION BEHAVIOR TYPE OF **ALTERNATIVES** CHECK RESTRAINT RESTRAINT AWARENESS FOOD ELIMINATION ACTIVITY CHANGED **REQ Restraints** C = Calm O = Offered, O = Oriented O = Offered. 1:1 = Monitored 1 = 1 point Danger to: √ = Completed √= RR 12-24 - Locked restraints C Confused/ Refused Refused S = Sleeping DTS = Self release S = Self 2 = 2 points SR = Soft restraints Disoriented Not Taken = Volded Irritable réstraints secure/ DTO = Others Family/Friend LOCATION CIRCULATION = Easy to = Incontinent R = Restless M = Case mar 3 = 3 points MD = Pulls privacy maintained = Psych Unit √ = Fluids Ťaken CHECKED Arouse H = Hygiene T = Thrashing/ Med Device P = PD/Jall Guard A = Action required |4 = 4 points Difficult to FD = Food Cognitively T = Tried √= 0K Given Struggling ≃ Other as Ci·≔ **Arouse** B= Bedside See charting below 5 = 5 points B= Bedside O = Other Indicated L = Loosened C = Considered Impaired U = Unresponsive **UW Medicine** PT.NO Harborview Medical Center - Northwest Hospital & Medical Center Valley Medical Center - UW Medical Center University of Washington Physicians Seattle, Washington BD:5/4/1946 PT ASSESS & RESTRAINED PT FLWSHT NAME H5225827 GARRETT JAMES H EMERGENCY DEPARTMENT WHITE - MEDICAL RECORDS DOB 09:2/23/2017 RES: 185 | UH0225 REV MAY 15 Req Id: katieros: 09/15/17 14:55:14

нмс



Notice of Privacy Practices Acknowledgment

The Joint Notice of Privacy Practices of UW Medicine and Certain Other Providers brochure describes how medical information about you may be used and disclosed, how you can get access to this information and who to contact if you have questions, concerns or complaints.

We have a responsibility to protect the privacy of your information, provide a Notice of Privacy Practices and follow the information practices that are described in this notice. If you have any questions, please contact: UW Medicine Compliance 1-866-964-7744 (toll free).

Please do not write comments on this form, refer to the "Your Individual Rights About Patient Health Information."

We may change our policies at any time. Any significant policy change will be posted.

You may request a copy of this notice from UW Medicine Compliance 1-866-964-7744 or at www.uwmedicine.org

By signing below, I agree that I have received the Joint Notice of Privacy Practices of UW Medicine and Certain Other Providers.

SIGNATURE (PATIENT OR PERSON AUTI			02/28/17
IF SIGNED BY PERSON OTHER THAN PA	TIENT, (CHECK RELATIONSHIP TO PATIENT:	, - (
☐ 1. Guardian		Durable Power of Attorney for Health Care	☐ 3. Spouse/registered domestic partner
☐ 4. Adult Child(ren) FOR MINOR PATIENTS:	□ 5.	Parent(s)	☐ 6. Adult Brother(s)/Sister(s)
☐ 1. Guardian/legal custodian	□ 2.	Court-authorized person for child in out-of-home placement	3. Parent(s)
4. Holder of signed authorization from parent(s)	□ 5.	Adult representing self to be a relative responsible for the minor's health	
		MARKS for the UW Medicine Notice wis to be filled out by UW Medicin	
\ 		w is to be filled out by UW Medicin individual at this time, but immediate treatment is r	,
· · · · · · · · · · · · · · · · · · ·		······································	
☐ Emergency Treatment	Situat	tion	ı
☐ Incarcerated Patient			
☐ Patient refuses to sign			
☐ Patient unable to sign			
		•	,

PT.NO

H5225827 BD:5/4/1946

NAME

JAMES CORDELL

H EMERGENCY DEPARTMENT DOS:2/23/2017

Enc:1813927185

RES:

UW Medicine

Harborview Medical Center - Northwest Hospital & Medical Center Valley Medical Center - UW Medical Center

University of Washington Physicians

Seattle, Washington

NOTICE OF PRIVACY PRACTICES



WHITE - MEDICAL RECORD

YELLOWatiBATIE00/15/17 14:55:14

Patient GARRETT, JAMES G (H5225827)

Reg Id:

CARE AGREEMENT

This form contains facts you should know about your health care at UW Medicine and from Children's University Medical Group, University of Washington Dentists and Oral Surgeons, and Seattle Cancer Care Alliance. If there is any part of this form that is unclear you can ask questions about it. At the bottom of the form there is a place for you to sign your name so that we know you have read this form (or had it read to you) and agree to receive health care from us.

UW Medicine includes:

- Harborview Medical Center and Clinics
- Northwest Hospital & Medical Center and Clinics
- University of Washington Medical Center and Clinics
- Airlift Northwest
- **UW Medicine Neighborhood Clinics**
- **UW Physicians Sports Medicine Clinic**
- Hall Health Primary Care Center,
- Summit Cardiology, and
- **UW Physicians**

Your health care team consists of medical doctors, doctors in training (residents and fellows), nurses, other health care professionals, and students of the health sciences. They will work together to diagnose and treat you. You will have an attending physician. This is the doctor who has primary responsibility for your care.

Photographs, videotapes, or other images of you may be used to keep a record of your care and treatment (including surgery). These images may become part of your medical record.

SIGNATURE

By signing below, it shows that you have read this document and agree to receive health care from UW Medicine. If there is any part of this form that is unclear, be sure to ask questions about it.

SIGNATURE (Patient or p give authorization)	erson authorized to	PRINT NAME	DATE 08 83 17
IF SIGNED BY PERSON GUARDIAN HUSBAND/WIFE		RE POWER OF ATTORNEY	S RELATIONSHIP TO PATIENT: PARENT ADULT BROTHER/SISTER
<u></u>			

NAME CORDELL H EMERGENCY DEPARTMENT DOS:2/23/2017 Enc: 1813927185 RES: DOB

UW Medicine

Harborview Medical Center - UW Medical Center Northwest Hospital & Medical Center - University of Washington Physicians Seattle, Washington

CARE AGREEMENT



WHITE - MEDICAL RECORD

Tkatieros: 09/15/17 14:55:14

JAMES C (H5225827) Patient: GARRETT,

нмс

Doc pg 1 dPH0051 REV DEC 10

Reg Id:

GARRETT, JAMES CORDELL H5225827 ED Patient Summary Modified Service Date: Sep-08-2016 Dictated by Dickinson, Ashleigh on Sep-08-2016

ED Patient Summary

Harborview Medical Center Emergency Department Discharge Instructions

325 9th Ave, Seattle, WA 98104 Phone: (206) 744-3074

Name: GARRETT, JAMES CORDELL DOB: 05/04/19	Age: 70 Years

MRN: H5225827 Printed at: 9/8/2016 15:00:33

Arrival Date/Time: 9/08/2016 12:42 PM

Attending Provider:

A. Trivedi

Other Providers:

None

Diagnosis: left hip and shoulder strain

Comment:

Allergies:

No Known Allergies

Comment:

Follow-up Instructions:

With: Address: When:

Follow up with primary care provider

Within 1 to 2 weeks

HMC Patient: GARRETT, JAMES C (H5225827) Doc pg 1 of 7 Req ld: katieros : 09/15/17 14:55:14

Comments:

See list of clinics

IMPORTANT EMERGENCY DEPARTMENT COMMUNICATION AFTER YOUR VISIT:

If you have questions about your ED visit, please call:

Harborview Medical Center ED: 206-744-3074

You may receive a phone call from us in the next few days to ensure that you are improving. Please be sure that we have an accurate phone number and address for you.

To assist us with continuing to improve the quality of the Emergency Care we provide, we would like your input. In the coming weeks, you may receive a survey in the mail about our processes.

Please complete this and return it to us. Our goal is to provide you with excellent medical care. If we have not reached this goal, please let us know how we can improve our services.

Harborview Medical Center would like to thank you for allowing us to assist you with your healthcare needs.

It is important to see your doctor or primary care provider. Emergency Care may be incomplete without proper follow-up. For help scheduling your UW Medicine or Harborview Clinic doctor appointment, call the Patient Contact Center at 206.520.5000 or toll free at 877.520.5000.

If you become worse in any way, it is important that you call your doctor, or return to the Emergency Department. Please remember to take these instructions to your next doctor's appointment.

Patient and Family Education

Muscle Strain

What you should know

A muscle strain is a twist, pull, or tear of a muscle or tendon. A tendon is a strong elastic tissue that connects a muscle to a bone. Signs of a strained muscle include bruising and swelling over the area, pain with movement, and loss of strength.

Instructions

Medicines

- Nonsteroidal anti-inflammatory (NSAID) medicine may decrease swelling and pain or fever. This medicine can be bought with or without a doctor's order. This medicine can cause stomach bleeding or kidney problems in certain people. If you take blood thinner medicine, always ask your primary healthcare provider if NSAIDs are safe for you. Always read the medicine label and follow the directions on it before using this medicine.
- Muscle relaxers: This medicine helps relax your muscles. It is also given to decrease pain and muscle spasms.
- Take your medicine as directed. Call your primary healthcare provider if you think your medicine is not helping or

if you have side effects. Tell him if you are allergic to any medicine. Keep a list of the medicines, vitamins, and herbs you take. Include the amounts, and when and why you take them. Bring the list or the pill bottles to follow-up visits. Carry your medicine list with you in case of an emergency.

Follow up with your primary healthcare provider as directed: Your primary healthcare provider may suggest that you have a follow-up visit before you go back to your usual activity. Write down your questions so you remember to ask them during your visits.

Self-care

- 3 to 7 days after the injury: Use Rest, Ice, Compression, and Elevation (RICE) to help stop bruising and decrease pain and swelling.
- Rest: Rest your muscle to allow your injury to heal. When the pain decreases, begin normal, slow movements. For mild and moderate muscle strains, you should rest your muscles for about 2 days. However, if you have a severe muscle strain, you should rest for 10 to 14 days. You may need to use crutches to walk if your muscle strain is in your legs or lower body.
- Ice: Put an ice pack on the injured area. Put a towel between the ice pack and your skin. Do **not** put the ice pack directly on your skin. You can use a package of frozen peas instead of an ice pack.
- Compression: You may need to wrap an elastic bandage around the area to decrease swelling. It should be tight enough for you to feel support. Do **not** wrap it too tightly.
- Elevation: Keep the injured muscle raised above your heart if possible. For example if you have a strain of your lower leg muscle, lie down and prop your leg up on pillows. This helps decrease pain and swelling.
- 3 to 21 days after the injury: Start to slowly and regularly exercise your muscle. This will help it heal. If you feel pain, decrease how hard you are exercising.
- 1 to 6 weeks after the injury: Stretch the injured muscle. Hold the stretch for about 30 seconds. Do this 4 times a day. You may stretch the muscle until you feel a slight pull. Stop stretching if you feel pain.
- 2 weeks to 6 months after the injury: The goal of this phase is to return to the activity you were doing before the injury happened, without hurting the muscle again.
- 3 weeks to 6 months after the injury: Keep stretching and strengthening your muscles to avoid injury. Slowly increase the time and distance that you exercise. You may have signs and symptoms of muscle strain 6 months after the injury, even if you do things to help it heal. In this case, you may need surgery on the muscle.

Contact your primary healthcare provider if:

- Your pain and swelling worsen or do not go away.
- You have questions or concerns about your condition or care.

Return to the emergency department if:

• You suddenly cannot feel or move your injured muscle.

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Reviewed 08/13

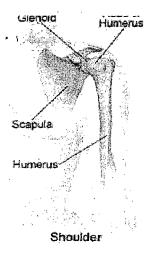
Patient and Family Education

Shoulder Sprain

What you should know

A shoulder sprain happens when a ligament in your shoulder is stretched or torn. Ligaments are the tough tissues that connect bones. Ligaments allow you to lift, lower, and rotate your arm.

	Head of			<u>:</u>
НМС	Patient: GARRETT, JAMES C (H5225827)	Doc pg 3 of 7	Req ld:	katieros : 09/15/17 14:55:14



Instructions

Medicines

- **Pain medicine:** You may be given a prescription medicine to decrease pain. Do not wait until the pain is severe before you take this medicine.
- Take your medicine as directed. Call your primary healthcare provider if you think your medicine is not helping or if you have side effects. Tell him if you are allergic to any medicine. Keep a list of the medicines, vitamins, and herbs you take. Include the amounts, and when and why you take them. Bring the list or the pill bottles to follow-up visits. Carry your medicine list with you in case of an emergency.

Follow up with your primary healthcare provider as directed: Write down your questions so you remember to ask them during your visits.

Care for your shoulder:

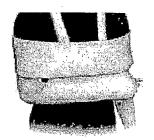
- **Rest:** Avoid moving your shoulder as your injury heals. This will help decrease the risk of more damage to your shoulder.
- Ice: Ice helps decrease swelling and pain. Ice may also help prevent tissue damage. Use an ice pack, or put crushed ice in a plastic bag. Cover it with a towel and place it on your shoulder for 15 to 20 minutes every hour or as directed.
- Compression: Compression (tight hold) provides support and helps decrease swelling and movement so your shoulder can heal. For mild sprains, you may be given a sling to support your arm. You may need a padded brace or a plaster cast to hold your shoulder in place if the sprain is more serious.

How to wear a brace, sling, or splint: A brace, sling, or splint may be needed to limit your movement and protect your injured shoulder.

- Wear your brace, sling, or splint all the time. Take it off only to bathe or do exercises as directed. Ask your primary healthcare provider how many weeks you should wear it.
- Keep your skin clean and dry. Padding under your armpit will help absorb sweat and prevent sores on your skin.
- Do not hunch your shoulders. This may cause pain. Keep your shoulders relaxed.
- Position the sling over your arm and hand so that it also covers your knuckles. This will help the sling support your
 wrist and hand. Position your wrist higher than your elbow. Your wrist may start to hurt or go numb if your sling is
 too short.

Shoulder Immobilizer





Exercise your shoulder: After you rest your shoulder for 3 to 7 days, you will need to do light exercises to decrease shoulder stiffness. Check with your primary healthcare provider before you return to your normal activities or sports.

Prevent another injury: You can hurt your shoulder again if you stop treatment too soon. The following may decrease your risk for sprains:

- Do not exercise when you are tired or in pain. Warm up and stretch before you exercise.
- Wear equipment to protect yourself when you play sports.
- Wear shoes that fit well and run on flat surfaces to prevent falls.

Contact your primary healthcare provider if:

- The skin on your injured shoulder looks blue or pale.
- You have new or increased swelling and pain in your shoulder.
- You have new or increased stiffness when you move your injured shoulder.
- You have questions or concerns about your condition or care.

Return to the emergency department if:

- You are short of breath.
- Your throat feels tight, or you are having trouble swallowing.
- You feel sudden, sharp chest pain on the same side as your injury.
- Your skin feels cold or clammy.

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Reviewed 09/13

Seattle

Neighborcare - 45th Street Clinic 1629 N 45th Seattle, WA 98103 Phone: 206-633-3350

Carolyn Downs Family Medical Center 2101 E Yesler Seattle, WA 98122 Phone: 206-299-1900

Country Doctor Community Clinic 500 19th Ave E Seattle, WA 98122 Phone: 206-299-1600

Greenwood Medical Clinic 415 N. 85th St

HMC Patient: GARRETT, JAMES C (H5225827)	Doc pg 5 of 7	Reg Id:	katieros : 09/15/17 14:55:14

Seattle, WA 98103 Phone: 206-782-8660

Neighborcare - High Point Medical and Dental Clinic

6020 35th Ave. SW Seattle, WA 98126 Phone: 206-461-6950

Holly Park Medical & Dental Clinic 3815 S. Othello St, 2nd Floor Seattle, WA 98118

Phone: 206-788-3500

International Community Health Services International District Site 720 8th Ave. S, #100 Seattle, WA 98104 Phone: 206-788-3700

Odessa Brown Children's Clinic 2101 E Yesler Seattle, WA 98122

Phone: 206-987-7200

Medical clinic: Serves ages 0 - 19 years

Pike Market Clinic 1930 Post Alley Seattle, WA 98101 Phone: 206-728-4143

Accepts a limited number of walkin patients in the morning

Pioneer Square Clinic 206 3rd Ave S Seattle, WA 98104 Phone: 206-744-1500

Rainier Park Medical Clinic 4400 37th Ave S Seattle, WA 98118 Phone: 206-461-6957

Sea-Mar Community Health Center 8720 14th S Seattle, WA 98108 Phone: 206-762-3730

Seattle Indian Health Board 611 12th S Seattle, WA 98144

Phone: 206-324-9360

Third Avenue Center 2028 Third Avenue Seattle, WA 98121

Phone: 206-521-1231

This is a walk-in primary care clinic. They see walk-in patients daily from 8:15-5:00. People need to be present here to make an appointment. They schedule walk-in appointments for the am starting at 8:15. They schedule afternoon appointments starting at 1 pm daily.

EM Medicine Discharge - Signature Page

Harborview Medical Center

Emergency Department Discharge Instruction 325 9th Ave

Seattle, WA 98104

Name: GARRETT, JAMES CORDELL

DOB:5/4/1946 Date/Time: 9/8/2016 15:00:33

MR#: H5225827 Acct#: 1808780373 Visit Date:9/8/2016 12:42:00

Patient Education Material(s)

ED, Muscle Strain (Custom) ED, Shoulder Sprain (Custom) Clinic- Seattle Community Health Centers (Custom)

I, GARRETT, JAMES CORDELL verbalized understanding of instr		rsonalized patient edu	cation materials/ins	structions and have
Patient/Guardian Signature	Relation to Patient	Date/Time		
Discharging Staff Member				

UW Medicine Harborview Medical Center - UW Medical Center

CC Address Information

none

		•	
HMC Patient: GARRETT, JAMES C (H5225827)	Doc pg 7 of 7	Req Id:	katieros : 09/15/17 14:55:14

GARRETT, JAMES CORDELL H5225827 ED Clinical Summary Modified Service Date: Sep-08-2016 Dictated by Dickinson, Ashleigh on Sep-08-2016

ED Clinical Summary

Harborview Medical Center Emergency Department Clinical Summary 325 9th Ave, Seattle, WA 98104

Phone: (206) 744-3074

PERSON INFORMATION

Name:

MRN:

GARRETT, H5225827 ED Arrival

JAMES CORDELL Time:

09/08/2016

12:42

Sex: Male DOB:

Age: 70

05/04/1946 Years

Visit

Acuity: 4

Disposition:

Reason:

Less

Home/Self-

left hip pain Urgent

Care

Phone:

Address:

206

PO BOX

639-0162

22328

SEATTLE

WA 98122

Provider

Decision

Contact to Admit:

Departure

Time: Not 09/08/2016 entered

15:00

Time:

09/08/2016

12:53

DIAGNOSIS: left hip and shoulder strain

Attending Provider:

Amit Trivedi

Allergies:

No Known Allergies

Patient Education and Follow-up Information

Instructions:

ED, Muscle Strain (Custom); ED, Shoulder Sprain (Custom); Clinic- Seattle Community Health Centers (Custom)

Follow up:

With:

Address: When:

Follow up with primary care provider

Within 1 to 2 weeks

Comments:

See list of clinics

CC Address Information

none

GARRETT, JAMES CORDELL H5225827 ED Note Authenticated Service Date: Sep-08-2016 Dictated by Dickinson, Ashleigh on Sep-08-2016

ED RN Discharge/Transfer

DISCHARGE/TRANSFER:

Discharge details:

Discharge disposition: Home/Self Care. Patient meets clinical criteria for discharge.

Discharge method: self. Belongings with patient: Yes. Prescriptions: no prescriptions.

No IV placed.

Discharge Instructions reviewed and patient verbilizes understanding: Yes.

Signature Line

Electronically Reviewed/Signed On: 09/08/16 at 15:00

Dickinson, Ashleigh Box 359875

AD DD:09/08/16

ED RN Discharge/Transfer

CC Address Information none

.

。 GARRETT, JAMES CORDELL H5225827

ED Note Authenticated Service Date: Sep-08-2016

Dictated by Carter RN, Kasey A on Sep-08-2016

ED Triage Form

ED Triage Form Entered On: 9/8/2016 12:47
Performed On: 9/8/2016 12:44 by Carter RN, Kasey A

Triage

Chief Complaint: pt c/o left hip and left arm pain s/p getting stuck between the dumpster and the ground, no obvious sign of

trauma

Chief Complaint Onset: 9/8/2016 12:45

Mode of Arrival to Emergency Dept: AMR

Transport Unit Number - Emergency Dept: 990

Health History: Other: ptsd

Carter RN, Kasey A - 9/8/2016 12:44 (As Of: 9/8/2016 12:47:05 PDT)

Diagnoses(Active)

left hip

pain Date: 9/8/2016; Diagnosis Type: Reason For Visit; Confirmation: Confirmed; Clinical Dx: left hip pain;

Classification: Nursing; Clinical Service: Non-Specified; Probability: 0

Vitals/Ht/Wt

SBP - Noninvasive: 165 mmHg (High)
DBP - Noninvasive: 102 mmHg (High)

Heart Rate: 80 bpm

Respiratory Rate: 16 br/min

SpO2: 100 %

Pain Symptoms in Emergency Dept: Yes

Temperature - C: 36.3 degC(Converted to: 97.3 degF)

Temperature Source: Temporal Artery

O2 Delivery Device: Room air

Allergies/Medication

ED Current/Patient Reported Medications: See Medical Record

Carter RN, Kasey A - 9/8/2016 12:44

Carter RN, Kasey A - 9/8/2016 12:44 (As Of: 9/8/2016 12:47:05 PDT)

Allergies (Active)

NKA

Estimated Onset Date: Unspecified; Created By: Macklin, BSPharm, RPh, Michael J; Reaction Status: Active; Category: Drug; Substance: NKA; Type: Allergy; Updated By: Macklin, BSPharm, RPh, Michael J; Source:

Patient; Reviewed Date: 2/6/2008 13:05

ESI

DCP GENERIC CODE

Tracking Acuity: 4 Less Urgent

ED Tracking Group: HMC Tracking Group

ESI Level 1: No ESI Level 2: No Resources ESI: One Carter RN, Kasey A - 9/8/2016 12:44

HMC Patient: GARRETT, JAMES C (H5225827) Doc pg 1 of 2 Req ld: katieros : 09/15/17 14:55:14

Recommended ESI Level: 4

Assessment/Screening

ED Neurological - GENERAL Asmt: Alert

Orientation: Oriented x 4 (person, place, time, situation)

Affect/Behavior: Appropriate, Calm, Cooperative

Pain Associated Behaviors

Location of Pain: left hip

Pain Intensity 0 - 10 Scale: 7

Carter RN, Kasey A - 9/8/2016 12:44

Carter RN, Kasey A - 9/8/2016 12:44

Carter RN, Kasey A - 9/8/2016 12:44

CC Address Information

none



AMR SEATTLE OPERATIONS PRE-HOSPITAL CARE REPORT

Unit ID: 990C

Date: 9/8/2016

Case #: 882658	Unit ID: 990C	Date: 9/8/2016
SERVICE	DISPATCH INFORMATION	TIMES
FROM:	CALLER: SEATTLE FIRE	CALL RECEIVED: 12:05:04
2314 E SPRING ST	RESPONSE MODE: LIGHTS AND SIREN	DISPATCHED: 12:12:24
SEATTLE, WA 98122	TRANSPORT MODE: NO LIGHTS AND SIREN	ENROUTE: 12:12:24
(PUBLIC BUILDING/AREA)	ALS ASSESSMENT: NONE	AT SCENE: 12:16:37
TO:	DISPOSITION: TRANSPORTED - TO HOSPITAL	
10:	ER/ED	AT PT SIDE: 12:18:00
HARBORVIEW MEDICAL CTR		TRANSPORT: 12:25:00
325 9TH AVE		ARRIVAL: 12:40:00
SEATTLE, WA 98104		CARE TRANS'D: 9/8/2016 1:00:00 PM
(HOSPITAL - ED)		AVAILABLE: 13:05:00
ROOM/DEPT: E.D.		
DESTINATION DECISION: CLOSEST/MOST APPROPRIATE		DEST MILES: 1
	11 11 11 11 11 11 11 11 11 11 11 11 11	TOTAL MILES: 1
PATIENT DEMOGRAPHICS	H5225827 BD:5/4/1946 70YM GARRETT	· · · · · · · · · · · · · · · · · · ·
NAME: GARRETT, JAMES	JAMES	OB: 5/4/1946
ADDRESS: PO BOX 22328	H EMERGENCY DEPARTMENT AC	GE: 70
		ENDER: MALE
CITY, STATE ZIP: Sealtle, WA 98122		FHNICITY: .ACK/AFRICAN MERICAN
PHONE:	· · · · · · · · · · · · · · · · · · ·	
CELL PHONE:		
SSN: xxxx-xx-0549		
NSURANCE POLICY MEDICARE	GROUP	
•		
RESPONSIBLE PARTY: GARRETT, JAMES	NA	ME OF EMPLOYER: 11
PHONE:	EN	IPLOYER PHONE:
HOSPITAL MRN:	SU	IPERVISOR:
IOSPITAL FIN:	şu	PERVISOR PHONE:
MEDICAL HISTORY		· · · · · · · · · · · · · · · · · · ·
HISTORY OBTAINED PATIENT PATIENT		
IEDICAL HISTORY: OTHER, PTSD	•	
LLERGIES: NONE,		
LLERGY DESCRIPTION:		• :-
IEDICATIONS: NONE STATED		
IISTORY OF PRESENT ILLNESS:		1. T. d.
HIEF COMPLAINTS		
HIEF COMPLAINT CATEGORY: PAIN-EXTRE	MITY UPPER	
		•

Case #: 882658

PCR: 2016090812212289970

Date of Service: 09/08/2016

CAUSE(S) OF INJURY: TYPE OF CAUSE: O, CAUSE OF INJURY: OTHER BLUNT INJURY, INTENT: UNINTENTIONAL, COMMENTS: CAUGHT BETWEEN A DUMPSTER AND THE GROUND

Patient: James Garrett

Page: 1 of 3 Printed: 9/10/2016

Finited: 9/10/2010

HMC Prisent SEANEDS OF MES C (H5225827)

Doc pg 1 of 4

Req Id:

katieros : 09/15/17 14:55:14

TRAUMA TRIAGE

PHYSICAL FINDINGS

WEIGHT: 180 LBS; 81 KG PHYSICAL ASSESSMENT

PELVIS: LEFT HIP

POSITIVE: PAIN, PAIN/TENDERNESS - ON PALPATION, PAIN/TENDERNESS - WITH MOVEMENT

HEAD: ATRAUMATIC, SYMMETRICAL

NECK: ATRAUMATIC, NO JVD

CHEST: SYMMETRIC WITH BILATERAL CHEST RISE/FALL, NO CREPITUS

ABDOMEN: SOFT, NON-TENDER, NON-DISTENDED

BACK: NO CREPITUS, DEFORMITY, PAIN

EXTREMITIES: CMS INTACT, NO CREPITUS, DEFORMITY, PAIN

IMPRESSION

PRIMARY IMPRESSION: PAIN - EXTREMITY SECONDARY IMPRESSION: PAIN - EXTREMITY

VITAL SIGNS

	BLOOD			GI		CAL	COMA E			BLOOD	PAIN
TIME	PRESSURE	PULS E	RESP	E	٧	M	TOTAL	EKG	SP02	GLUCOSE	SCALE
12:18	190/88 (122)	88	16	4	5	6	15	`			7/10
12:18	190/92 (125)	88	16	4	. 5	. 6	15			•	7 /10
12:25		•						•	•		7 /10

TREATMENTS

			•
PTA	TIME	CAREGIVER	PROCEDURE
			FACILITY ACTIVATION ACTIVATION TYPE: NO ALERT
	12:18	RULE, ZACKERY, AMR	PAIN SCALE 7 ON A SCALE OF 10
	12:18	RULE, ZACKERY, AMR	VITAL SIGNS -
	. •		GLASGOW COMA SCALE GCS EYES: 4; GGS VERBAL: 5; GCS MOTOR: 6; GCS SCORE: 15
	,		VITALS BP: 190/88; PULSE: 88; PULSE REGULARITY: REGULAR; PULSE STRENGTH: NORMAL; PULSE TAKEN AT: RADIAL; RESPIRATORY RATE: 16; RESPIRATORY DEPTH: NORMAL; RESPIRATORY EFFORT: NORMAL
	1 2 :18	RULE, ZACKERY, AMR	VITAL SIGNS -
	• • • • • • • • • • • • • • • • • • • •	•	GLASGOW COMA SCALE GCS EYES: 4; GCS VERBAL: 5; GCS MOTOR: 6; GCS SCORE: 15
			VITALS BP: 190/92; PULSE; 88; PULSE REGULARITY: REGULAR; PULSE STRENGTH: NORMAL; PULSE TAKEN AT: RADIAL; RESPIRATORY RATE: 16; RESPIRATORY DEPTH: NORMAL; RESPIRATORY EFFORT: NORMAL
	12:25	RULE, ZACKERY, AMR	PAIN SCALE 7 ON A SCALE OF 10

Case #: 882658

PCR: 2016090812212289970

Date of Service: 09/08/2016 Patient: James Garrett

Page: 3 of 3

HMC PPURE NO FAME PROFIMES C. (H5225827) Doc pg 2 of 4 Req Id: Printed: 9/10/2016

katieros: 09/15/17 14:55:14

NARRATIVE

S: PT IS A 70 Y/O MALE C/O OF LEFT HIP PAIN SECONDARY TO BEING CAUGHT BETWEEN A DUMPSTER AND THE GROUND. THE PT STATES THAT HE WAS TRYING TO STOP THEM FROM BLOCKING IN HIS CAR WHEN HE GOT CAUGHT IN BETWEEN THE GROUND AND A DUMPSTER. PT DENIES DRUG USE. PT RATES HIS PAIN AT A 7/10. PT DOES HAVE A HISTORY OF PTSD. PT DENIES ANY OTHER MEDICAL COMPLAINTS.

O: UPON ARRIVAL PT WAS FOUND IN THE CARE OF SEATTLE FIRE. PT WAS ABLE TO AMBULATE W/ ASSISTANCE TO THE STRETCHER. FOR VITALS, SEE VITALS> FOR PHYSICAL EXAM, SEE PHYSICAL EXAM.

A: POSSIBLE LEFT HIP INJURY

P: RESPOND PRIORITY TO THE SCENE, SCENE SAFE, BSI, MAKE PT CONTACT, RECEIVE REPORT FROM FIRE, TAKE VITALS, PHYSICAL EXAM, SAMPLE, OPQRST, PAIN SCALE, TRANSPORT ROUTINE TO HMC ER, MONITOR PAIN SCALE, MONITOR VITALS, GIVE REPORT TO TRIAGE RN, GIVE REPORT TO ER RN, TRANSFER OF CARE, ALL W/O INCIDENT.

FOLLOW-UP-CARE					
FOLLOW-UP: 3	FOLLOW-UP-DATE:	FOLLOW-UP-TIME:	·		
FOLLOW-UP CARE: _					
RUN COMPLETION					

PRIVACY PRACTICES: I, THE PATIENT OR PATIENT'S REPRESENTATIVE, RECEIVED AMR'S NOTICE OF PRIVACY PRACTICES

AMR SEATTLE OPERATIONS PRE-HOSPITAL CARE REPORT SIGNATURES SEATTLE

Case #: 882658

Unit ID: 990C

Date: 9/8/2016

AMR CREW MEMBERS

CREW 1

NAME: RULE, ZACKERY, AMR

NUMBER: 60441230 CERTIFICATION: EMT

CREW 2

NAME: BISHOP, TIMOTHY, AMR

NUMBER: 60470782 CERTIFICATION: EMT

Case #: 882658

Date of Service: 09/08/2016

Page: 1 of 1

HMC PCTAtion46040712212280476 C (H5225827)

PatieRec Barrett

Req Id: Printed: 9/40/9098: 09/15/17 14:55:14

Notice of Privacy Practices Acknowledgment

The Joint Notice of Privacy Practices brochure describes how medical information about you may be used and disclosed, how you can get access to this information and who to contact if you have questions, concerns or complaints.

We have a responsibility to protect the privacy of your information, provide a Notice of Privacy Practices and follow the information practices that are described in this notice. If you have any questions, please contact: UW Medicine Compliance 855-211-6193 (toll free).

Please do not write comments on this form, refer to the "Your Individual Rights About Patient Health Information."

We may change our policies at any time. Any significant policy change will be posted.

You may request a copy of this notice from UW Medicine Compliance 855-211-6193 or at www.uwmedicine.org/nopp.

IOIGIVA	TUDE /DATIENT OF DECOMALITY	/0.0/350 Eq. 0.0	ved the Joint Notice of Priva	
	TURE (PATIENT OR PERSON AUTH James C Sa	mett		DATE 9 8 16
	IED/BY PERSON OTHER THAN PA Guardian . Adult Child(ren) NOR PATIENTS:	TIENT, CHECK R ☐ 2. Durable ☐ 5. Parent(Power of Attorney for Health Care	☐ 3. Spouse/registered domestic partne
	Guardian/legal custodian Holder of signed authorization from parent(s)	in out-o ☐ 5. Adult re	outhorized person for child of-home placement epresenting self to be a relative sible for the minor's health	☐ 3. Parent(s)
vve are	unable to optain acknowledgment fro	ım true ındividuəl:		
	☐ Emergency Treatment☐ Incarcerated Patient☐ Patient refuses to sign☐ Patient unable to sign☐	<u> </u>	at triis ume, put immediate treatment is n	needed for the following reason(s):
	☐ Emergency Treatment☐ Incarcerated Patient☐ Patient refuses to sign	<u> </u>	at triis ume, put immediate treatment is n	needed for the following reason(s):
	☐ Emergency Treatment☐ Incarcerated Patient☐ Patient refuses to sign	<u> </u>	at triis ume, put immediate treatment is n	needed for the following reason(s):

Req Id:

Patient: GARRETT, JAMES C (H5225827)

CARE AGREEMENT

This form contains facts you should know about your health care at UW Medicine and from Children's University Medical Group, University of Washington Dentists and Oral Surgeons, and Seattle Cancer Care Alliance. If there is any part of this form that is unclear you can ask questions about it. At the bottom of the form there is a place for you to sign your name so that we know you have read this form (or had it read to you) and agree to receive health care from us.

UW Medicine includes:

- Harborview Medical Center and Clinics
- Northwest Hospital & Medical Center and Clinics
- University of Washington Medical Center and Clinics
- Airlift Northwest
- **UW Medicine Neighborhood Clinics**
- **UW Physicians Sports Medicine Clinic**
- Hall Health Primary Care Center.
- Summit Cardiology, and
- **UW Physicians**

Your health care team consists of medical doctors, doctors in training (residents and fellows), nurses, other health care professionals, and students of the health sciences. They will work together to diagnose and treat you. You will have an attending physician. This is the doctor who has primary responsibility for your care.

Photographs, videotapes, or other images of you may be used to keep a record of your care and treatment (including surgery). These images may become part of your medical record.

SIGNATURE

Patient GARRETT, JAMES C (H5225827)

By signing below, it shows that you have read this document and agree to receive health care from UW Medicine. If there is any part of this form that is unclear, be sure to ask questions about it.

give authorization)	person authorized to PRINT NAME Landt	916/16
IF SIGNED BY PERSON	OTHER THAN PATIENT, SPECIFY SURROC	GATE'S RELATIONSHIP TO PATIENT:
☐ GUARDIAN	☐ HEALTH CARE POWER OF ATTORN	NEY PARENT
☐ HUSBAND/WIFE	☐ ADULT CHILD	☐ ADULT BROTHER/SISTER
		· · · · · · · · · · · · · · · · · · ·
PT.NO	70Y M UW Medicine Harborview Medical Cente Northwest Hospital & Med Seattle, Washington	er – UW Medical Center lical Center – University of Washington Physicians
H 5225827 BD:5/4/1946 GARRETT JAMES CORDELL H EMERGENCY DEPARTMENT D09:9/8/2015	Harborview Medical Center Northwest Hospital & Med	lical Center – University of Washington Physicians

EM Medicine Discharge - Signature Page

Harborview Medical Center

Emergency Department Discharge Instruction 325 9th Ave

Seattle, WA 98104

Name: GARRETT, JAMES CORDELL

DOB:5/4/1946

Date/Time:9/8/2016 14:08:15

MR#: H5225827

Acct#: 1808780373

Visit Date: 9/8/2016 12:42:00

Patient Education Material(s)

ED, Muscle Strain (Custom) ED, Shoulder Sprain (Custom)

Clinic- Seattle Community Health Centers (Custom)

I, GARRETT, JAMES CORDELL, have received printed and personalized patient education materials/instructions and have verbalized understanding of instructions given.

Patiént/Guardian Signature

Relation to Patient

1426 9.8.16

Discharging Staff Member

UW Medicine Harborview Medical Center - UW Medical Center

GARRETT JAMES

CORDELL
H EMERGENCY DEPARTMENT
DOS:9/8/2016

Enc: 1808780373

8 of 8

09/8/2016 14:08:17

Patient: GARRETT, JAMES C (H5225827)

Doc pg 1 of 1

Reg Id:

katieros : 09/15/17 14:55:14

Harborview Medical Center, Seattle WA

GARRETT, JAMES CORDELL

Accession: 10149418 Completion Date: 08-Sep-2016 13:27 Requested By: Trivedi, Amit Raj

XR HIPS LEFT 2 VIEWS W AP PELVIS

Diagnosis:

pain after strain

RADIOGRAPHIC EXAMINATION: XR HIPS LEFT 2 VIEWS W AP PELVIS

CLINICAL INDICATION:

pain after strain

COMPARISON:

None.

FINDINGS AND IMPRESSION:

Degenerative changes of bilateral hip joints more significant on the left side.

In addition, there is subchondral sclerosis and flattening of the left femoral head, concerning for avascular necrosis.

No acute fracture or dislocation
ATTENDING RADIOLOGIST AND PAGER NUMBER
307700 Linnau Ken Floris MD

Linnau, Ken Floris Fadl, Shaimaa Abdelhassib

I have personally reviewed these images, and I agree with the report above (or as edited if so indicated below).

Attending Radiologist: Linnau, Ken Floris
/signed by/ Linnau, Ken Floris

Dictated on: unavailable

Last Edited on: 08-Sep-2016 14:16 Finalized on: 08-Sep-2016 14:16

GARRETT, JAMES CORDELL - H5225827

DOB: 04-May-1946 Gender: M

Report status: F

~ end of document ~

Harborview Medical Center, Seattle WA

Patient: GARRETT, JAMES CORDELL (H5225827)
Date Range: 09-01-2014 ~ 09-15-2017

Problem List (ORCA)

Classification Name of Problem Life Cycle Date	Course Onset Date Responsible Provider Recorder
Medical Chest pain 02-23-2017	SYSTEM

Problem List (Mind)

Minor Problems (Symptoms) List

Symptom Description	Onset Date (~approx)	Last Visit Date	Episode Number	Status	Facility
Hypertensive urgency	03-18-2017	03-18-2017 18:53:00	unreported	Active	НМС
POST-TRAUMATIC STRESS DISORDER UNSPECIFIED	03-18-2017	03-18-2017 18:53:00	unreported	Active	НМС
CHEST PAIN UNSPECIFIED	02-23-2017	02-23-2017 15:32:00	unreported	Active	HMC
DELUSIONAL DISORDERS	02-23-2017	02-23-2017 15:32:00	unreported	Active	НМС
ESSENTIAL PRIMARY HYPERTENSION	02-23-2017	02-23-2017 15:32:00	unreported	Active	НМС
HEADACHE	02-23-2017	02-23-2017 15:32:00	unreported	Active	НМС
STRANGE AND INEXPLICABLE BEHAVIOR	02-23-2017	02-23-2017 15:32:00	unreported	Active	нмс
EXPOSURE TO OTHER SPECIFIED FACTORS INITIAL ENC	09-08-2016	09-08-2016 12:42:00	unreported	Active	НМС
PAIN IN LEFT HIP	09-08-2016	09-08-2016 12:42:00	unreported	Active	нмс
STRAIN MUSCLE FASCIA TENDON LEFT HIP INITIAL ENC	09-08-2016	09-08-2016 12:42:00	unreported	Active	НМС
STRN UNS M&T SHLDR UP ARM LEVL T ARM INIT ENC	09-08-2016	09-08-2016 12:42:00	unreported	Active	НМС

НМС	Patient: GARRETT, JAMES C (H5225827)	Doc pg 1 of 1	Req ld:	katieros : 09/15/17 14:55:14

EXHIBIT 12



Cherry Hill Emergency Department

500 17th Ave Seattle WA 98122-5711 Phone: 206-320-2111

Fax: 206-320-3396

After Visit Instructions for James Cordell Garrett's visit on 12/23/2016

You were seen by

You were seen by O'Keefe, Shannon Dawn, MD.

Diagnoses this visit

ESSENTIAL HYPERTENSION

Follow-up Information

Follow up with Hill, Red Team-Swedish Family Medicine Residency-Cherry, MD. Schedule an appointment as soon as possible for a visit in 1 week.

Why: to establish care and for blood pressure

recheck

Contact information

550 16TH AVE

SUITE 100

Seattle WA 98122

206-320-2484

Follow-up Provider Specialty

Hill, Red Team-Swedish Family Medicine Residency-Cherry, MD

Discharge Instructions

Your labs, EKG, and chest x-ray look good today!

You probably need to be on a medication for your blood pressure - I want you to make an appointment to establish care with a primary care doctor so they can see about possibly starting you on a medication.

Arterial Hypertension

Arterial hypertension (high blood pressure) is a condition of elevated pressure in your blood vessels. Hypertension over a long period of time is a risk factor for strokes, heart attacks, and heart failure. It is also the leading cause of kidney (renal) failure.

CAUSES

- In Adults Over 90% of all hypertension has no known cause. This is called essential or primary
 hypertension. In the other 10% of people with hypertension, the increase in blood pressure is caused by
 another disorder. This is called secondary hypertension. Important causes of secondary hypertension
 are:
- · Heavy alcohol use.
- Obstructive sleep apnea.
- · Hyperaldosterosim (Conn's syndrome).
- · Steroid use.

- · Chronic kidney failure.
- · Hyperparathyroidism.
- Medications.
- · Renal artery stenosis.
- Pheochromocytoma.
- Cushing's disease.
- Coarctation of the aorta.
- · Scleroderma renal crisis.
- · Licorice (in excessive amounts).
- Drugs (cocaine, methamphetamine).

Your caregiver can explain any items above that apply to you.

- In Children -- Secondary hypertension is more common and should always be considered.
- Pregnancy -- Few women of childbearing age have high blood pressure. However, up to 10% of them
 develop hypertension of pregnancy. Generally, this will not harm the woman. It may be a sign of 3
 complications of pregnancy: preeclampsia, HELLP syndrome, and eclampsia. Follow up and control
 with medication is necessary.

SYMPTOMS

- This condition normally does not produce any noticeable symptoms. It is usually found during a routine exam.
- Malignant hypertension is a late problem of high blood pressure. It may have the following symptoms:
- · Headaches.
- · Blurred vision.
- End-organ damage (this means your kidneys, heart, lungs, and other organs are being damaged).
- Stressful situations can increase the blood pressure. If a person with normal blood pressure has their blood pressure go up while being seen by their caregiver, this is often termed "white coat hypertension."
 Its importance is not known. It may be related with eventually developing hypertension or complications of hypertension.
- · Hypertension is often confused with mental tension, stress, and anxiety.

DIAGNOSIS

The diagnosis is made by 3 separate blood pressure measurements. They are taken at least 1 week apart from each other. If there is organ damage from hypertension, the diagnosis may be made without repeat measurements.

Hypertension is usually identified by having blood pressure readings:

- Above 140/90 mmHg measured in both arms, at 3 separate times, over a couple weeks.
- Over 130/80 mmHg should be considered a risk factor and may require treatment in patients with diabetes.

Blood pressure readings over 120/80 mmHg are called "pre-hypertension" even in non-diabetic patients.

To get a true blood pressure measurement, use the following guidelines. Be aware of the factors that can alter blood pressure readings.

- · Take measurements at least 1 hour after caffeine.
- Take measurements 30 minutes after smoking and without any stress. This is another reason to quit smoking it raises your blood pressure.
- Use a proper cuff size. Ask your caregiver if you are not sure about your cuff size.
- Most home blood pressure cuffs are automatic. They will measure systolic and diastolic pressures. The
 systolic pressure is the pressure reading at the start of sounds. Diastolic pressure is the pressure at
 which the sounds disappear. If you are elderly, measure pressures in multiple postures. Try sitting, lying
 or standing.
- Sit at rest for a minimum of 5 minutes before taking measurements.
- You should not be on any medications like decongestants. These are found in many cold medications.
- Record your blood pressure readings and review them with your caregiver.

If you have hypertension:

- Your caregiver may do tests to be sure you do not have secondary hypertension (see "causes" above).
- Your caregiver may also look for signs of metabolic syndrome. This is also called Syndrome X or Insulin Resistance Syndrome. You may have this syndrome if you have type 2 diabetes, abdominal obesity, and abnormal blood lipids in addition to hypertension.
- Your caregiver will take your medical and family history and perform a physical exam.
- Diagnostic tests may include blood tests (for glucose, cholesterol, potassium, and kidney function), a
 urinalysis, or an EKG. Other tests may also be necessary depending on your condition.

PREVENTION

There are important lifestyle issues that you can adopt to reduce your chance of developing hypertension:

- Maintain a normal weight.
- · Limit the amount of salt (sodium) in your diet.
- · Exercise often.
- · Limit alcohol intake.
- Get enough potassium in your diet. Discuss specific advice with your caregiver.
- Follow a DASH diet (dietary approaches to stop hypertension). This diet is rich in fruits, vegetables, and low-fat dairy products, and avoids certain fats.

PROGNOSIS

Essential hypertension cannot be cured. Lifestyle changes and medical treatment can lower blood pressure and reduce complications. The prognosis of secondary hypertension depends on the underlying cause. Many people whose hypertension is controlled with medicine or lifestyle changes can live a normal, healthy life.

RISKS AND COMPLICATIONS

While high blood pressure alone is not an illness, it often requires treatment due to its short- and long-term effects on many organs. Hypertension increases your risk for:

- · CVAs or strokes (cerebrovascular accident).
- Heart failure due to chronically high blood pressure (hypertensive cardiomyopathy).
- · Heart attack (myocardial infarction).
- Damage to the retina (hypertensive retinopathy).
- Kidney failure (hypertensive nephropathy).

Your caregiver can explain list items above that apply to you. Treatment of hypertension can significantly reduce the risk of complications.

TREATMENT

- For overweight patients, weight loss and regular exercise are recommended. Physical fitness lowers blood pressure.
- Mild hypertension is usually treated with diet and exercise. A diet rich in fruits and vegetables, fat-free dairy products, and foods low in fat and salt (*sodium*) can help lower blood pressure. Decreasing salt intake decreases blood pressure in a 1/3 of people.
- Stop smoking if you are a smoker.

The steps above are highly effective in reducing blood pressure. While these actions are easy to suggest, they are difficult to achieve. Most patients with moderate or severe hypertension end up requiring medications to bring their blood pressure down to a normal level. There are several classes of medications for treatment. Blood pressure pills (*antihypertensives*) will lower blood pressure by their different actions. Lowering the blood pressure by 10 mmHg may decrease the risk of complications by as much as 25%.

EXHIBIT 13

Report Page: 1

IS: CLPA SSIF: MOIR

Name: GARRETT, JAMES C ACES Ofc Type Notes

Client ID: 2409095

04/20/2004 THUK 47 BA Client in for incapacity interview. He reports permanent disability due to back problems and PTSD. He has also begun to have problems with his left hip. He was just released from prison after serving 21 months for assault. He is a Viet Nam vet but ineligible for veteran's benefits. He was receiving SSI before he went to prison and reapplied vesterday. He went to Shoreline CC for two yrs in the 60's but did not get a degree. Made an appt for him to be evaluated by Dr Hellekson on 4/29/04 at 9am. Submitted IARA.

04/29/2004 THUK 47 BA Printed an Incapacity Decision (14-118) approval.

05/12/2004 ANGM $\cdot 47$ BA called Jerome Cox back with the correct address.

09/15/2004 THUK 47 IN Notice of Information Required for Incapacity Review, DSHS 14-217, printed.

09/29/2004 EMJO 47 BA Client turned in a Request for Hearing on termination of GAX effective 10/31/2004. Forwarded to Office of Administrative Hearings.

10/11/2004 CHAC 47 IN Printed an Incapacity Decision (14-118) denial for No Current Medical.

10/19/2004 EMJO 47 BA Client turned in another Request for Hearing in reception today, on termination of GAX for no medical report having been received. Forwarded to Office of Administrative Hearings.

10/22/2004 EMJO 47 BA Received Notice of Administrative Hearing, scheduled for 11/16/2004 at 10:00AM. Docket No. 10-2004-B-0331.

11/08/2004 ANGM 47 BA still pending at DDDS, tracking only.

12/01/2004 ANGM 47 SS Closed the SSI screen.

12/03/2004 THUK 47 BA Client did not come in for a scheduled interview today.

12/13/2004 EMJO 47 BA Received a Notice of Reinstated Administrative Hearing, scheduled for 01/11/2005 at 3:00PM. Docket No. 10-2004-B-0331.

01/24/2005 THUK 47 BA Client in to schedule an appointment for a psychiatric evaluation. He will see Dr Hellekson on 2/1/05 at 8:30am.

02/01/2005 THUK 47 BA Printed an Incapacity Decision (14-118) approval. Rec'd psychiatric evaluation and pd in SSPS. GA-U approved for 12 months at step II. Mailed 14-249 and sent referral for GA-X determination. Per FHC, opened back to 11/1/04.

02/07/2005 EMJO 47 BA Received a written withdrawal of administrative hearings from Evonne Zook, attorney, Fremont Public Association. GAU was approved from 11/01/2004, without a break in coverage. Docket Nos. 10-2004-B-0331 and 01-2005-B-1761.

02/08/2005 THUK 47 BA Printed an Incapacity Decision (14-118) for Other Action. Client approved for GA-X. Mailed 14-249 and reassigned the case to Jan Angus for SSI facilitation.

02/18/2005 ANGM 47 SS this case has been pending since 8/04 at DDDS.

04/15/2005 ANGM 47 BA Continues to pend at DDDS.

06/22/2005 LAGL 47 SS This case transferred to Pat Clement on 06/20/05. DDDS screen indicates approved SSI, however, there is no signed IA in ECR. I sent a copy of IA to A/R for signature, return due 07/05/05.

06/22/2005 LAGL 47 SS Sent an Open LTR to a/r to contact SSA ASAP!

07/06/2005 CLPA 47 BA T/C from client. He did contact SSA, and is working with them. He wanted to know who is responsible for how much the state will be taking out of the lump sum payment. I gave him OFR number and told him to call them. I explained the general guidelines, and process. PC

07/07/2005 EMJO 47 BA Telephone call from client's SSI payee and advocate, Jerome Wilson, African American Heritage Museum and Cultural Center, (206)772-5274:

Report Page:

Name: GARRETT, JAMES C Client ID: 2409095 IS: CLPA SSIF: MOIR Date ACES Ofc Type Notes Client is requesting an administrative hearing on the department's withholding his interim General Assistance from the initial SSI payment, on the grounds that it is a financial hardship. Took an oral Request for Hearing, and forwarded it to the Office of Administrative Hearings. 07/07/2005 CLPA 47 BA T/C to Pheng at SSA Lenora. They do have IARA on file and will fax this office a copy. Received copy. Gave a copy to FHC, and sent one to the ECR. PC 07/13/2005 CLPA 47 BA T/C from Jerome Wilson. He wants to know the policies and procedures regarding OFR. His number is 206-772-5274. His address is: 12209 77th Ave S, Seattle, WA 98178. I spoke to John, FHC, and he sent WAC's regarding CSO involvement. He said that Jerome needs to speak to OFR regarding the rest. PC 07/15/2005 CLPA 47 BA Per SDX and OFR notice, claim in pay. Case closed. PC 07/15/2005 CLPA 47 SS Closed the SSI screen. 07/19/2005 EMJO 47 BA Received Notice of Administrative Hearing, scheduled for 08/16/2005 at 9:30AM. Docket No. 07-2005-B-0558 07/26/2005 EMJO 47 BA Client dropped off another Request for Hearing in reception yesterday. This time the issue is termination of GAX due to the award of SSI. Client stated that he wanted his GAX continued. Forwarded to the Office of Administrative Hearings. 08/23/2005 EMJO 47 BA Received Notices of Administrative Hearing Continuance. Rescheduled for 09/20/2005 at 1:00PM. Docket Nos. 07-2005-B-0558 and 07-2005-B-1795 09/20/2005 EMJO 47 GA Administrative Hearings held today, before Administrative Law Judge (ALJ) Virginia Robinson. The record closed today on one issue, termination of GAX due to the award of SSI, with a decision due out in a couple of weeks. The other issue, the department's right to retain interim SSI reimbursement for GAU/GAU cash paid to appellant. That record was left open for both parties to submit additional argument or regulations if they wished. Docket Nos. 07-2005-B-0558 and 07-2005-B-1795 09/29/2005 EMJO 47 BA Received an Administrative Hearing Final Order in today's mail dated 09/28/2005: Administrative Law Judge (ALJ) Virginia M. Robinson ruled that client is not eligible for GAX after 07/31/2005, due to his receiving SSI, and that the department's termination of GAX effective 07/31/2005 was correct. Client had asked during the hearing that GAX be continued until the hearing decision on the SSI reimbursement retention be issued, due to financial hardship. The ALJ ruled that she knows of no rule that allows an ALJ to delay termination of continued benefits due to financial hardship. Docket No. 07-2005-B-1795 11/10/2005 EMJO 47 SS Received the Administrative Hearing Final Order dated 11/07/2005. Administrative Law Judge (ALJ) Virginia M. Robinson ruled that DSHS shall retain \$5,085.00 from client's initial SSI benefit check as reimbursement for interim GA cash assistance paid to client between May 2004 through July 2005. Docket No. 07-2005-B-0558

EXHIBIT 14

Social Security Administration Supplemental Security Income

Important Information

SOCIAL SECURITY SUITE 401 321 RAMSAY WAY KENT, WA 98032-4539 Date: February 23, 2011 Claim Number: 538-48-0549

SR

JEROME WILSON FOR JAMESGARRETT 15445 39TH LANE S APT D201 TUKWILA, WA 98188-8062

Dear JEROME WILSON

We are writing to let you know that we are delaying your Supplemental Security Income (SSI) payments. Your April 1, 2011 payment is being delayed, but we should begin your payments again within 30 days.

Why We Are Delaying Your SSI Payments

The person who received your payments no longer wants to be your representative payee. We are looking for another qualified person to receive your payments and use them for your needs. I have supplied a list of Agencies serving as Representative Payee and you may also come down to the office and apply to be your own Payee. If you want to apply yourself bring down your ID and your Doctor's name and address.

What You Need To Do

If you know someone who can be your payee, please have them come down to the local office to apply. We will consider this person for your new payee. Also, if you believe you are able to manage your own money, please let us know.

When We Begin Your Payments Again

When we begin your SSI payments again, you will be paid all the money that is due you. When we make a decision about your payee, we will send you another letter. This letter will explain what you can do if you disagree with our payee decision.

Information About Medicaid And Other Benefits

For information about any change in your Medicaid eligibility caused by this action, you should get in touch with DSHS.

Things To Remember

This decision refers only to your claim for SSI payments. We are sending a copy of this letter to your Representative Payee.

See Next Page

Social Security Administration Supplemental Security Income

Notice of Change in Payment

SOCIAL SECURITY 321 RAMSAY WAY SUITE 401 KENT WA 98032 Date: April 12, 2011

Claim Number: 538-48-0549 DI

JEROME NATHANIEL WILSON FOR JAMES GARRETT 15445 39TH LANE S APT D201 TUKWILA WA 98188-8062

> Type of Payment: Individual-Disabled

We are writing to tell you about changes in JAMES GARRETT's Supplemental Security Income (SSI) payments. The following chart shows the SSI money due him for the months we changed. As you can see from the chart, we are changing his payments for both past and future months. The rest of this letter will tell you more about this change.

We explain how we figured the monthly payment amount on the worksheets at the end of this letter. The explanation shows how his income, other than any SSI payments, affects his SSI payment. We include explanations only for months where payment amounts change.

The Payments of JAMES GARRETT Will Be Changed As Follows:

From

Through

Amount
Due Each Month

April 1, 2011

Continuing

\$674.00

Our Decision About How We Will Pay JAMES GARRETT

We have decided that SSI payments for JAMES GARRETT will be sent to you. By regulation, all payments are to be used for his well-being and benefit. As representative payee for this individual, you have certain reporting responsibilities. You should read the enclosed pamphlet and the rest of this notice carefully. If you have any questions related to your duties as a representative payee, we invite you to visit our website at www.socialsecurity.gov/payee on the Internet.

See Next Page

SSA-1.8151

Information About JAMES GARRETT's SSI Payments

- We are sending your bank or other financial institution a check for him for \$664.00. This is money due him for April 2011.
- Your bank or other financial institution should receive the check no later than April 15, 2011. His regular monthly check of \$664.00 will then be issued about the first day of the month.
- Because he was overpaid previously and still owes us \$955.00, we are withholding \$10.00 from the amount due for April 2011 to recover the overpayment.
- As we told him before, we are withholding part of his check to get back money he was overpaid. Starting May 2011, we will start withholding \$10.00. Therefore, your bank or other financial institution will receive a check for him for \$664.00 instead of \$674.00.

Information About Food Stamps

Does he now receive food stamps or has he applied for food stamps within the last 60 days? If so, the change in his SSI amount could affect the amount of food stamps he receives. Tell his local food stamp office right away that we changed his monthly SSI amount. Please have this letter with you when you contact the food stamp office.

JAMES GARRETT's Payment Is Based On These Facts

- He was found disabled in April 2004.
- He is living in King County in the State of Washington for April 2011
- The amount of money we pay him from the State where he lives depends on its rules.

He is living in the State of Washington for April 2011 on. We do not pay money for the State of Washington.

He has no income for February 2011 on.

Information About JAMES GARRETT's Back Payments

• We looked at the money amount we paid him and the money amount we should have paid him for the month listed below in determining his back payment of \$674.00. The following chart shows the incorrect amount paid and the correct amount for the month. We subtracted the incorrect money amount from the correct money amount to get the back payment.



Month Amount Paid Correct Amount
April 2011 \$0.00 \$674.00

Based on our rules, he is not eligible for SSI for any month in which he
has resources over \$2,000.00. We do not count SSI back payments as a
resource until 9 months after they are received.

Any part of his SSI back payment of \$664.00 that he still has on February 1, 2012, will count as a resource. If this money brings his total resources to more than \$2,000.00, he will not be eligible for SSI.

About Your Request For Direct Deposit

Because you have requested a change in the direct deposit of his Supplemental Security Income checks, his checks will be deposited directly in the bank or other financial institution now selected. Even though he has direct deposit, any move or change of address still must be reported promptly to the local Social Security office, as it may affect his check.

Information About Medicaid

An agency of his State will advise him about the Medicaid program. If he has any questions about his eligibility for Medicaid or needs immediate medical assistance, he should get in touch with the local office of the Washington State Department of Social and Health Services.

Your Reporting Responsibilities

JAMES GARRETT's SSI payments may change if his situation changes. You are required to report any changes that may affect his SSI no later than 10 days after the month the change takes place.

Please call 1-800-772-1213 or contact your local Social Security office to report any of the following changes:

he moves;

anyone else moves into or out of his household;

someone in his household dies;

- he or someone in his household marries, separates, or divorces;
- income or resources for him or members of his household change;

his medical condition improves;

he goes to work;

- he leaves the United States and expects to be gone for a full calendar month or for 30 consecutive days;
- he is in a hospital, jail, or other institution for a full calendar month;
 a felony warrant or a warrant for violating a condition of parole or

probation is issued for his arrest.

NH 538-48-0549

SG-HCFA-18

SOCIAL SECURITY ADMINISTRATION IMPORTANT INFORMATION

RECEIPT FOR YOUR CLAIM FOR SOCIAL SECURITY HOSPITAL INSURANCE BENEFITS

JAMES GARRETT PO BOX 22328 SEATTLE WA 98122

YOUR APPLICATION FOR HOSPITAL INSURANCE HAS BEEN RECEIVED AND WILL BE PROCESSED AS QUICKLY AS POSSIBLE.

YOU SHOULD HEAR FROM US WITHIN 30 DAYS AFTER YOU HAVE GIVEN US ALL THE INFORMATION WE REQUESTED. SOME CLAIMS MAY TAKE LONGER IF ADDITIONAL INFORMATION IS NEEDED.

We are providing the attached application for your records.

We stored your application information electronically so there is no reason for us to retain a paper copy of your application.

IMPORTANT REMINDER

Penalty of Perjury

You declared under penalty of perjury that you examined all the information on this form and it is true and correct to the best of your knowledge. You were told that you could be liable under law for providing false information.

THE TELEPHONE NUMBERS TO CALL IF YOU HAVE A QUESTION OR SOMETHING TO REPORT ARE:

BEFORE YOU RECEIVE A NOTICE ABOUT YOUR CLAIM: 866-494-3135

AFTER YOU RECEIVE A NOTICE ABOUT YOUR CLAIM: 800-772-1213

SOCIAL SECURITY INFORMATION IS ALSO AVAILABLE TO INTERNET USERS AT WWW.SOCIALSECURITY.GOV.

What You Need To Do

- o Review the summary to make sure we recorded your statements correctly.
- If you agree with all your statements, you may keep the information for your records.
- o If you disagree with any of your statements, please contact us within 10 days after receiving this notice to let us know.

NH 538-48-0549

SG-HCFA-18

IN THE MEANTIME, IF YOU CHANGE YOUR MAILING ADDRESS, YOU SHOULD REPORT THE CHANGE. ALWAYS GIVE US YOUR CLAIM NUMBER WHEN WRITING OR TELEPHONING ABOUT YOUR CLAIM. IF YOU HAVE ANY QUESTIONS ABOUT YOUR CLAIM, WE WILL BE GLAD TO HELP YOU.

WE ARE RETURNING ANY DOCUMENT(S) YOU MAY HAVE SUBMITTED WITH YOUR APPLICATION.

CLAIMANT JAMES GARRETT

SOCIAL SECURITY CLAIM NO. 538-48-0549

SOCIAL SECURITY ADMINISTRATION SUPPLEMENTAL SECURITY INCOME Important Information

Office Address: SOCIAL SECURITY SUITE 401 321 RAMSAY WAY KENT WA 98032

JEROME NATHANIEL WILSON 15445 39TH LANE S APT D201 TUKWILA, WA 98188

Office Hours: 09:00 AM - 03:30 PM

Date: May 18, 2012

Social Security Number:

538-48-0549

Telephone: 866-931-4491

Extension: 19024

On May 16, 2012, we talked with you and completed JAMES GARRETT'S redetermination for Supplemental Security Income (SSI). We have stored your redetermination electronically in our records. Attached is a summary of your statements for your review.

What You Need To Do

- o Review the redetermination summary to ensure we recorded your statements correctly.
- o If you agree with all your statements, you may retain the redetermination summary for your records.
- o If you disagree with any of your statements, you should contact us within 10 days after receiving this notice to let us know.

IMPORTANT REMINDER

Penalty of Perjury

You declared under penalty of perjury that all the information on this summary is true and correct to the best of your knowledge. Anyone who knowingly gives a false or misleading statement about a material fact in a redetermination, or causes someone else to do so, commits a crime and may be sent to prison or may face other penalties, or both.

Information About Medicaid

In many States, getting SSI means JAMES GARRETT is also getting Medicaid. If we stop your SSI, you cannot get Medicaid based on SSI.

If You Have Any Questions

If you have any questions, you may call, write, or visit any Social Security office. If you call or visit our office, please have this notice with you and ask for MRS.DO. The address and telephone number are shown at the top of this notice.

Also, if you plan to visit, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

Mrs. No fr

Enclosure(s):
Redetermination Summary

Mr. Young

JEROME NATHANIEL WILSON 15445 39TH LANE S APT D201 TUKWILA, WA 98188

REDETERMINATION SUMMARY FOR DETERMINING CONTINUING ELIGIBILITY FOR SUPPLEMENTAL SECURITY INCOME PAYMENTS

On May 16, 2012, you, JEROME NATHANIEL WILSON, provided the following redetermination information to support JAMES GARRETT's continuing eligibility for Supplemental Security Income payments and any federally administered State supplementation under title XVI of the Social Security Act, for benefits under the other programs administered by the Social Security Administration, and where applicable, for medical assistance under title XIX of the Social Security Act. We have stored your redetermination electronically in our records.

What You Need To Do

- o Review this summary to ensure we recorded your statements correctly.
- o If you agree with all your statements, you should keep this summary for your records.
- o If you disagree with any of your statements, you should contact us within 10 days after receiving this summary to let us know.

o IDENTIFICATION

The recipient's name is JAMES GARRETT. His social security number is 538-48-0549.

He is not blind.

He is disabled. His disability began on January 1, 1990.

He was not disabled prior to age 22.

He never was married.

O FUGITIVE FELON AND PAROLE OR PROBATION VIOLATION INFORMATION

The following statements describe JAMES GARRETT's fugitive felon/parole or probation violator status as of March 1, 2010.

He has been accused or convicted of a felony or an attempt to commit a felony in the state of Washington.

From: March 1, 2010 To: continuing

He does not have a felony warrant for his arrest.

From: March 1, 2010 To: continuing

He does not have a Federal or State arrest warrant for a parole or probation violation.

O LIVING ARRANGEMENTS

He has not been outside the United States for a calendar month or 30 consecutive days since March 1, 2010.

He has not spent a calendar month in a hospital, nursing home, correctional facility, or any type of institution since March 1, 2010.

The following statements describe JAMES GARRETT's living arrangements as of April 1, 2004.

He began living at C/O DESC, 517 3RD AVE, SEATTLE, WA 98104 on April 1, 2004.

He lived in an institution.

He did not get help or money from any person not living with him or any agency to pay for food, rent, mortgage payments, property insurance, property taxes, heating fuel, gas, electricity, garbage removal, water or sewerage.

The following statements describe JAMES GARRETT's living arrangements as of April 8, 2004.

He began living at 513 3RD AVE, HOMELESS, SEATTLE, WA 98104 on April 7, 2004.

He did not get help or money from any person not living with him or any agency to pay for food, rent, mortgage payments, property insurance, property taxes, heating fuel, gas, electricity, garbage removal, water or sewerage.

He did not live anywhere permanently.

A person or agency did not give him food, shelter or clothing and did not pay his bills for these items.

The following statements describe JAMES GARRETT's living arrangements as of April 16, 2005.

He began living at UMOJOFEST PEACE CNTR, 2314 E SPRING STREET, SEATTLE, WA 98122 on April 15, 2004.

He does not get help or money from any person not living with him or any agency to pay for food, rent, mortgage payments, property insurance, property taxes, heating fuel, gas, electricity, garbage removal, water or

sewerage.

He does not live anywhere permanently.

A person or agency does not give him food or shelter and does not pay his bills for these items.

There have not been any other changes in his living arrangements.

He does not expect these arrangements to change.

o RESOURCES

This report of resources is valid for any and all SSI claims in which he is involved.

He owns the following from March 1, 2010 to continuing:

Automobile:

Vehicle: 89 FORD 150

This vehicle is used for transportation.

Value: \$500.00 From: March 2010 To: continuing

Checking account:

Financial institution name: JPMORGAN CHASE BANK, NATIONAL ASSOCIATION

Value: \$0.00 From: May 2012 To: continuing

He does not own any other type of resource.

o INCOME

This report of income is valid for any and all SSI claims in which he is involved.

He receives or expects to receive the following income from March 1, 2010 to continuing:

Social Security:

Amount \$0.00 monthly

From: March 2010 To: March 2012

Wages:

Amount \$0.00 monthly

From: January 2012 To: March 2012

Employer name: PACIFIC MARITIME

Contact: unknown

Phone: unknown

He does not receive any other type of income.

He does not have work expenses due to a disability.

REMARKS:

5/18/12 I'VE NEVER WORKED FOR PACIFIC MARITIME.

O ELIGIBILITY FOR OTHER BENEFITS FOR JAMES GARRETT

He currently gets food stamps.

He want to apply for food stamps at the SSA office.

o MEDICAID

He may be eligible for Medicaid. However, he must help his State identify other sources that may pay for medical care. Also, he must give information to help the State get medical support for any child(ren) who are his legal responsibility. This includes information to help the State determine who a child's father is.

If he wants Medicaid, he must agree to allow his State to seek payments from sources, such as insurance companies, that are available to pay for his medical care. This includes payments for medical care for him or any person who receives Medicaid and is his legal responsibility. The State cannot provide him Medicaid if he does not agree to this Medicaid requirement. If he needs further information, he may contact his Medicaid agency.

o MEDICAL ASSISTANCE

I agree that any payments from sources responsible for paying for medical care will go to the State if Medicaid already has paid for this care.

He does not have any private, group or government health insurance that pays the cost of his medical care.

O REPRESENTATIVE PAYER

My name is JEROME NATHANIEL WILSON. My social security number is 536-76-6459.

Address: 15445 39TH LANE S APT D201

TUKWILA, WA 98188

Telephone: (206) 243-1926

O PERMISSION TO CONTACT FINANCIAL INSTITUTIONS FOR JAMES GARRETT

We have asked you for permission to obtain, from any financial institution, any financial record about you that is held by the institution. We will ask financial institutions for this information whenever we think it is needed to decide if you are eligible or if you continue to be eligible for SSI benefits. Once authorized, our permission to contact financial institutions remains in effect until one of the following occurs: (1) you notify us in writing that you are canceling your permission, (2) your application for SSI is denied in a final decision, or (3) your eligibility for SSI terminates. If you do not give or cancel your permission you will not be eligible for SSI and we will deny your claim or stop your payments.

I give SSA permission to contact any financial institution and request any financial records that financial institution may have about me.

IMPORTANT REMINDER

Penalty of Perjury

You declared under penalty of perjury that all the information on this summary is true and correct to the best of your knowledge. Anyone who knowingly gives a false or misleading statement about a material fact in a redetermination, or causes someone else to do so, commits a crime and may be sent to prison or may face other penalties, or both.

IMPORTANT INFORMATION -- PLEASE READ CAREFULLY

You must report any change within 10 days after the end of the month it occurs. If you don't, a penalty amount may be deducted from the recipient's benefit.

We will check your statements and compare our records with records from other State and Federal agencies, including the Internal Revenue Service, to make sure the recipient is paid the correct amount.

If you have a question or something to report, call 866-931-4491 Ext 19024 and ask for MRS.DO. If you call or visit our office, please have this summary with you. For general information about Social Security, visit our web site at www.socialsecurity.gov on the Internet.

You may come in person or mail your request to the Social Security Office:

SOCIAL SECURITY SUITE 401 321 RAMSAY WAY KENT WA 98032

REPORTING RESPONSIBILITIES FOR SUPPLEMENTAL SECURITY INCOME

The amount of a Supplemental Security Income check is based on the information told to us. You must report certain changes that happen to the recipient so he continues getting the correct payment amount.

Remember, a change may make the SSI monthly payment bigger or smaller. Report changes in income of an ineligible spouse who lives with the recipient, or the recipient's sponsor or sponsor's spouse if the recipient is an alien. You must also report changes in things of value that these people own. Report changes in income, school attendance and marital status of ineligible children who live with the recipient.

You must tell us about any change within 10 days after the month it happens. If you do not report changes, we may have to take as much as \$25, \$50, or \$100 out of future checks.

· HOW TO REPORT CHANGES FOR SUPPLEMENTAL SECURITY INCOME

You can make your reports by telephone at the telephone number shown or you may report in person or by mail at the address shown. Always give the Social Security number when writing or telephoning us. If you have any questions, we will be glad to help you. See "Changes to Report for Supplemental Security Income".

CHANGES TO REPORT FOR SUPPLEMENTAL SECURITY INCOME

WHERE HE LIVES -- You must report to Social Security if:

- o He moves.
- o He (or his spouse) leaves his household for a calendar month or longer. For example, he enters a hospital or visits a relative.
- o He is no longer a legal resident of the United States.
- o He leaves the United States for 30 days or more.
- o He is admitted to, for a calendar month or longer, or released from a hospital, nursing home, prison or other institution.

HOW HE LIVES -- You must report to Social Security:

- o If someone moves into or out of his household.
- If the amount of money he pays toward household expenses changes.
- o Births and deaths of any people with whom he lives.
- o His marital status changes:
 - He gets married.
 - His marriage ends in divorce or is annulled.
 - He separates from his spouse or starts living together again after a separation.
 - He begins living with someone as husband and wife.
 - His spouse or former spouse dies.

INCOME -- You must report to Social Security if:

- o The amount of money (or checks or any other type of payment)
 he receives from someone or someplace goes up or down or he starts to
 receive money (or checks or any other type of payment).
- o He starts work or stops work.
- o His earnings go up or down.
- o He becomes eligible for benefits other than SSI.

HELP HE GETS FROM OTHERS -- You must report to Social Security if:

- o The amount of help (money, food or payment of household expenses) he receives goes up or down.
- o Someone stops helping him.
- Someone starts helping him.

THINGS OF VALUE THAT HE OWNS -- You must report to Social Security if:

- o The value of his resources goes over \$2,000 when you add them all together (\$3,000 if he is married and living with his spouse).
- o He sells or gives any things of value away.
- o He buys or is given anything of value.

HE IS BLIND OR DISABLED -- You must report to Social Security if:

- His condition improves or his doctor says he can return to work.
- He goes to work.

IF YOU ARE A REPRESENTATIVE PAYEE -- You must report to Social Security if:

- o The person for whom you receive SSI payments has any of the changes listed above. (You may be held liable if you do not report changes that could affect the SSI recipient's payment amount, and he/she is overpaid.)
- You will no longer be able or no longer wish to act as that person's representative payee.

IF A WARRANT HAS BEEN ISSUED FOR HIS ARREST -- You must report to Social Security if:

- o He has a felony warrant for his arrest.
- o He has a Federal or State warrant for a parole or probation violation.

PRIVACY ACT STATEMENT

Collection and Use of Personal Information

Section 1611(c) of the Social Security Act, and 20 CFR 416.204, authorizes us to collect this information. The information you provide us on this form will be used to determine if you continue to be eligible for Supplemental Security Income (SSI) payments.

Completion of this form is voluntary; however, failure to provide all or part of the information could prevent an accurate and timely decision on your continuing eligibility for benefits.

We rarely use the information you supply for any purpose other than for determining continuing eligibility. However, we may use it for the administration and integrity of Social Security programs. We may also disclose information to another person or to another agency in accordance with approved routine uses, which include but are not limited to the following:

- To enable a third party or an agency to assist Social Security in establishing rights to Social Security benefits and/or coverage;
- To comply with Federal Laws requiring the release of information from Social Security records (e.g., to the Government Accountability Office and Department of Veterans Affairs);
- 3. To make determinations for eligibility in similar health and income maintenance programs at the Federal, State, and local level; and
- 4. To facilitate statistical research, audit, or investigative activities necessary to assure the integrity and improvement of Social Security programs.

We may also use the information you provide in computer matching programs. Matching programs compare our records with records kept by other Federal, State, or local government agencies. Information from these matching programs can be used to establish or verify a person's eligibility for Federally funded or administered benefit programs and for repayment of payments or delinquent debts under these programs.

Additional information regarding this form, routine uses of information, and our programs and systems, is available on-line at www.socialsecurity.gov or at your local Social Security office.

Paperwork Reduction Act Statement

This information collection meets the requirements of 44 U.S.C. 3507, as amended by section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take about 11-20 minutes to read the instructions, gather the facts, and answer the questions. SEND OR BRING THE COMPLETED FORM TO YOUR LOCAL SOCIAL SECURITY OFFICE. The office is listed under U.S. Government agencies in your telephone directory or you may call Social Security at 1-800-772-1213 (TTY 1-800-325-0778). You may send comments on our time estimate above to: SSA, 6401 Security Blvd, Baltimore, MD 21235-6401. Send only comments relating to our time estimate to this address, not the completed form.

JUN 30 2014

20,03 27, 2014

SESTAVAILABILE MAGE POSSIBLE FORMAL REQUEST FOR HEARING. TO APPEAL SSA DECISION TO STOP MY SSI PAYMENTS

TO: SOCIAL SECURITY ADMINISTRATION

FROM: JAMES C. GARRETT Disabled Vietnam Veteran

RE: SSI MONTHLY PAYMENTS.

This is Notice of request for hearing to appeal SSA decision Due to such arbitrary capricious decision by unknown SSA afficial(s) to with hold my SSI monies unless I agreed to a mandatory "FORLED REPRESENTATIVE PAYER" I have have for the past 10 years suffered extreme stress, pain and suffering from trying to collect all of my monthly Payments due to 65A officials failure to properly train and supervise mandatory FORCED REPRESENTATIVE PAYER This "Forceo Representative Payee" is a blatant Violation of my rights under the AMERICAN WITH DISABILITIES ACT which mandates that "reasonable adjustments must be made for persons disabity(s)". In my case "direct bank deposits" is how in a very reasonable adjustment. Since I had direct deposit into my CHASE BANK account at CHASE'S branch at 23rd and Peterson's decision to terminate my ssi direct deposits was not only arbitrary and capricious but extremely injurious

and discriminatory boardering on the absord. As a result of monthly problems chasing down my 551 MONIES From MANDATORY FORCED REPRESENTATIVE PAYEE, IN April 2013 I Switched MANDATORY FORCED REFREGENTATIVE PAYEE as Required by case Worker Hs Do at the KENT SSA office. As a result my case was transferred to the BURIEN SSA office and I have not received any of my SSI monthly payments SINCE APRIL 2013 due to THIS MANDATORY FORCED REPRESENTATIVE PAYEE absurd Violation of my Constitutional Rights under AMERICAN WITH DISABILITIES ACT. I have suffered extreme emotional stress train and suffering due to SSA officials réfusal and failure to proporty train and supervise "MANDATORY FORCED REPRESENTATIVE PAYER" SIGNED: femer C. Fruitt



TEH2B 137011GM August 12, 2013

Ms. Marguerite Richard Number 409 533 Third Avenue Seattle, Washington 98119

Dear Ms. Richard:

This letter is in response to your July 25, 2013 inquiry about Mr. James C. Garrett.

We can understand your concerns. Although you did not provide authorization from Mr. Garrett to release information from his records, the following general information may be helpful to you.

While most people receive their benefit payments directly, we realize that others may need assistance. We select a representative payee when someone is unable to manage or direct the management of his finances because of age, or a mental or physical impairment. We never appoint a representative payee solely for a beneficiary's convenience or personal preference. The appointment is a decision based on the beneficiary's capability.

A beneficiary has the right to receive his own benefits; however, he must show us that he is now capable of handling his money himself. He should contact his local Social Security office and file an application to be his own payee. He also needs to provide either a doctor's statement that there has been a change in his condition and the doctor believes he is able to care of himself, a court order that says he can take of himself, or other evidence that shows he has the ability to take care of himself.

We are sorry you were not satisfied with the service you received. You should receive courteous and complete service when you contact one of our offices. We hope you will find future contacts with our offices more satisfactory.

Social Security Administration

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2017 NOY - 1 PK 2: 35

NUMB COUNTY SUPERIOR COURT

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE EXEMPTY OF KING

Midtown Limited Partnership, DIVISION ONE No. 16-2-10995-1 SEA

Respondent, NOV 0 1 ZVIV

W.E.

- 1_MOV 2017 13

Omari Tahir-Garrett, et al.,

Appellants

NOTICE OF APPEAL, TO THE DIVISION I COURT OF APPEALS, OF "ORDER DENYING DEFENDANT"S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE" (CASE NUMBERS 76605-8-I and 77417-4)

Comes now the Appellant and Victim, OMARI-TAHIR GARRETT, naturally appealing the attached and absurd "ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE" to the designated court of review, and requesting that this appeal be appended to the already existing appeal on review by that court in this case (16-2-10995-1 SEA in the trial court and 76605-8-177417-4 in the Division 1 Court Of Appeals).

The attached order is hereby appealed by Omari Tahir-Garrett on behalf of himself and all parties adversely impacted by this order, and is appealed pursuant to all relevant laws and appeals procedures of Washington State, pursuant to the Universal Declaration of Human Rights, my Fourteenth Amendment Treaty Rights, The Freedmen's Bureau Bill of December 4, 1865, The Civil Rights Act of 1866, The First, Second and Third Reconstruction Acts of 1867, and the Habeas Corpus Act of 1867.

This order, as written by "Judge" Suzanne Parisien of the King County Superior Court, blatantly usurps the clearly defined judicial authority of two (2) higher courts in Washington State, thus once again proving that Ms. Parisien does not recognize any limits to her own jurisdiction, and intends to continue behaving as though her individual opinion is the supreme law of the land.

Ms. Parisien cites two paragraphs of Washington law in this order, Washington State Rules of Appellate Procedure 15.2(c). Appellate Procedure 15.2(c). However, the text of her order as written clearly shows that either she has not read these two paragraphs of law or else that she is choosing to to willfully disregard what these rules actually say.

Omari Tahir is therefore forced to here attach the actual text of RAP 15.2 as an appendix to this notice of appeal.

As anyone able to read the English language can see, the text of Parisien's order is incorrect where it alleges Omari Tahir Garrett's case doesn't fall under 15.2 (b), because 15.2 (b) clearly says that the court SHALL grant the motion for an order of indigency if the party seeking public

NOTICE OF APPEAL, TO THE DIVISION 1 COURT OF APPEALS, OF

ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE

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1		2017 NOV -1 PM 2: 00 3	
2		KING COUNTY SUPERIOR COURT CLERK	
3	IN THE SUPERIOR COURT OF THE STA 章 OF WASHINGTON IN AND FOR THE COUNTY OF KING		
4	IN AND FOR THE CO Midtown Limited Partnership,	No. 16-2-10995-1 SEA	
5	Respondent,	NOTICE OF APPEAL, TO THE	
6	VS.	DIVISION 1 COURT OF APPEALS, OF "ORDER DENYING DEFENDANT'S	
7	Omari Tahir-Garrett, et al.,	REQUEST TO APPOINT ATTORNEY	
8	Appellants.	AT PUBLIC EXPENSE" (CASE NUMBERS 76605-8-I and 77417-4)	
9	Comes now the Appellant and Victim, OMARI-TAHIR GARRETT, naturally appealing the attached and absurd "ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE" to the designated court of review, and requesting that this		
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11	appeal be appended to the already existing appeal on review by that court in this case (16-2-10995-1 SEA in the trial court and 76605-8-I/77417-4 in the Division 1 Court Of Appeals).		
12	The attached order is hereby appealed by Omari Tahir-Garrett on behalf of himself and all parties adversely impacted by this order, and is appealed pursuant to all relevant laws and appeals procedures of Washington State, pursuant to the Universal Declaration of Human Rights, my Fourteenth Amendment Treaty Rights, The Freedmen's Bureau Bill of December 4, 1865, The Civil Rights Act of 1866, The First, Second and Third Reconstruction Acts of 1867, and the Habeas Corpus Act of 1867.		
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17	usurps the clearly defined judicial authority of two (2) higher courts in Washington State, thus once again proving that Ms. Parisien does not recognize any limits to her own jurisdiction, and intends to continue behaving as though her individual opinion is the supreme law of the land.		
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19	Ms. Parisien cites two paragraphs of Washington law in this order, Washington State Rules of		
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22	Omari Tahir is therefore forced to here attach the actual text of RAP 15.2 as an appendix to this		
23	As anyone able to read the English language can see, the text of Parisien's order is incorrect		
24			
25	NOTICE OF APPEAL, TO THE DIVISION 1 COURT OF APPEALS, OF		

"ORDER DENYING DEFENDANT'S

REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE"

funds is unable by reason of poverty to pay for some or all of the expenses for appellate review 1 of "civil contempt cases directing incarceration of the contemper". The very first two orders in full and the third order in part, of the orders by Parisien that Omari Tahir-Garrett has appealed in this case, are orders directing the incarceration of Omari Tahir-Garrett based upon the sole specific accusation of "contempt". Tahir Garrett's appeal therefore is quite EXPLICITLY 3 governed by subsection (b) of RAP 15.2, contrary to Parisien's absurd claim that it is not. In contrast to Parisien's additional absurd claim, it is also EXPLICITLY NOT governed by 15.2 (c), because 15.2 (c) specifically only governs "cases not governed by subsection (b) of this rule". 6 Furthermore, even if Omari's case fell under paragraph (c) instead of (b), as Parisien falsely claims, the rest of RAP 15.2 clearly explains that it is NOT the trial court's job to determine 7 whether the issues appealed have probable cause for review. That is the job of the WA Supreme Court. Her only job under the publicly published text of this rule 15.2 is to determine whether Omari Tahir Garrett is in fact indigent (which she admits he is), and then direct the King County Court Clerk to transmit those findings of indigency and the complete designated papers on review to the WA Supreme Court. Yet Ms. Parisien herein appoints herself the privilege of acting as if she were BOTH the WA Supreme Court AND the original trial court at the same time, by presuming to rule upon the merits of the appeal's probable cause for review!

Furthermore, the decision to appoint or withdraw public appellant counsel under this rule 15.2 is then definitively up to the Court of Appeals, NOT Suzanne Parisien, yet she herein appoints herself the privilege acting as if she were ALSO the Court of Appeals by ruling on this as well!

By usurping the authority of two higher courts and presuming to rule on both the appointment of counsel AND a falsely posed (by herself) question of probable cause for review, Parisien has just clearly violated Washington Courts Code of Judicial Conduct Rule 2.11(A)(6)(d) ("previously presided as judge over the matter in another court").

The Washington Appellate Project (which Omari's motion just attempted to hire), is now itself an injured party by Parisien's latest order as said order purports to deny them a paying job that is clearly under their jurisdiction.

The order is therefore hereby appealed, and all relevant and appropriate relief from said order requested from the higher Court by Appellant, in order that Respondents and their close compatriot, Ms. Suzanne Parisien, might be compelled to cease and desist from their criminal activity, and Appellant, and any others similarly impacted by this long train of abuses and usurpations, be made whole in full.

DATED this 1st day of Nov 2017. Respectfully Submitted, France Omari Tahir-Garrett, Private Attorney General, PO Box 22328, Seattle, WA 98122, (206) 717-1685 This notice has been mailed to:

Stephen J. Sirianni, Attorney for Respondents, 701 5th Avenue, Suite 2560, Seattle, WA 98104 Christopher T. Benis, Attorney for Respondents, 2101 4th Avenue, Suite 1900, Seattle, WA 98121

NOTICE OF APPEAL, TO THE DIVISION 1 COURT OF APPEALS,

OF "ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE"

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RAP 15.2 DETERMINATION OF INDIGENCY AND RIGHTS OF INDIGENT PARTY

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(a) Motion for Order of Indigency. A party seeking review in the Court of Appeals or the Supreme Court partially or wholly at public expense must move in the trial court for an order of indigency. The party shall submit a Motion for Order of Indigency in the form prescribed by the Office of Public Defense.

(b) Action by the Trial Court. The trial court shall determine the indigency, if any, of the party seeking review at public expense. The determination shall be made in written findings after a hearing, if circumstances warrant, or by reevaluating any order of indigency previously entered by the trial court. The court:

(1) shall grant the motion for an order of indigency if the party seeking public funds is unable by reason of poverty to pay for all or some of the expenses for appellate review of:

- (A) criminal prosecutions or juvenile offense proceedings meeting the requirements of RCW 10.73.150,

(C) commitment proceedings under chapters 71.05 and 71.09 RCW,

(D) civil contempt cases directing incarceration of the

(B) dependency and termination cases under RCW 13.34,

contemner,

- (E) orders denying petitions for writ of habeas corpus under chapter 7.36 RCW, including attorneys' fees upon a showing of extraordinary circumstances, and
- (F) any other case in which the party has a constitutional or statutory right to counsel at all stages of the proceedings; or
- (2) shall deny the motion for an order of indigency if a party has adequate means to pay all of the expenses of review. The order denying the motion for an order of indigency shall contain findings designating the funds or source of funds available to the party to pay all of the expenses of
- review.

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(c) Other Cases. In cases not governed by subsection (b) of this rule, the trial court shall determine in written findings the indigency, if any, of the party seeking review. The party must demonstrate in the motion or the supporting affidavit that the issues the party wants reviewed have probable merit, which will be determined by the Supreme Court pursuant to subsection (d) of this paragraph, the party must further demonstrate the party has a constitutional or statutory right to review partially or wholly at public expense, the right to which will also be determined by the Supreme

Court pursuant to subsection (d) of this paragraph.

NOTICE OF APPEAL, TO THE DIVISION 1 COURT OF APPEALS,

OF

"ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT **PUBLIC EXPENSE**"

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- (2) Party Indigent. If the trial court finds the party seeking review is unable by reason of poverty to pay for all or some of the expenses of appellate review, the trial court shall enter such findings, which shall be forwarded to the Supreme Court for consideration, pursuant to section (d) of this rule. The trial court shall determine in those findings the portion of the records necessary for review and the amount, if any, the party is able to contribute toward the expense of review. The findings shall conclude with an order to the clerk of the trial court to promptly transmit to the Supreme Court, without charge to the moving party, the findings of indigency, the affidavit in support of the motion, and all other papers submitted in support of or in opposition to the motion. The trial court clerk shall promptly transmit to the Supreme Court the papers designated in the findings of indigency.
- (d) Action by Supreme Court. If findings of indigency and other papers relating to the motion for an order of indigency are transmitted to the Supreme Court, the Supreme Court will determine whether an order of indigency in that case should be entered by the superior court. The determination will be made by a department of the Supreme Court on a regular motion day without oral argument and based only on the papers transmitted to the Supreme Court by the trial court clerk, unless the Supreme Court directs otherwise. If the Supreme Court determines that the party is seeking review in good faith, that an issue of probable merit is presented, and that the party is entitled to review partially or wholly at public expense, the Supreme Court will enter an order directing the trial court to enter an order of indigency. In all other cases, the Supreme Court will enter an order denying the party's motion for an order of indigency. The clerk of the appellate court will transmit a copy of the order to the clerk of the trial court and notify all parties of the decision of the Supreme Court.
- (e) Order of Indigency. An order of indigency shall designate the items of expense which are to be paid with public funds and, where appropriate, the items of expense to be paid by a party or the amount which the party must contribute toward the expense of review. The order shall designate the extent to which public funds are to be used for payment of the expense of the record on review, limited to those parts of the record reasonably necessary to review issues argued in good faith. The order of indigency must be transmitted to the appellate court as a part of the record on review.
- (f) Continued Indigency Presumed. A party and counsel for the party who has been granted an order of indigency must bring to the attention of the appellate court any significant improvement during review in the financial condition of the party. The trial court will give a party the benefits of an order of indigency throughout the review unless the appellate court finds the party's financial condition has improved to the extent that the party is no longer indigent.

NOTICE OF APPEAL, TO THE DIVISION 1 COURT OF APPEALS, OF

"ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE"

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(g) Appointment and Withdrawal of Counsel in Appellate Court. The appellate court shall determine questions relating to the appointment and withdrawal of counsel for an indigent party on review. The Office of Public Defense shall, in accordance with its indigent appellate representation policies, provide the names of indigent appellate counsel to the appellate courts on a case-by-case basis. If trial counsel is not appointed, trial counsel must assist counsel appointed for review in preparing the record.

- (h) Review of Order or Finding of Indigency. A party in a case of a type listed in section (b)(1) of this rule may seek review of an order of indigency or an order denying an order of indigency entered by a trial court. A party may also seek review of written findings under section (c)(1) of this rule that the party is not indigent. Review must be sought by a motion for discretionary review.
- (i) Withdrawal of Counsel in Appellate Court. If counsel can find no basis for a good faith argument on review, counsel should file a motion in the appellate court to withdraw as counsel for the indigent as provided in rule 18.3(a).

[Adopted effective July 1, 1976; amended effective July 2, 1976; July 1, 1978; January 1, 1980; September 1, 1994; June 1, 1999; December 28, 1999; December 24, 2002; September 9, 2004 July 1, 2005; January 3, 2006; September 1, 2010; January 31, 2017; September 1, 2017.]

NOTICE OF APPEAL, TO THE DIVISION 1 COURT OF APPEALS, OF

"ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE"

PHOTOCOPY

1 2 3 4 5 6 7 IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY 8 9 MIDTOWN LIMITED PARTNERSHIP, a NO. 16-2-10995-1 SEA Washington Limited Partnership, 10 Plaintiff. ORDER DENYING DEFENDANT'S 11 REQUEST TO APPOINT ATTORNEY AT ٧. 12 PUBLIC EXPENSE OMARI TAHIR-GARRETT, a.k.a. OMARI 13 TAHIR, a.k.a. JAMES C. GARRETT, and 14 ALL OTHER OCCUPANTS. 15 Defendants. 16 THIS MATTER having come on regularly before the undersigned judge upon the 17 motion of the defendant for an order authorizing the defendant to seek review at public 18 expense and appointing an attorney, and the Court having considered the records and 19 files herein, now therefore, 20 IT IS HEREBY ORDERED that pursuant to RAP 15.2(c), the defendant is not 21 entitled to appellate review partially or wholly at public expense. 22 The Court has reviewed the Declaration of Omari Tahir-Garrett and finds that he 23 is unable by reason of poverty to pay for all or some of the expenses of review. However, 24 pursuant to RAP 15.2(c), the Court finds the case at issue is not governed by subsection 25 26

ORDER DENYING DEFENDANT'S

PUBLIC EXPENSE - 1

REQUEST TO APPOINT ATTORNEY AT

HONORABLE SUZANNE PARISIEN

KING COUNTY SUPERIOR COURT

SEATTLE, WASHINGTON 98104

516 THIRD AVENUE

(b) of RAP 15.2. The Court further finds that the issues the defendant seeks to have reviewed lack probable merit.

WHEREFORE, IT IS FURTHER ORDERED that the Defendant's Motion to Appoint an Attorney at Public Expense is HEREBY DENIED.

DATED: October 5, 2017.

SUZANNE R. PARISIEN Superior Court Judge

ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE - 2 HONORABLE SUZANNE PARISIEN KING COUNTY SUPERIOR COURT 516 THIRD AVENUE SEATTLE, WASHINGTON 98104 The Court of Appeals
of the
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk DIVISION 1
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

November 1, 2017

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Richard D. Johnson, Court Administrator/Clerk of the Court was entered on October 24, 2017, regarding appellant's motion and declaration for order authorizing review at public expense and appointing an attorney:

This civil case has been fully briefed and ready for consideration. The appellant has filed a copy of findings of indigency filed in the trial court but no order from the Supreme Court for expenditure of public funds. Therefore, the finding of indigency will be placed in the file without action.

Sincerely,

Richard D. Johnson
Court Administrator/Clerk

ih

The Court of Appeals
of the
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

November 8, 2017

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-I

Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

RE: King County No. 16-2-10995-1 SEA

Receipt is acknowledged of the notice of appeal filed in King County Superior Court on November 1, 2017, without payment of the filing fee. In view of appellant's failure to pay a filing fee, or, in the alternative, to provide this court with an order of indigency in proper form, a court's motion to dismiss has been set for Friday, December 1, 2017, at 10:30 a.m. Appellant has the permission of the court to seek an order of indigency in the trial court even if the time period for filing the notice of appeal has passed. RAP 18.8(a).

Sincerely.

Richard D. Johnson Court Administrator/Clerk

LAW

RETURN AFTER TEN DAYS TO THE COURT OF APPEALS DIVISION I ONE UNIONSQUARE 600 UNIVERSITY STREET SEATTLE, WASHINGTON 98101-4170 SEATTLE WA 980 OB NOV 17 PM 3 L



Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

98122-032628

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RICHARD D. JOHNSON, Court Administrator/Clerk

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The Court of Appeals KING COUNTY, WASHINGTO One Union Square 600 University Street Seattle, WA

98101-4170 (206) 464-7750 TDD: (206) 587-5505

November 8, 2017

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

JUDICIAL ADMINISTRATION Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-1

Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

RE: King County No. 16-2-10995-1 SEA

On November 1, 2017, a notice of appeal was filed in King County Superior Court. It appears that the order being appealed from is not a final judgment but is reviewable by discretionary review, pursuant to RAP 2.3. A notice of appeal of a decision which is not appealable will be given the same effect as a notice for discretionary review. RAP 5.1(c).

Pursuant to RAP 6.2(b), a motion for discretionary review must be filed in the appellate court within 15 days after filing the notice, or, in cases where the appellate court has appointed counsel for a party entitled to seek discretionary review at public expense pursuant to rule 15.2, within 15 days after appointment. RAP 17.4(a) requires that the motion be accompanied by a notice of the time and date set for oral argument of the motion. A copy of the motion and notice must be served on all parties at least 15 days prior to the date noted for the hearing on the motion. Matters on discretionary review are considered by a commissioner on Fridays at 09:30 a.m.

The motion and notice setting the above-referenced discretionary review for oral argument should be filed on or before November 20, 2017. If the motion and notice are not filed by that date, the court will consider imposition of sanctions in accordance with RAP 18.9.

Page 1 of 2

77572-3-I Page 2 of 2

Unless the court directs otherwise, any answer must be filed and served no later than 10 days after the motion is served on the answering party. RAP 17.4(e).

Counsel are requested to please note the Court of Appeals number in all future references to this case.

Sincerely,

Richard D. Johnson

Court Administrator/Clerk

LAW

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5	IN THE CHIEDIOD COURT OF W	ASHINGTON FOR KING COUNTY	
6		ASIMOTON FOR KING COOM I	
7	MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,	NO. 16-2-10995-1 SEA	
8	Plaintiff,		
9	v. (C	ORDER STRIKING MOTION	
10	OMARI TAHIR-GARRETT, a.k.a. OMARI		
11	TAHIR, a.k.a. JAMES C. GARRETT, and		
12	ALL OTHER OCCUPANTS,		
13	Defendants.		
14	IT IS HEREBY ORDERED that for the rea	sons set forth below defendant's motion to introduce	
15	medical evidence into the record is stricken without prejudice.		
16	X Failure to include a calendar note for motion	on. (KCLR 7(b)(4)(A)).	
17	V Failure to include a proposed order (KCLR 7(h)(4)(C))		
18	X Failure to include stamped envelopes addre	essed to all parties who have appeared in	
19	the action. (KCLR $7(b)(4)(C)$).		
20	Failure to timely note the dispositive motion (CR 56).		
21	Moving party authorizes Court to strike motion.		
ļ	X Other: This court no longer has jurisdiction	n as this matter is on appear.	
22	Dated November 2, , 2017.		
23	TIDO	GE SUZANNE PARISIEN	
24			
25	ORDER STRIKING MOTION - 1		
26		SUZANNE PARISIEN, JUDGE KING COUNTY SUPERIOR COURT 516 THIRD AVENUE Seattle, WA 98104 (206) 477-1579	
	II .	(=00)	

RECEIVED

NOV 2 0 2017

HARRISON-BENIS, LLP
ATTORNEYS AT LAW

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square 600 University Street, Seattle, WA 98101

CC: Christopher T. Benis
Harrison Benis & Spence LLP
2101 4th Ave Ste 1900, Seattle, WA 98121
CC: Stephen J. Sirianni
Sirianni Youtz Spoonemore Hamburger
701 5th Ave Ste 2560, Seattle, WA 98104

Private Attorney General
Private Attorney General
Private Attorney General
Private Attorney General
Private Attorney General
Private Attorney General

COURT OF APPEALS DIVISION ONE

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Reply to The Court of Appeals of the State of Washington:

RE: CASE # 77572-3-I (RE: King County No. 16-2-10995-1 SEA, RE: Court of Appeals Case Numbers 76605-8-I, 77417-4-I and 77572-3-I)

Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

November 20, 2017, Dear Court of Appeals of the State of Washington, DIVISION 1,

I am now in receipt of two letters addressed to me from your Court Administrator/Clerk Mr. Richard D. Johnson, each purportedly dated November 8th, 2017, both of which acknowledge receipt of my November 1st filing of notice of appeal of the trial court's October 5th "order" denying my right to counsel. The first of these two letters from your Mr. Johnson to me incorrectly alleges a failure on my part to provide your Court with an order of indigency in proper form, while the second of these two letters requests that I file a motion for discretionary review and purports to threaten me with sanctions if I do not file that motion within 12 calendar days of Mr. Johnson's request that I do so.

I hereby respond to the first of these two letters from your Mr. Johnson, which incorrectly alleges a failure on my part to provide your Court with an order of indigency in proper form and purports that "a court's motion to dismiss has been set for Friday, December 1, 2017, at 10:30 a.m."

Your Court Admistrator/Clerk Mr. Richard D. Johnson has erred in alleging that I did not provide your Court with an order of indigency in proper form. The facts of record are that I was accurately found indigent by the trial court on March 22nd, 2017, and that I provided your Court with that order of indigency on that same day. A copy of the same, as received by your Court on that day, is here attached.

Assuming that your court wishes to continue to present an appearance of fairness, and an appearance of compliance with Articles 6, 7, 8, 9, 10, 11, 12, 13 and 15 of the Universal Declaration of Human Rights, you will therefore naturally withdraw this pending "motion to dismiss", as to do otherwise would blatantly breach each of the above nine respective UDHR Articles.

Sincerely, Frank Juhin - Sanett Omari Tahir Garrett, Private Attorney General

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

Midtown Limited Partnership,

Court of Appeals

Respondent,

CASE #: 7752-3-I

(Associated Case Numbers 76605-8-I and 77417-4)

VS.

(King County CourtCase #: 16-2-10995-SEA)

Omari Tahir-Garrett,

TITLE PAGE:

Appellant

MOTION FOR DISCRETIONARY REVIEW (Noted for oral argument on December 15, 2017, 09:30 am)

COMES NOW THE APPELLANT, OMARI TAHIR-GARRETT, TO THE

COURT AND SUBMITS THE FOLLOWING MOTION FOR

DISCRETIONARY REVIEW AS REQUESTED BY COURT

ADMINISTRATOR/CLERK MR. RICHARD D. JOHNSON IN THE

SECOND OF THE TWO NOVMEMBER 8TH LETTERS FROM MR.

JOHNSON TO OMARI TAHIR-GARRETT. Please note that I, Omari

Tahir Garrett, am complying with Mr. Johnson's mandate that I file this

motion within 12 calendar days of his request for it, in spite of the fact that I

have recently suffered a mini-stroke from the stress of being continually

denied my right to representation by public counsel.

Omari Tahir-Garrett, Private Attorney General; Appellant

PO Box 22328, Seattle, WA 98122; (206) 717-1685

A. Identity of Petitioner:

Omari Tahir-Garrett asks this court to accept review of the decision designated in Part B of this motion.

B. Decision:

The decision that Petitioner Omari Tahir-Garrett wants reviewed is the the October 5th, 2017 "ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE", entered by Judge Suzanne Parisien of King county Superior Court, in which this judge ventured far beyond her court's jurisdiction in her crusade to deprive Omari Tahir Garrett of legal representation.

A copy of the decision is in the Appendix at pages 5 through 6. (The attached order is hereby appealed by Omari Tahir-Garrett on behalf of himself and all parties adversely impacted by this order, and is appealed pursuant to all relevant laws and appeals procedures of Washington State, pursuant to the Universal Declaration of Human Rights, my Fourteenth Amendment Treaty Rights, The Freedmen's Bureau Bill of December 4, 1865, The Civil Rights Act of 1866, The First, Second and Third Reconstruction Acts of 1867, and the Habeas Corpus Act of 1867.)

C. Issues Presented for Review:

The issue herein presented for review is quite simple. Will the courts of Washington abide by Title 15 of the Washington Rules of Appellate Procedure concerning the rights of indigent parties, or will the trial court be allowed to blatantly flaunt Title 15 of the RAP in violation both the title itself and the above mentioned tenets of national and international law as well as the appearance of fairness doctrine?

D. Statement of the Case:

This order, as written by "Judge" Suzanne Parisien of the King County Superior Court, blatantly usurps the clearly defined judicial authority of two (2) higher courts in Washington State. Ms. Parisien cites two paragraphs of Washington law in this order, Washington State Rules of Appellate Procedure 15.2(b), and Washington State Rules of Appellate Procedure 15.2(c). However, the text of her order as written clearly shows that either she has not read these two paragraphs of law or else that she is choosing to to willfully disregard what these rules actually say.

E. Argument Why Review Should Be Accepted:

As anyone able to read the English language can see, the text of Parisien's order is incorrect where it alleges Omari Tahir Garrett's case doesn't fall under 15.2 (b), because 15.2 (b) clearly says that the court SHALL grant the motion for an order of indigency if the party seeking public funds is unable by reason of poverty to pay for some or all of the expenses for appellate review of "civil contempt cases directing incarceration of the contemner". The very first two orders in full and the third order in part, of the orders by Parisien that Omari Tahir-Garrett has appealed in this case, are orders directing the incarceration of Omari Tahir-Garrett based upon the sole specific accusation of "contempt". Tahir Garrett's appeal therefore is quite EXPLICITLY governed by subsection (b) of RAP 15.2, contrary to Parisien's absurd claim that it is not. In contrast to Parisien's additional absurd claim, it is also EXPLICITLY NOT governed by 15.2 (c), because 15.2 (c) specifically only governs "cases not governed by subsection (b) of this rule".

Furthermore, even if Omari's case fell under paragraph (c) instead of (b), as Parisien falsely claims, the rest of RAP 15.2 clearly explains that it is NOT the trial court's job to determine whether the issues appealed have probable cause for review. That is the job of the WA Supreme Court. The trial court's only job under the publicly published text of this rule 15.2 is to determine whether Omari Tahir Garrett is in fact indigent (which Judge Parisien admits that he is), and then direct the King County Court Clerk to transmit those findings of indigency and the complete designated papers on review to the WA Supreme Court.

Yet Ms. Parisien herein appoints herself the privilege of acting as if she were BOTH the WA Supreme Court AND the original trial court at the same time, by presuming to rule upon the merits of the appeal's probable cause for review.

Furthermore, the decision to appoint or withdraw public appellant counsel under this rule 15.2 is then definitively up to the Court of Appeals, NOT Suzanne Parisien, yet she herein appoints herself the privilege acting as if she were ALSO the Court of Appeals by ruling on this as well.

By usurping the authority of two higher courts and presuming to rule on both the appointment of counsel AND a falsely posed (by herself) question of probable cause for review, Parisien has clearly violated Washington Courts Code of Judicial Conduct Rule 2.11(A)(6)(d) ("previously presided as judge over the matter in another court").

The Washington Appellate Project (which Omari's motion just attempted to hire), is now also an injured party by Parisien's latest order as said order purports to deny them a paying job that is clearly under their jurisdiction.

MOTION FOR DISCRETIONARY REVIEW

F. Conclusion:

All relevant and appropriate relief from said order by Appellant, in order that Respondents and their close compatriot, Ms. Suzanne Parisien, might be compelled to cease and desist from their criminal activity, and Appellant, and any others similarly impacted by this long train of abuses and usurpations, be made whole in full. In other words, overturn this order in full so as to allow me access to legal representation.

November 20, 2017

Respectfully submitted,

Omari Tahir-Garrett, Private Attorney General

NOTICE OF TIME AND DATE SET FOR ORAL ARGUMENT OF THIS MOTION

Whereas the Court of Appeals has informed all counsel in this matter that matters on discretionary review are considered on Fridays at 09:30 am,

Notice is therefore and hereby served that this motion is noted and set for oral argument on **Friday, December 15th at 09:30 am**, or, if the Court of Appeals should object to said date, then upon such date as soon thereafter as shall be amenable to the Court of Appeals, in such courtroom and before such magistrate as the Court of Appeals shall naturally fulfill its promise to furnish, designate, and inform the parties as to the existence of.

Noted and	l served this 20 th day of November, 2017
Sincerely	
	Omari Tahir Garrett, Private Attorney General

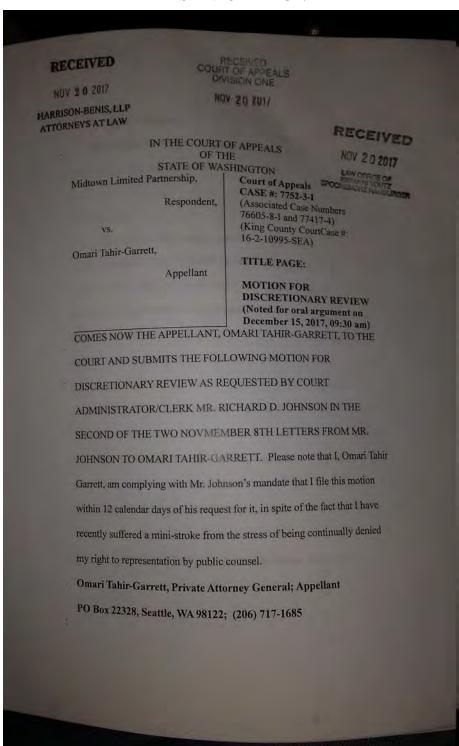
APPENDIX ATTACHED:

1 – THE ORDER HEREIN APPEALED: "ORDER DENYING DEFENDANT'S REQUEST TO APPOINT ATTORNEY AT PUBLIC EXPENSE", dated October 5th, 2017 by Suzanne Parisien, King County Superior Court Judge

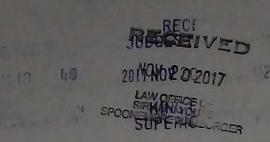
2 – Text of RAP 15.2

MOTION FOR DISCRETIONARY REVIEW

SERVICE IMAGE:



MOTION FOR DISCRETIONARY REVIEW



NOV 2 0 2017 HARRISON-BENIS, LLP ATTORNEYS AT LAW

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR KING COUNTY 2 3 Midtown Limited Partnership, CASE: 16-2-10995-1 SEA 4 Plaintiff. (Associated Court of Appeals Case #s 76605-8-I, 5 77417-4-I, and 77572-3-I) 6 MOTION TO INTRODUCE MEDICAL Omari Tahir-Garrett, EVIDENCE INTO THE RECORD Defendant. 8 Noted for consideration without oral argument, December 4th, 2017, or next judicial day thereafter. 9 COMES NOW THE DEFENDANT, OMARI TAHIR-GARRETT, WHO IS THE 10 APPELLANT IN THE ASSOCIATED COURT OF APPEALS CASES 76605-8-I, 77417-11 4-I AND 77572-3-I, AND HEREBY RE-FILES AND RE-SERVES THE SAME 12 13 FOLLOWING MOTION TO INTRODUCE MEDICAL EVIDENCE INTO RECORD, IN 14 ACCORDANCE WITH THE ATTACHED CHECKLIST PROVIDED BY JUDGE 15 PARISIEN AND DATED BY THAT SAME JUDGE TO HAVE PURPORTEDLY BEEN 16 SINGED BY HER ONTHE TWO CONFLICTING AND MUTUALLY EXCLUSIVE 17 DATES OF NOVEMBER 2, 2017 AND NOVEMBER 13, 2017: 18 Whereas it is a matter of legal record that Judge Suzanne Parisien, in the text of 19 pages 2 and 3 of her February 24th, 2017 "JUDGMENT AND ORDER DECLARING 20 UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF

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1 2 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR KING COUNTY 3 Midtown Limited Partnership, 4 CASE: 16-2-10995-1 SEA Plaintiff. 5 (Associated Court of Appeals Case #s 76605-8-I. 77417-4-I, and 77572-3-I) 6 VS. MOTION TO INTRODUCE MEDICAL AMENDED 7 Omari Tahir-Garrett, EVIDENCE INTO THE RECORD 8 Defendant. Noted for consideration without oral argument. 9 December 4th, 2017, or next judicial day thereafter. 10 **COMES NOW THE DEFENDANT, OMARI TAHIR-GARRETT, WHO IS THE** 11 APPELLANT IN THE ASSOCIATED COURT OF APPEALS CASES 76605-8-I, 77417-12 4-I AND 77572-3-I, AND HEREBY RE-FILES AND RE-SERVES THE SAME 13 FOLLOWING MOTION TO INTRODUCE MEDICAL EVIDENCE INTO RECORD, IN 14 ACCORDANCE WITH THE ATTACHED CHECKLIST PROVIDED BY JUDGE 15 PARISIEN AND DATED BY THAT SAME JUDGE TO HAVE PURPORTEDLY BEEN 16 SINGED BY HER ONTHE TWO CONFLICTING AND MUTUALLY EXCLUSIVE 17 DATES OF NOVEMBER 2, 2017 AND NOVEMBER 13, 2017: 18 19 Whereas it is a matter of legal record that Judge Suzanne Parisien, in the text of 20 pages 2 and 3 of her February 24th, 2017 "JUDGMENT AND ORDER DECLARING 21 UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF 22 23 24

RESTITUTION", clearly and intentionally expresses an unequivocal disbelief on her part toward the authenticity of the medical emergency suffered by Omari Tahir Garrett on the previous day, which emergency caused Omari Tahir Garrett to be removed from her courtroom in an aid car, and

Whereas it is a matter of legal record that Judge Suzanne Parisien, in the text of her February 23rd "ORDER ON CIVIL MOTION FOR CONTEMPT" also clearly and intentionally expresses an unequivocal disbelief on her part toward the authenticity of the medical emergency suffered by Omari Tahir Garrett on that day, which emergency caused Omari Tahir Garrett to be removed from her courtroom in an aid car, and

Whereas it is a matter of legal record that Mr. Stephen Sirianni, counsel for Midtown Limited Partnership, during the course of the proceeding in this case 16-2-10995-SEA that occurred in the courtroom of Judge Suzanne Parisien on February 23rd, 2017 from 2:46 pm until 4:44 pm, did on his part verbally and intentionally express an unequivocal disbelief toward the authenticity of the medical emergency suffered by Omari Tahir Garrett on that day and also did verbally urge Judge Susanne Parisien to disbelieve the authenticity of that same medical emergency, which emergency caused Omari Tahir Garrett to be removed from that courtroom in an aid car, and

Whereas it is a matter of legal record that both Judge Suzanne Parisien and Mr. Stephen Sirianni, counsel for Midtown limited partnership, have also at various times clearly and intentionally expressed similar disbelief on their respective parts toward the authenticity of a similar medical emergency suffered by me on December 23, 2016, and

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Whereas it is a matter of legal record that Mr. Stephen Sirianni, counsel for Midtown Limited Partnership, has even filed a document in a court of law in which he characterizes the symptoms and effects of my PTSD as "Mr. Garrett's Resistance", thus clearly and intentionally insinuating that he thinks courts of law should doubt the authenticity of my PTSD entirely, and

Whereas it is a matter of *medical* record that, during the above referenced medical emergency that I suffered on February 23rd, 2017, "In the field the patient was hypertensive to systolics 220s", and that this fact is even admitted in said medical record by physicians who therein demonstrate a subjective political hostility towards me and bias against me, and

Whereas it is a matter of *medical* record that I also suffered similar hypertensive symptoms and was given a similar diagnosis during the above referenced medical emergency of December 23, 2016, and

Whereas it is a matter of legal record that I was extracted from the building of what plaintiffs call "The Premisis" at 2314 E. Spring Street, Seattle, WA 98122 on March 16 (as opposed to March 15), 2017 by the Seattle Police Department (as opposed to the King County Sheriff's Department), after having spent the previous night boarded up inside that building, and

Whereas it is matter of *medical* record that just a few hours later on that same day (March 16, 2017), I was hospitalized at Swedish Hospital for nausea, vomiting, dehydration and hypertension, and was not discharged therefrom until March 18, 2017, and

Whereas it is a matter of *medical* record that, upon discharging me on said day of March 18, 2017, due to the fact that I was then homeless as a result of having just been evicted by the SPD upon the Judgement And Order of Judge Suzanne Parisien issued on behalf of Midtown Limited Partners at the request of Mr. Stephen Sirianni, I had no private resting place to which to repair upon being discharged, and that, under the context of the above details, Swedish Hospital and the Seattle Police Department for some reason made the decision NOT to transfer me to either the Veterans Administration's Housing Program or to the Seattle Housing Authority, as I requested, but instead attempted to transfer me back into the same King County Jail from which I had only been released eighteen (18) days previously (on February 28, 2017), and

Whereas it is also a matter of *medical* record that, upon attempting to transfer me back into that King County Jail on that day (March 18, 2017), the above parties were unable to do so because the King County Jail Nurse accurately found my medical condition too severe to accept me into incarceration there, noting that my blood pressure was 221/134, that my headache and dizzyness were NOT better, that I was unable to walk and ordering that I be transferred to Harborview Medical Center instead, where I and then later some of my medical information from Swedish Hospital *were* then subsequently transferred and where I was accordingly diagnosed with hypertensive urgency, and

Whereas it is also a matter of *medical* record that, on September 8, 2016, long before any eviction order was issued against me by this Court, I was physically injured by an entity who was wielding a piece of heavy equipment, on behalf and in the pay of

MOTION TO INTRODUCE MEDICAL EVIDENCE INTO THE RECORD

Midtown Limited Partnership, in an attempt by Midtown and that hired entity to block the ingress and egress of my personal automobile to and from the premises of 2314 E. Spring Street where I still at that time held an unterminated tenancy, and

Whereas, regardless of any aspersions of doubt that Midtown's counsel may continue attempting to cast upon the matter, it also a matter of both *medical* AND *legal* record that I do in fact have a history of PTSD, and

Whereas it would significantly improve the Court's ability to determine the truth of many disputed matters that have been placed before it in this case if each of the above referenced matters of medical record were also rendered into matters of legal record available to the review of this court and the appellate bodies holding jurisdiction over its decisions,

Omari Tahir-Garrett therefore hereby moves for the court to accept into the record the attached appendix of the following:

EXHIBIT 11, which is a dossier of pages from my Harborview Medical Center medical record for the past three years, **EXHIBIT 12**, which is some pages of my Swedish Hospital medical record from December 23, 2016, **EXHIBIT 13**, which is two pages of the DSHS Social Service Case Notes about me from April 20, 2004 through November 10, 2005 documenting two of my psychiatric evaluations and their two respective resulting Incapacity Decisions about me, and **EXHIBIT 14**, which is a folder of official Social Security Administration Papers about me from 2011 through 2014--my only surviving folder of such SSA papers as all other such folders of mine were stolen from me by

1	Midtown on or after March 15, 2017documenting, among other things, that my psychiatric
2	condition is apparently so severe that the Social Security Administration deems it necessary
3	to assign me a payee rather than disburse any monetary benefits to me directly.
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14	Respectfully submitted this 20th day of November, 2017
15	Omari Tahir-Garrett Omari Tahir - Sanett
16	Private Attorney General, PO Box 22328 Seattle, WA 98122, 206-717-1685
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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF KING

Midtown Limited Partnership, Plaintiff vs.	CASE NO. 16-2-10995-1 SEA NOTICE OF COURT DATE (Judges) (NOTICE FOR HEARING)
Omari Tahir-Garrett, Defendant	SEATTLE COURTHOUSE ONLY (Clerk's Action Required) (NTHG)
TO: THE CLERK OF THE COURT and to all other parties PLEASE TAKE NOTICE that an issue of law in this can Clerk is directed to note this issue on the calendar chemical control of the calendar chemical control of the calendar chemical control of the calendar chemical control of the calendar chemical control of the calendar chemical control of the calendar chemical control of the calendar chemical control of the calendar chemical control of the calendar chemical	ase will be heard on the date below and the
Calendar Date:December 4	Day of Week: Monday
Nature of Motion: _OMARI TAHIR-GARRETT' MEDICAL EVIDENCE INTO THE RECORD	S MOTION TO INTRODUCE
CASES ASSIGNED TO INDIVID If oral argument on the motion is allowed (LCR 7(b)(2)), contact before filing this notice. Working Papers: The judge's name, corner of the Judge's copy. Deliver Judge's copies to Judge's CALLANDER CONTROLLER CONTROL	ct staff of assigned judge to schedule date and time date and time of hearing must be noted in the upper right jes' Mailroom at C203
[X] Without oral argument (Mon - Fri) [Date/Time:December 4, 2017 Judge's Name: _Suzanne Parisien_] With oral argument Hearing Trial Date:
CHIEF CRIMINAL DEPARTM	
[] Bond Forfeiture 3:15 pm, 2 nd Thursday of ea [] Extraordinary Writs from criminal or infraction (Show Cause [] Certificates of Rehabilitation- Weapon Poss Jurisdiction Courts) 3:30 First Tues of each	e Hearing) LCR 98.40(d) 3:00 p.m. Mon-Thurs. ession (Convictions from Limited
CHIEF CIVIL DEPARTMENT – SEATTLE (P Deliver working copies to Judges' Mailroom, Room C203.	lease report to W719 for assignment)
Department" or judge's name and date of hearing	
[] Extraordinary Writs (Show Cause Hearing) (LCR 98.40) 1:3 [] Supplemental Proceedings/ Judicial Subpoenas (1:30 pm	30 p.m. Thurs/Fri -report to Room W719
[] Motions to Consolidate with multiple judges assigned (LCR [] Structured Settlements (1:30 pm Thurs/Fri))(LCR 40(2)(S)	40(a)(4) (without oral argument) M-F
Non-Assigned	Cases:
[] Non-Dispositive Motions M-F (without oral argument). [] Dispositive Motions and Revisions (1:30 pm Thurs/Fri).	
[] Certificates of Rehabilitation (Employment) 1:30 pm Thurs	/Fri (LR 40(a)(2)(B))
You may list an address that is not your residential add documents.	
Print/Type Name:Omari Tahir-Garrett	
Private Attorney General Attorney for:self	
Address:PO Box 22328	City, State, ZipSeattle, WA 98122_
Telephone: (206)-717-1685 Date: November 20.3	2017

DO NOT USE THIS FORM FOR FAMILY LAW OR EX PARTE MOTIONS.

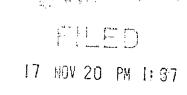
_		
1 2	LIST NAMES AND SERVICE ADDRESSES FOR ALL NECESSARY PARTIES REQUIRING NOTICE	
3		
4	Name: Christopher T. Benis Service Address:	Name: Stephen J. Sirianni Service Address:
5	HARRISON-BENIS, LLP	SIRIANNI YOUTZ SPOONEMORE
6	2101 Fourth Avenue, Suite 1900 City, State, Zip: Seattle, WA 98121	HAMBURGER 701 Fifth Avenue, Suite 2560
7	WSBA# 17972	City, State, Zip: Seattle, WA 98104
8	Atty. For: Plaintiff	WSBA# 6957 Atty. For: Plaintiff
9		, tely i or i mantan
10		
11	IMPORTANT NOTICE I	REGARDING CASES
12 13	Party requesting hearing must file motion & affidavits separately along with this notice. List the names, addresses and telephone numbers of all parties requiring notice (including GAL) on this	
14	page. Serve a copy of this notice, with motion doc	uments, on all parties.
15	The original must be filed at the Clerk's Office not I hearing date, except for Summary Judgment Motic	
16	THIS IS ONLY A PARTIAL SUMMARY OF THE LO	CAL RULES AND ALL PARTIES ARE ADVISED
17	TO CONSULT WITH AN ATTORNEY.	
18	The SEATTLE COURTHOUSE is in Seattle, Wash is on the sixth floor, room E609. The Judges' Mailr	•
19	•	
20		
21		
22		
23	,	
24	MOTION TO INTRODUCE MEDICAL EVID	ENCE INTO THE RECORD

1 CIRTIFICATE OF SERVICE 2 I certify, under penalty of perjury under the laws of the Sate of Washington, 3 that on November 20, 2017, I served a copy of this document on all parties/counsel of record as indicated below: 4 Christopher T. Benis (WSBA #17972) 5 HARRISON-BENIS, LLP 6 2101 Fourth Avenue, Suite 1900 Seattle, WA 98121 7 Co-counsel for Plaintiff 8 Stephen J. Sirianni (WSBA #6957) SIRIANNI YOUTZ SPOONEMORE HAMBURGER 9 701 Fifth Avenue, Suite 2560 Seattle, WA 98104 10 Counsel for Plaintiff 11 12 13 DATED: November 20, 2017, at Seattle, Washington 14 Emari Tahir - Sanett 15 Omari Tahir-Garrett (Private Attorney General) 16 17 18 19 20 21 22 23 24 MOTION TO INTRODUCE MEDICAL EVIDENCE INTO THE RECORD

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR KING COUNTY

	INANDE	OR MING COUNT I
2	Midtown Limited Partnership,	
3	Plaintiff.	CASE: 16-2-10995-1 SEA
4 5	vs. Omari Tahir-Garrett,	(Associated Court of Appeals Case #s 76605-8-I , 77417-4-I and 77572-3-I)
6 7	Defendant.	PROPOSED ORDER
8	IT IS HEREBY ORDERED THAT the	e documents consituting Exhibits 11 through 14
9	submitted to the Court on November 1	1, 2017, by Defendant Omari Tahir-Garrett, are hereby
11	entered into the record.	
12	Dated	
13 14		
15		
16	•	
17 18	JUDGE SUZA	NNE PARISIEN
19		NNE PARISIEN, JUDGE COUNTY SUPERIOR COURT
20	516 TH	IIRD AVENUE WA 98104
21		77-1579
22 23		
23 24	MOTION TO INTRODUCE MEDIC	AL EVIDÈNCE INTO THE RECORD

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6	IN THE SUPERIOR COURT OF	WASHINGTON FOR KING COUNTY
7	MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,	NO. 16-2-10995-1 SEA
8	Plaintiff,	
9		ORDER STRIKING MOTION
10	v.	
11	OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and	
12	ALL OTHER OCCUPANTS,	
	Defendants.	
13	·	
14		reasons set forth below defendant's motion to introduce
15	medical evidence into the record is stricken with	out prejudice.
16	X Failure to include a calendar note for mo	
17	X Failure to include a proposed order (KCI X Failure to timely note the motion without	
18	X Failure to include stamped envelopes add the action. (KCLR 7(b)(4)(C)).	dressed to all parties who have appeared in
19	X Failure to provide proof of notice to all p	parties who have appeared in the action (CR 5).
20	Failure to timely note the dispositive mo Does not comply with RCW 38.42.050(1	tion (CR 56). (a) – Service Members' Civil Relief Act.
21	Moving party authorizes Court to strike i X Other: This court no longer has jurisdict	motion.
22	13,≝	O A
	Dated November 2, , 2017.	
23	,	OV/
24		DGE SUZANNE PARISIEN
25	Forms and court rules are available online at http://www.kin ORDER STRIKING MOTION - 1	egcounty.gov/courts/scforms.aspx
26		SUZANNE PARISIEN, JUDGE KING COUNTY SUPERIOR COURT 516 THIRD AVENUE Seattle, WA 98104 (206) 477-1579



1 2 3 4. IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON 5 IN AND FOR KING COUNTY 6 Midtown Limited Partnership, CASE: 16-2-10995-1 SEA 7 (Associated Court of Appeals Case #s Plaintiff. 76605-8-I, 77417-4-I, and 77572-3-I) 8 MOTION TO INTRODUCE vs. 9 ADDITIONAL EVIDENCE Omari Tahir-Garrett, INTO THE RECORD 10 Defendant. Noted for consideration 11 without oral argument, December 4th, 2017, 12 or next judicial day thereafter. COMES NOW THE DEFENDANT, OMARI TAHIR-GARRETT, WHO 13 14 IS THE APPELLANT IN THE ASSOCIATED COURT OF APPEALS 15 CASES 76605-8-I, 77417-4-I AND 77572-3-I, AND HEREBY RE-FILES 16 AND RE-SERVES THE SAME FOLLOWING MOTION TO 17 INTRODUCE ADDITIONAL EVIDENCE INTO RECORD, IN 18 ACCORDANCE WITH THE ATTACHED CHECKLIST PROVIDED BY 19 JUDGE PARISIEN ON OCTOBER 27, 2017. 20 21 22 23 24

25.

1	Whereas MidTown and Mr. Sirianni have alleged that I harrassed, stalked
2	and attempted to intimidate MidTown's principals and contractors thus
3	justifying the issuance of the May 5th contempt order, while I maintain that I
4	have only ever photographed, video recorded or followed any such persons
5	for the legal and necessary purpose of documenting them in the acts of
6	committing crimes against myself and my personal possessions, and
7.	
8	Whereas there exists a body of empirical photographic, video and eye
9	witness evidence of such crimes committed against me by Respondents that I
10	was able to compile prior to the issuance of the May 5 th order,
11	
12	Omari Tahir-Garrett therefore moves for the court to permit me to
13	Ŷ
14	introduce a sampling of this body of empirical evidence I have compiled, as
15	hereby submitted into the hands of the Court in the appendix of Exhibits 1
16	through 10 on USB drive and consisting of 7.94 GB of data (comprised by
17	one master folder holding ten (10) individual folders each constituting the
18	EXHIBIT of corresponding number and together containing a combined
19 _:	total of 173 image files).
20	Respectfully submitted this 20th day of November, 2017
21	Omari Tahir-Garrett Aspan Tihir - Lanett
22	Private Attorney General PO Box 22328 Seattle, WA 98122 (206)-717-1685.
23	1 O DUA 22320 SCAILIC, 11/2 70122 (200)-/1/-1003.

MOTION TO INTRODUCE ADDITIONAL EVIDENCE INTO THE RECORD

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF KING

	1	
Midtown Limited Partnership,	CASE NO. 16-2-10995-1 SEA	
Plaintiff	NOTICE OF COURT DATE (Judges)	
VS.	(NOTICE FOR HEARING)	
	SEATTLE COURTHOUSE ONLY	
Omari Tahir-Garrett, Defendant	(Clerk's Action Required) (NTHG)	
TO: THE CLERK OF THE COURT and to all other parties	per list on Page 2:	
PLEASE TAKE NOTICE that an issue of law in this ca		
the Clerk is directed to note this issue on the calendar	checked below.	
Calendar Date:December 4	Day of Week:	
Monday	•	
Nature of Motion: _OMARI TAHIR-GARRETT' ADDITIONAL EVIDENCE INTO THE RECORD		
CASES ASSIGNED TO INDIVID	DUAL JUDGES – SEATTLE	
If oral argument on the motion is allowed (LCR 7(b)(2)), contact	ct staff of assigned judge to schedule date and time	
before filing this notice. Working Papers: The judge's name,	date and time of hearing must be noted in the upper right	
corner of the Judge's copy. Deliver Judge's copies to Judge's		
Date/Time: December 4 2017] With oral argument Hearing	
Judge's Name: _Suzanne Parisien	Trial Date:	
CHIEF CRIMINAL DEPARTM	FNT - SEATTLE (E1201)	
[] Bond Forfeiture 3:15 pm, 2 nd Thursday of e		
[] Extraordinary Writs from criminal or infraction (Show Cause Hearing) LCR 98.40(d) 3:00 p.m. Mori-Thurs.		
[] Certificates of Rehabilitation- Weapon Poss		
Jurisdiction Courts) 3:30 First Tues of each	•	
CHIEF CIVIL DEPARTMENT - SEATTLE (P		
Deliver working copies to Judges' Mailroom, Room C203.	In upper right comer of papers write "Chief Civil	
Department" or judge's name and date of hearing	in upper right corner or papers write. Criter Civil	
[] Extraordinary Writs (Show Cause Hearing) (LCR 98.40) 1:	30 p.m. Thurs/Fri -report to Room W719	
[] Supplemental Proceedings/ Judicial Subpoenas (1:30 pm		
[] Motions to Consolidate with multiple judges assigned (LCR	40(a)(4) (without oral argument) M-F	
[] Structured Settlements (1:30 pm Thurs/Fri))(LCR 40(2)(S))	
Non-Assigned	Cases:	
[] Non-Dispositive Motions M-F (without oral argument).		
[] Dispositive Motions and Revisions (1:30 pm T hurs/Fri).		
[] Certificates of Rehabilitation (Employment) 1:30 pm Thurs	/Fri (LR 40(a)(2)(B))	
You may list an address that is not your residential addre documents.	ss where you agree to accept legal	
Print/Type Name:Omari Tahir-Garrett		
Private Attorney General Attorney for:self	<u> </u>	
Address:PO Box 22328		
98122_	· 	
Telephone: (206)-717-1685 Date: November 20.	2017	

DO NOT USE THIS FORM FOR FAMILY LAW OR EX PARTE MOTIONS.

1		
2		DRESSES FOR ALL NECESSARY
3	PARTIES REC	UIRING NOTICE
,		
1	Name: Christopher T. Benis	Name: Stephen J. Sirianni
5	Service Address:	Service Address:

2101 Fourth Avenue, Suite 1900 City, State, Zip: Seattle, WA 98121

HARRISON-BENIS, LLP

WSBA# 17972 Atty. For: Plaintiff Name: Stephen J. Sirianni Service Address: SIRIANNI YOUTZ SPOONEMORE HAMBURGER 701 Fifth Avenue, Suite 2560 City, State, Zip: Seattle, WA 98104

WSBA# 6957 Atty. For: Plaintiff

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IMPORTANT NOTICE REGARDING CASES

Party requesting hearing must file motion & affidavits separately along with this notice. List the names, addresses and telephone numbers of all parties requiring notice (including GAL) on this page. Serve a copy of this notice, with motion documents, on all parties.

The original must be filed at the Clerk's Office not less than **six** court days prior to requested hearing date, except for Summary Judgment Motions (to be filed with Clerk 28 days in advance).

THIS IS ONLY A PARTIAL SUMMARY OF THE LOCAL RULES AND ALL PARTIES ARE ADVISED TO CONSULT WITH AN ATTORNEY.

The SEATTLE COURTHOUSE is in Seattle, Washington at 516 Third Avenue. The Clerk's Office is on the sixth floor, room E609. The Judges' Mailroom is Room C203.

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MOTION TO INTRODUCE ADDITIONAL EVIDENCE INTO THE RECORD

1 CIRTIFICATE OF SERVICE 2 I certify, under penalty of perjury under the laws of the Sate of 3 Washington, that on November 20, 2017, I served a copy of this document on all parties/counsel of record as indicated below: 4 Christopher T. Benis (WSBA #17972) 5 HARRISON-BENIS, LLP 6 2101 Fourth Avenue, Suite 1900 Seattle, WA 98121 7 Co-counsel for Plaintiff 8 Stephen J. Sirianni (WSBA #6957) SIRIANNI YOUTZ SPOONEMORE HAMBURGER 9 701 Fifth Avenue, Suite 2560 Seattle, WA 98104 10 Counsel for Plaintiff 11 12 13 DATED: November 20, 2017, at Seattle, Washington 14 15 Jmare Tahir **Omari Tahir-Garrett (Private Attorney** 16 General) 17 18 19 20 21 22 23 24 MOTION TO INTRODUCE ADDITIONAL EVIDENCE INTO THE RECORD

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5		OF THE STATE OF WASHINGTON R KING COUNTY
6	Midtown Limited Partnership,	
7	Plaintiff.	CASE: 16-2-10995-1 SEA
9	vs.	(Associated Court of Appeals Case #s 76605-8-I and 77417-4)
10	Omari Tahir-Garrett,	PROPOSED ORDER
11	Defendant.	
12	IT IS HEREBY ORDERED THAT the	e appendix of Exhibits 1 through 10 submitted to
13	the Court by Defendant Omari Tahir-C	Garrett on USB drive and consisting of 7.94 GB
14	of data (comprised by one master fold	er holding ten (10) individual folders each
15	constituting the EXHIBIT of correspo	nding number and together containing a
16	combined total of 173 image files), is	hereby entered into the record.
17	Dated	
18		
19	JUDGE SUZA	NNE PARISIEN
20		NNE PARISIEN, JUDGE
21	516 TH	COUNTY SUPERIOR COURT IIRD AVENUE
22		, WA 98104 77-1579
23		
24	MOTION TO INTRODUCE ADDITI	IONAL EVIDENCE INTO THE RECORD 5

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5	THE STATE OF THE S		
6	IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY		
7	MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,		
8	NO. 16-2-10995-1 SEA Plaintiff,		
9	ORDER STRIKING MOTION		
10	v.		
11	OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and		
12	ALL OTHER OCCUPANTS,		
13	Defendants.		
14	IT IS HEREBY ORDERED that for the reasons set forth below defendant's motion to introduce		
15	additional evidence into the record is stricken without prejudice.		
16			
17	X Failure to include a calendar note for motion. (KCLR 7(b)(4)(A)). X Failure to include a proposed order (KCLR 7(b)(4)(C))		
18	X Failure to timely note the motion without oral argument (KCLR 7(b)(3)(A)). X Failure to include stamped envelopes addressed to all parties who have appeared in		
19	the action. (KCLR $7(b)(4)(C)$).		
	Failure to timely note the dispositive motion (CR 56).		
20	Does not comply with RCW 38.42.050(1)(a) – Service Members' Civil Relief Act. Moving party authorizes Court to strike motion.		
21	X Other: This court no longer has jurisdiction as this matter is on appeal.		
22	Dated this 27th Day of October, 2017.		
23			
24	JUDGE SUZANNE PARISIEN		
25	Forms and court rules are available online at http://www.kingcounty.gov/courts/scforms.aspx ORDER STRIKING MOTION - 1		
26	SUZANNE PARISIEN, JUDGE		
	KING COUNTY SUPERIOR COURT 516 THIRD AVENUE		
	Seattle, WA 98104		
	(206) 477-1579		
, .	·		

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

MIDTOWN LIMITED PARTNERSHIP, Respondent,)	No. 16-2-10995-1 SEA
v.)).).	Court of Appeals Case Number 77572-3-I (and associated Court of Appeals Case Numbers 76605-8-I and 77417-4-I)
OMARI TAHIR GARRETT, Appellant.)	Designation of Clerk's Papers and Exhibits

TO THE CLERK OF THE COURT

Please prepare and transmit to the Court of Appeals, Division I, the following clerk's papers.

SUB#	Document	Date
104	MOTION AND DECLARATION FOR ORDER AUTHORIZING THE DEFENDANT TO SEEK REVIEW AT PUBLIC EXPENSE AND APPOINTING AN ATTORNEY	09-11-2017
107	ORDER DENYING MOTION TO APPOINT ATTY AT PUBLIC EXPENSE"	10-05-2017
108	MOTION (AND "FLASH DRIVE" TO WHICH THE MOTION PERTAINS)	11-01-2017
109	NOTICE OF APPEAL TO COURT OF APPEALS	11-01-2017
111	MOTION/DEF (AND MEDICAL EVIDENCE TO WHICH THE MOTION PERTAINS)	11-01-2017
-	·	

November 20, 2017

Omari Tahir-Garrett, Private Attorney General

Defendent/Appellant/Petitioner

PO Box 22328, Seattle, WA 98122; (206) 717-1685

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957

701 5th Avenue, Suite 2560, Seattle, WA 98104; 206-223-0303.



KING COUNTY SUPERIOR COURT CLERK E-FILED

CASE NUMBER: 16-2-10995-1 SEA

IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF KING INDEX TO CLERK'S PAPERS

Title: MIDTOWN LTD PARTNERSHIP VS TAHIR-GARRETT

Case No.: 16-2-10995-1 SEA

Index Date: 11-28-2017

Appeal No.: 77572-3-I

Desg. Party: OMARI TAHIR-GARRETT

Pages: 1 - 160

Sub No.	Document Description	Page#
108	MOTION	48 - 48
111	MOTION /DEF	56 - 160
104	MOTION AND AFFIDAVIT/DECLARATIO/DEF	1 - 45
109	NOTICE OF APPEAL TO COURT OF APPEAL	49 - 55
107	ORDER DENYING MOTION TO APPOINT	46 - 47



DEC 062017

SUPERIOR COURT CLERK
BY Regina Saucier
DEPUTY

PUTY HON. SUZANNE R. PARISIEN
Noted for Consideration: December 4, 2017
Without Oral Argument

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v.

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NO. 16-2-10995-1 SEA

REPROPOSED ORDER DENYING:

- (1) DEFENDANT'S MOTION TO INTRODUCE ADDITIONAL EVIDENCE INTO THE RECORD; AND
- (2) DEFENDANT'S AMENDED MOTION TO INTRODUCE MEDICAL EVIDENCE INTO THE RECORD

THIS MATTER having come on regularly before the undersigned Judge upon two motions of Defendant for an order allowing him to introduce additional evidence into the record, including medical records. This Court considered Defendant's Motions, Plaintiff's Opposition and subjoined Declaration of Counsel with exhibit, Defendant's Reply, and the pleadings and record herein. For good cause shown, this Court ORDERS that:

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

- (1) Defendant's Motion to Introduce Additional Evidence into the Record is DENIED; and
- (2) Defendant's Amended Motion to Introduce Medical Evidence into the Record is DENIED.

DATED: (2/6/, 2017.

MIDTOWN LIMITED PARTNERSHIP,

OMARI TAHIR-GARRETT, a.k.a. OMARI

TAHIR, a.k.a. JAMES C. GARRETT, et al.,

Plaintiff,

Defendants.

Suzanne R. Parisien Superior Court Judge

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER
701 FIFTH AVENUE, SUITE 2560
SEATTLE, WASHINGTON 98104
TEL. (206) 223-0303 FAX (206) 223-0246

ORDER DENYING DEFENDANT'S MOTIONS TO INTRODUCE ADDITIONAL EVIDENCE - 1

1	Presented by:
2	SIRIANNI YOUTZ SPOONEMORE HAMBURGER /s/ Stephen J. Sirianni
4	Stephen J. Sirianni (WSBA #6957) 701 Fifth Avenue, Suite 2560
5	Seattle, WA 98104
6	Tel. (206) 223-0303 Email: <u>steve@sylaw.com</u>
7	Attorneys for Plaintiff
8	
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ORDER DENYING DEFENDANT'S MOTIONS TO INTRODUCE ADDITIONAL EVIDENCE - 2

SIRIANNI YOUTZ SPOONEMORE HAMBURGER 701 FIFTH AVENUE, SUITE 2560 SEATTLE, WASHINGTON 98104 TEL. (206) 223-0303 FAX (206) 223-0246

DEC 19 2017

LAW OFFICE OF SIRIANNI YOUTZ NEMORE HAMBURGER

RECEIVED COURT OF APPEALS DIVISION ONE

DEC 19 2017

Omari Tahir Garrett Private Attorney General PO Box 22328 Seattle, WA 98122 (206) 717-1685

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square, 600 University Street, Seattle, WA 98101C ATTENTION: Commissioner of the Court Mary Neel, and Court Administrator/Clerk Richard D. Johnson

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121 CC: Stephen J. Sirianni

Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104 RECEIVED

DEC 19 2017

HARRISON-BENIS, LLP ATTORNEYS AT LAW

Reply to The Court of Appeals of the State of Washington: PROOFS OF SERVICE

RE: CASE # 77572-3-I Midtown Limited Partnership, Respondent v. Omari Tahir Garrett, Petitioner (From King County Superior Court Case # 16-2-10995-1 SEA) (Related Court of Appeals Case numbers from same trial case: 76605-8-I and 77417-4-I)

Dear Court of Appeals of the State of Washington, DIVISION 1, Richard D. Johnson and Mary Neel,

In relation to the concern expressed by Mr. Johnson and apparently also shared in part by Mary Neel (as per the hereto attached communications from Mr. Johnson dated November 27th and 29th respectively) as to whether I served counsel for the opposing party with a copy of my motion for discretionary review, as well as Mr. Johnson's additional expressed concern therein as to whether I served same counsel with a copy of my Response to Court's motion regarding the filing fee and my Designation of Clerk's Papers, I, Omari Tahir Garrett, do as requested hereby certify and also prove that, yes indeed, I did serve both opposing counsels with all three of those documents on Nevember 20th, 2017, the same day that I filed each of those three documents with the Court. The proofs of service of all three of these documents by me and receipt of same by opposing counsel are here attached.

Also attached is medical documentation demonstrating that I am making this reply to Johnson and Neel at the earliest time that it is both medically and economically possible for me to do so, as medical matters did not permit me to do so within either the limited 8-business-day window purported by Johnson's November 27th communication or the extremely limited three-business-day window purported by his November 29th communication.

I also do hereby solemnly swear to serving a copy of this same document to: Christopher T. Benis of Harrison Benis & Spence LLP, 2101 4th Ave Ste 1900, Seattle, WA 98121, and Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger, 701 5th Ave Ste 2560, Seattle, WA 98104

Sincerely, Dated this 19 Day of December, 2017,
Omari Tahir Garrett, Private Attorney General Amari Tehin Lanett

NOV 2 0 2017

HARRISON-BENIS, LLP ATTORNEYS AT LAW COURT OF APPEALS DIVISION ONE NOV 20 201/

RECEIVED

NOV 20 2017

LAW OFFICE OF SIRIANNI VOUTZ CONEMORE HAMSI

IN THE COURT OF APPEALS OF THE

STATE OF WASHINGTON

Midtown Limited Partnership,

Respondent,

vs.

Omari Tahir-Garrett,

Appellant

Court of Appeals CASE #: 7752-3-I

(Associated Case Numbers 76605-8-I and 77417-4) (King County CourtCase #: 16-2-10995-SEA)

TITLE PAGE:

MOTION FOR DISCRETIONARY REVIEW (Noted for oral argument on December 15, 2017, 09:30 am)

COMES NOW THE APPELLANT, OMARI TAHIR-GARRETT, TO THE
COURT AND SUBMITS THE FOLLOWING MOTION FOR
DISCRETIONARY REVIEW AS REQUESTED BY COURT
ADMINISTRATOR/CLERK MR. RICHARD D. JOHNSON IN THE
SECOND OF THE TWO NOVMEMBER 8TH LETTERS FROM MR.
JOHNSON TO OMARI TAHIR-GARRETT. Please note that I, Omari Tahir
Garrett, am complying with Mr. Johnson's mandate that I file this motion
within 12 calendar days of his request for it, in spite of the fact that I have
recently suffered a mini-stroke from the stress of being continually denied
my right to representation by public counsel.

Omari Tahir-Garrett, Private Attorney General; Appellant PO Box 22328, Seattle, WA 98122; (206) 717-1685

NOV 2 0 2017 HARRISON-BENIS, LLP

ATTORNEYS AT LAW

To: The Court of Appeals of the State of Washington DIVISION 1 600 University Street, Seattle, WA 98101

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121 CC: Stephen J. Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104

rivate Atturney General Box 22328 Partie Webs 8122 200) 学行。1685

RECEIVED COURT OF APPEALS DIVISION ONE

NOV 20 EUII

Reply to The Court of Appeals of the State of Washington: RE: CASE # 77572-3-I (RE: King County No. 16-2-10995-1 SEA, RE: Court of Appeals Case Numbers 76605-8-I, 77417-4-I and 77572-3-I) Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

November 20, 2017, Dear Court of Appeals of the State of Washington, DIVISION 1,

I am now in receipt of two letters addressed to me from your Court Administrator/Clerk Mr. Richard D. Johnson, each purportedly dated November 8th, 2017, both of which acknowledge receipt of my November 1st filing of notice of appeal of the trial court's October 5th "order" denying my right to counsel. The first of these two letters from your Mr. Johnson to me incorrectly alleges a failure on my part to provide your Court with an order of indigency in proper form, while the second of these two letters requests that I file a motion for discretionary review and purports to threaten me with sanctions if I do not file that motion within 12 calendar days of Mr. Johnson's request that I do so.

I hereby respond to the first of these two letters from your Mr. Johnson, which incorrectly alleges a failure on my part to provide your Court with an order of indigency in proper form and purports that "a court's motion to dismiss has been set for Friday, December 1, 2017, at 10:30 a.m."

Your Court Admistrator/Clerk Mr. Richard D. Johnson has erred in alleging that I did not provide your Court with an order of indigency in proper form. The facts of record are that I was accurately found indigent by the trial court on March 22nd, 2017, and that I provided your Court with that order of indigency on that same day. A copy of the same, as received by your Court on that day, is here attached.

Assuming that your court wishes to continue to present an appearance of fairness, and an appearance of compliance with Articles 6, 7, 8, 9, 10, 11, 12, 13 and 15 of the Universal Declaration of Human Rights, you will therefore naturally withdraw this pending "motion to dismiss", as to do otherwise would blatantly breach each of the above nine respective UDHR Articles.

Private Attorney General Sincerely, Amare Jahin - Senett Omari Tahir Garrett,

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IPERIOR COURT OF WATER FOR LATER TO THE PERIOR COURT OF WATER TO THE PERIO

MIDTOWN LIMITED PARTNERSHIP,) Respondent,) v.)	No. 16-2-10995-1 SEA Court of Appeals Case Number 77572-3-I (and associated Court of Appeals Case Numbers 76605-8-I and 77417-4-I) Designation of Clerk's Papers and Exhibits
OMARI TAHIR GARRETT,) Appellant.)	

TO THE CLERK OF THE COURT

Please prepare and transmit to the Court of Appeals, Division I, the following clerk's papers.

		Date
SUB#	MOTION AND DECLARATION FOR ORDER AUTHORIZING THE	2 09-11-2017
	DEFENDANT TO SEEK REVIEW AT PUBLIC EXPENSE AND	
104	DEFENDANT TO SEEK REVIEW AT PODERC BAR STOPPEN	
	APPOINTING AN ATTORNEY ORDER DENYING MOTION TO APPOINT ATTY AT PUBLIC	10-05-2017
107		
	EXPENSE" MOTION (AND "FLASH DRIVE" TO WHICH THE MOTION	11-01-2017
108		
100	PERTAINS) NOTICE OF APPEAL TO COURT OF APPEALS	11-01-2017
109		11-01-2017
111	MOTION/DEF (AND MEDICAL EVIDENCE TO WHICH THE	11-01-2017
	MOTION PERTAINS)	
•		
Valida B		
		November 20, 2017

Omari Tahir-Garrett, Private Attorney General

Defendent/Appellant/Petitioner

PO Box 22328, Seattle, WA 98122; (206) 717-1685

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957 701 5th Avenue, Suite 2560, Seattle, WA 98104; 206-223-0303.

RECEIVED

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LAW OFFICE OF SIRIANNI YOUTZ SPOCNEMORE HAMBURGER HARRISON-BENIS.LLP ATTORNEYS AT LAW

-8-I

MOITON

	SPOCNEMORE HAMBURGER	ATTO	RNEYS AT LAW
1	C	OURT OF APPEALS DIVISION ONE	JUD0 2017 D SUII
3		DEC 19 2017	BECE MEES MEES MEES MEES MEES MEES MEES M
4			ALL R R COUNT
5	IN THE SUPERIOR COUI	RT OF WASHINGTON NG COUNTY	3: 17 3: 17
6	Midtown Limited Partnership,	Case No. 16-2-10995-	SEA (trial court)
6 7	Plaintiff and Respondent,	NOTICE OF DISCRI	
	vs.	of ORDER DENYIN	G DEFENDANT'S M
8 9	Omari Tahir-Garrett,	TO INTRODUCE EN	IDENCE INTO THE
10	Defendant and Appellant		
11	Omari Tahir-Garrett, defenda	nt, appellant and victim in	this
12	ongoing matter, seeks review by the	designated appellate court	of the
13 14	"ORDER DENYING (1) DEFENDA	NT'S MOTION TO INTI	RODUCE
15	ADDITIONAL EVIDENCE INTO T	THE RECORD; AND (2)	
16	DEFENDANT'S AMENDED MOTI	ON TO INTRODUCE M	EDICAL
17	EVIDENCE INTO THE RECORD"	written entirely by Stephe	en Sirianni,
18	Esquire for Midtown Limited Partner	ship on November 30, 20	17 and
19	entered without amendment by his cl	ose compatriot Judge Suz	anne R.
20	Parisien on December 6, 2017. A co	py of the decision is attac	hed to this
21:	notice.		
22			
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FILED

17 DEC 19 PM 3: 14

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1	SEATTLE,	AAAA REA Table 18 - 18 - 18 - 18 - 18 - 18 - 18 - 18	
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3			
4	IN THE SUPERIOR COUL		
5	IN AND FOR KI Midtown Limited Partnership,	NG COUNTY Case No. 16-2-10995-SEA (trial court)	
6	Plaintiff and Respondent,	NOTICE OF DISCRETIONARY REVIEW	
7	vs.	to COURT OF APPEALS CASE #: 76605-8-I of ORDER DENYING DEFENDANT'S MOTION	
8	Omari Tahir-Garrett,	TO INTRODUCE EVIDENCE INTO THE RECORD	
9.	Defendant and Appellant		
10			
11 12	Omari Tahir-Garrett, defendant, appellant and victim in this		
13	ongoing matter, seeks review by the designated appellate court of the		
14	"ORDER DENYING (1) DEFENDANT'S MOTION TO INTRODUCE		
15	ADDITIONAL EVIDENCE INTO THE RECORD; AND (2)		
16	DEFENDANT'S AMENDED MOTION TO INTRODUCE MEDICAL		
17	EVIDENCE INTO THE RECORD"	written entirely by Stephen Sirianni,	
18	Esquire for Midtown Limited Partne	rship on November 30, 2017 and	
19	entered without amendment by his cl	lose compatriot Judge Suzanne R.	
20	Parisien on December 6, 2017. A co	ppy of the decision is attached to this	
21;	notice.		
22			
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According to the text of this order itself, it is based on Mr. Sirianni's November 30, 2017 filed OPPOSITION to both of the motions for introduction of evidence that the ORDER denies. In this OPPOSITION, Mr. Sirianni acknowledges that Omari Tahir-Garrett filed two (2) such motions for introduction of said evidence, the first seeking to introduce a USB drive consisting of 7.94 GB of data, and the second to introduce medical records. Sirianni does not deny receipt of service of either of these motions, but he claims that the USB drive and data "were not served on plaintiff or its attorneys". It is, however, a matter of certified record in this case that the USB drive and data in question have been on file under this case number in the Superior Court for the County of King and available there to all interested parties at all times since the filing and service of the first of these two acknowledged motions (see attached EXHIBIT A). The only other argument presented in Sirianni's OPPOSITION to both motions (and the only argument presented AT ALL against the "Medical Records Motion") is the vague allegation that something about RAP 7.2 supposedly denies the trial court the authority to consider these motions once review is accepted by the appellate court, and that "Any

such motion must be made to the appellate court pursuant to RAP 9.11 and NOTICE OF DISCRETIONARY

REVIEW to COURT OF APPEALS
CASE #: 76605-8-I of ORDER
DENYING DEFENDANT'S MOTIONS
TO INTRODUCE EVIDENCE INTO
THE RECORD

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must make the showing required by that rule." It therefore appears that the trial Court's order denying the introduction of both these important bodies of evidence is based entirely on that single argument.

While I have absolutely NO problem with making these motions directly to the appellate court under RAP 9.11 and making the showing required by that rule, and will also do so in a separate and appropriate motion to the appellate court (and in fact I have been prepared to do so since October 19, 2017); the fact is, as Court Of Appeals For The State Of Washington DIVISION 1 Court Administrator/Clerk Richard D. Johnson pointed out to me on Thursday, October 19, 2017, as he was verbally instructing me to file these motions first in the trial court rather than the appellate court, this very same RAP 7.2 cited by Sirianni actually explicitly says that "The trial court has authority to settle the record as provided in Title 9 of these rules." (RAP 7.2(b))

Therefore, this December 6th ORDER by Sirianni and Parisien is shown to be nothing more than a spurious and desperate attempt by them to prevent this important and relevant evidence from being considered. should be overturned in full by the Court of Appeals and these full bodies of photographic, video and medical record evidence fully admitted to the record.

NOTICE OF DISCRETIONARY
REVIEW to COURT OF APPEALS
CASE #: 76605-8-I of ORDER
DENYING DEFENDANT'S MOTIONS
TO INTRODUCE EVIDENCE INTO
THE RECORD

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5	DATED this 19 day of SELEMBER 2017
6	Respectfully Submitted,
7	Amari Jahir - Danett
8.	Omari Tahir-Garrett, Private Attorney General, PO Box 22328,
9	Seattle, WA 98122, (206) 717-1685
10:	
11	
12	I solemnly swear that this same notice has been served to:
13	Stephen J. Sirianni, Attorney for Respondents, 701 5 th Avenue, Suite
14	2560, Seattle, WA 98104,
15	and
16	Christopher T. Benis, Attorney for Respondents, 2101 4 th Avenue,
17	Suite 1900, Seattle, WA 98121
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21	t.
22	NOTICE OF DISCRETIONARY DEVIEW to COURT OF ARREALS
23	REVIEW to COURT OF APPEALS CASE #: 76605-8-I of ORDER
24	DENYING DEFENDANT'S MOTIONS TO INTRODUCE EVIDENCE INTO
2.5	THE RECORD



DEC 06'2017

SUPERIOR COURT CLERK
BY Regina Saucier
DEPUTY

HON. SUZANNE R. PARISIEN Noted for Consideration: December 4, 2017

Without Oral Argument

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ORDER DENYING DEFENDANT'S MOTIONS TO

INTRODUCE ADDITIONAL EVIDENCE - 1

DATED:

MIDTOWN LIMITED PARTNERSHIP,

OMARI TAHIR-GARRETT, a.k.a. OMARI

TAHIR, a.k.a. JAMES C. GARRETT, et al.,

Plaintiff.

Defendants.

NO. 16-2-10995-1 SEA

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IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

PROPOSED ORDER DENYING:

- (1) DEFENDANT'S MOTION TO INTRODUCE ADDITIONAL EVIDENCE INTO THE RECORD; AND
- (2) DEFENDANT'S AMENDED MOTION
 TO INTRODUCE MEDICAL
 EVIDENCE INTO THE RECORD

THIS MATTER having come on regularly before the undersigned Judge upon two motions of Defendant for an order allowing him to introduce additional evidence into the record, including medical records. This Court considered Defendant's Motions, Plaintiff's Opposition and subjoined Declaration of Counsel with exhibit, Defendant's Reply, and the pleadings and record herein. For good cause shown, this Court ORDERS that

- Defendant's Motion to Introduce Additional Evidence into the Record is DENIED; and
- (2) Defendant's Amended Motion to Introduce Medical Evidence into the Record is DENIED.

017.

Suzanne R. Parisien Superior Court Judge

> SIRIANNI YOUTZ SPOONEMORE HAMBURGER 701 FIFTH AVENUE SUITE 2560 SEATTLE, WASHINGTON 98104 TEL (206) 223-0203 FAX (206) 223-0246

Presented b	v
-------------	---

SIRIANNI YOUTZ SPOONEMORE HAMBURGER

/s/ Stephen J. Sirianni

Stephen J. Sirianni (WSBA #6957)
701 Fifth Avenue, Suite 2560
Seattle, WA 98104
Tel. (206) 223-0303
Email: steve@sylaw.com
Attorneys for Plaintiff

ORDER DENYING DEFENDANT'S MOTIONS TO INTRODUCE ADDITIONAL EVIDENCE - 2

SIRIANNI YOUTZ SPOONEMORE HAMBURGER 701 FIFTH AVENUE, SUITE 2560 SEATILE, WASHINGTON 98104 TEL (206) 223-0246

HON. SUZANNE R. PARISIEN Noted for Consideration: December 4, 2017 Without Oral Argument

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,

Plaintiff,

٧.

OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and ALL OTHER OCCUPANTS.

Defendants.

NO. 16-2-10995-1 SEA

PLAINTIFF'S OPPOSITION TO:

- (1) DEFENDANT'S MOTION TO INTRODUCE ADDITIONAL EVIDENCE INTO THE RECORD; AND
- (2) DEFENDANT'S AMENDED MOTION TO INTRODUCE MEDICAL EVIDENCE INTO THE RECORD,

AND SUBJOINED DECLARATION OF COUNSEL

I. OPPOSITION

Defendant Omari Tahir-Garrett has filed two separate motions, noted for the same date, to introduce additional evidence into the record. The first motion seeks to introduce what he claims are ten exhibits on a USB drive consisting of 7.94 GB of data (the "Data Motion") that were not served on plaintiff or its attorneys. The second motion seeks to introduce medical records (the "Medical Records Motion"). Both motions should be denied.

Mr. Tahir-Garrett appealed this Court's February 21, 2017 Contempt Order, February 23, 2017 Contempt Order, February 24 Judgment and Order Declaring Unlawful Detainer and Authorizing Issuance of Writ of Restitution, and May 5, 2017 Contempt Order. The appellate court accepted review and consolidated the appeals

PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTIONS TO INTRODUCE ADDITIONAL EVIDENCE; AND SUBJOINED DECLARATION OF COUNSEL – 1

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER
701 FIFTH AVENUE, SUITE 2560
SEATTLE, WASHINGTON 98104
Tel. (206) 223-0303 FAX (206) 223-0246

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under case number 76605-5, and the matter has now been fully briefed. *See* Subjoined Declaration of Counsel.

Under RAP 7.2, this Court no longer has authority to consider these motions. That Rule provides that once review is accepted by the appellate court, with limited exceptions, the trial court no longer has authority. A motion to supplement the record is not one of those exceptions. Any such motion must be made to the appellate court pursuant to RAP 9.11 and must make the showing required by that rule.

For the reasons stated above, MidTown requests that this Court deny both the Data Motion and the Medical Records Motion.

DATED: November 30, 2017.

SIRIANNI YOUTZ SPOONEMORE HAMBURGER

s/ Stephen J. Sirianni

Stephen J. Sirianni (WSBA #6957) 701 Fifth Avenue, Suite 2560 Seattle, WA 98104 Tel. (206) 223-0303 Email: steve@sylaw.com Attorneys for Plaintiff

I certify that the foregoing contains 225 words, in compliance with the Local Civil Rules.

II. DECLARATION OF COUNSEL

Stephen J. Sirianni declares, under penalty of perjury and in accordance with the laws of the State of Washington, that:

- 1. I am counsel for plaintiff MidTown Limited Partnership ("MidTown"). I have personal knowledge of the facts set forth below.
- The Judgment and Order Declaring Unlawful Detainer and Authorizing
 Issuance of Writ of Restitution was entered by this Court on February 24, 2017. On

PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTIONS TO INTRODUCE ADDITIONAL EVIDENCE; AND SUBJOINED DECLARATION OF COUNSEL - 2

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER
701 FIFTH AVENUE, SUITE 2560
SEATTLE, WASHINGTON 98104
TEL (206) 223-0303 FAX (206) 223-0246

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March 22, 2017, Defendant Omari Tahir-Garrett filed a Notice of Appeal of that Judgment and Order, as well as of Contempt Orders entered by this Court on February 21 and 23, 2017.

- 3. The Order Granting MidTown's Motion for Contempt was entered by this Court on May 5, 2017. Mr. Tahir-Garrett filed a Notice of Appeal of that Contempt Order on June 2, 2017.
- 4. On June 28, 2017, Division I of the Court of Appeals consolidated both of Mr. Tahir-Garrett's appeals under case number 76605-5 (the "Appeal"). Attached as *Exhibit A* is a true copy of the Appellate Court Administrator/Clerk's letter noting the consolidation.
- 5. The Appeal has been fully briefed. Mr. Tahir-Garrett filed his opening brief on July 27, 2017, MidTown filed its Response on August 23, 2017, and Mr. Tahir-Garrett filed his Reply on October 16, 2017.
- 6. Plaintiff's counsel has not been served with a copy of any USB drive or the exhibits referenced in the Data Motion filed by Mr. Tahir-Garrett.

DATED: November 30, 2017, at Seattle, Washington.

s/Stephen J. Sirianni

Stephen J. Sirianni (WSBA #6957) SIRIANNI YOUTZ SPOONEMORE HAMBURGER 701 Fifth Avenue, Suite 2560 Seattle, WA 98104 Tel. (206) 223-0303

Email: steve@sylaw.com

PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTIONS TO INTRODUCE ADDITIONAL EVIDENCE; AND SUBJOINED DECLARATION OF COUNSEL - 3

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER
701 FIFTH AVENUE, SUITE 2560
SEATTLE, WASHINGTON 98104
TEL. (206) 223-0303 FAX (206) 223-0246

CERTIFICATE OF SERVICE

I certify, under penalty of perjury under the laws of the State of Washington, that on November 30, 2017, I served a copy of this document on all parties/counsel of record as indicated below:

Omari Tahir P.O. Box 22328 Seattle, WA 98122 Defendant Pro Se

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[x] By First-Class Mail

x] By Email omariAfrinet@yahoo.com

Christopher T. Benis (WSBA #17972) HARRISON-BENIS, LLP 2101 Fourth Avenue, Suite 1900 Seattle, WA 98121 Co-counsel for Plaintiff [x] By Email cbenis@harrison-benis.com

DATED: November 30, 2017, at Seattle, Washington.

s/ Stephen 1. Sirianni

Stephen J. Sirianni (WSBA #6957)
SIRIANNI YOUTZ SPOONEMORE HAMBURGER
701 Fifth Avenue, Suite 2560
Seattle, WA 98104
Tel. (206) 223-0303
Email: steve@sylaw.com

PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTIONS TO INTRODUCE ADDITIONAL EVIDENCE; AND SUBJOINED DECLARATION OF COUNSEL - 4

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER
701 FIFTH AVENUE, SUITE 2560
SEATILE, WASHINGTON 98104
TEL. (206) 223-0303 FAX (206) 223-0246

Exhibit A

RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

June 28, 2017

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-1

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Richard D. Johnson, Court Administrator/Clerk of the Court was entered on June 28, 2017, regarding the feasibility to consolidate No. 76605-8 and No. 77005-5:

The appellant filed a notice of appeal of the judgement and order entered in the Superior Court on this unlawful detainer case on March 22, 2017 (76605-8). On June 2, 2017 the appellant filed a second notice of appeal of an order granting a motion for contempt (77005-5). Case numbers 76605-5 and 77005-5 are hereby consolidated under case number 76605-8. Any supplemental designation of clerk's papers and/or statement of arrangements must be filed by July 10, 2017. If the record is not supplemented, the opening brief shall be due on July 28, 2017 or by rule, if the record is supplemented.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

CMR

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LAW OFFICE OF SIRIANNI YOUTZ POONEMORE HAMBURGER

RECEIVED

1 DEC 19 2017 2 HARRISON-BENIS, LLP ATTORNEYS AT LAW 3 4 IN THE COURT OF APPEALS 5 OF THE STATE OF WASHINGTON 6 Midtown Limited Partnership, 7 Court of Appeals Respondent, CASE #: 76605-8-I 8 VS. (King County Court Case #: 16-2-10995-SEA) 9 Omari Tahir-Garrett, TITLE PAGE: 10 Appellant MOTION FOR DISCRETIONARY REVIEW 11 (Noted for oral argument on January 12, 2018, 09:30 am) 12 13 14 COMES NOW THE APPELLANT, OMARI TAHIR-GARRETT, TO 15 THE COURT AND SUBMITS THE FOLLOWING MOTION FOR 16 DISCRETIONARY REVIEW. 17 18 Omari Tahir-Garrett, Private Attorney General, Appellant 19 PO Box 22328, Seattle, WA 98122; (206) 717-1685 20

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4	IN THE COURT OF APPEALS OF THE	
5	STATE OF WASHINGTON	
6	Midtown Limited Partnership,	Court of Appeals
7	Respondent,	CASE #: 76605-8-I
8	VS.	(King County Court Case #: 16-2-10995-SEA)
9	Omari Tahir-Garrett,	TITLE PAGE:
10	Appellant	MOTION FOR DISCRETIONARY REVIEW
11		(Noted for oral argument on January 12, 2018, 09:30 am)
12		
13	COMES NOW THE APPELLANT, OMARI TAHIR-GARRETT, TO	
14	THE COURT AND SUBMITS THE FOLLOWING MOTION FOR	
15	DISCRETIONARY REVIEW.	
16	DISCRETIONARY REVIEW.	
17		
18	Omari Tahir-Garrett, Private Attorney General; Appellant	
19	PO Box 22328, Seattle, WA 98122; (206) 717-1685	
20		
21	A. Identity of Petitioner:	
22	MOTION FOR DISCRETIO	NARY 2
23	REVIEW	_
24		

1	Omari Tahir-Garrett asks this court to accept review of the		
2	decision designated in Part B of this motion.		
3	B. Decision:		
4	The decision that Petitioner Omari Tahir-Garrett wants reviewed is		
5	the the October 5 th, 2017 "ORDER DENYING (1) DEFENDANT'S		
6	MOTION TO INTRODUCE ADDITIONAL EVIDENCE INTO THE		
7	RECORD; AND (2) DEFENDANT'S AMENDED MOTION TO		
8	INTRODUCE MEDICAL EVIDENCE INTO THE RECORD" written		
9	entirely by Stephen Sirianni, Esquire for Midtown Limited Partnership on		
10	November 30, 2017 and entered without amendment by his close		
11	compatriot Judge Suzanne R. Parisien on December 6, 2017.		
12 A copy of the decision is in the Appendix.			
13 14	(The attached order is hereby appealed by Omari Tahir-Garrett on behalf		
15	of himself and all parties adversely impacted by this order, and is appealed		
16	pursuant to all relevant laws and appeals procedures of Washington State,		
17	pursuant to the Universal Declaration of Human Rights, my Fourteenth		
18	Amendment Treaty Rights, The Freedmen's Bureau Bill of December 4,		
19	1865, The Civil Rights Act of 1866, The First, Second and Third		
20	Reconstruction Acts of 1867, and the Habeas Corpus Act of 1867.)		
21			
22	C. Issues Presented for Review:		
23			
24	MOTION FOR DISCRETIONARY REVIEW 3		
25	NE VIE VV		

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The issue herein presented for review is quite simple. Will the courts of Washington accept and consider these two bodies of vitally important evidence, or will Mr. Sirianni and Mrs. Parisien be allowed to block and bury this evidence to conceal it from the light of day?

D. Statement of the Case:

According to the text of this ORDER itself, it is based on Mr. Sirianni's November 30, 2017 filed OPPOSITION to both of the motions for introduction of evidence that the ORDER denies. In this OPPOSITION, Mr. Sirianni acknowledges that Omari Tahir-Garrett filed two (2) such motions for introduction of said evidence, the first seeking to introduce a USB drive consisting of 7.94 GB of data, and the second to introduce medical records. Sirianni does not deny receipt of service of either of these motions, but he claims that the USB drive and data "were not served on plaintiff or its attorneys". It is, however, a matter of certified record in this case that the USB drive and data in question have been on file under this case number in the Superior Court for the County of King and available there to all interested parties at all times since the filing and service of the first of these two acknowledged motions (see attached APPENDIX ITEM 4).

The only other argument presented in Sirianni's OPPOSITION to both motions (and the only argument presented AT ALL against the

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MOTION FOR DISCRETIONARY REVIEW

"Medical Records Motion") is the vague allegation that something about RAP 7.2 supposedly denies the trial court the authority to consider these motions once review is accepted by the appellate court, and that "Any such motion must be made to the appellate court pursuant to RAP 9.11 and must make the showing required by that rule." It therefore appears that the trial Court's order denying the introduction of both these important bodies of evidence is based entirely on that single argument. That argument is incorrect, and the ORDER has been issued in error.

E. Argument Why Review Should Be Accepted:

While I have absolutely NO problem with making these motions

While I have absolutely NO problem with making these motions directly to the appellate court under RAP 9.11 and making the showing required by that rule, and will also do so in a separate and appropriate motion to the appellate court (and in fact I have been prepared to do so since October 19, 2017); the fact is, as Court Of Appeals For The State Of Washington DIVISION 1 Court Administrator/Clerk Richard D. Johnson pointed out to me on Thursday, October 19, 2017, as he was verbally instructing me to file these motions first in the trial court rather than the appellate court, this very same RAP 7.2 cited by Sirianni actually explicitly says that "The trial court has authority to settle the record as provided in Title 9 of these rules." (RAP 7.2(b))

F. Conclusion:

MOTION FOR DISCRETIONARY REVIEW

1	Therefore, this December 6 th ORDER by Sirianni and Parisien is		
2	shown to be nothing more than a spurious and desperate attempt by them		
3	to prevent this important and relevant evidence from being considered.		
4	should be overturned in full by the Court of Appeals and these full bodies		
5	of photographic, video and medical record evidence fully admitted to the		
6	record.		
7	DATED this day of December, 2017.		
8	Respectfully Submitted,		
9			
10	Omari Tahir-Garrett, Private Attorney General, PO Box 22328,		
11	Seattle, WA 98122, (206) 717-1685		
12			
13	I solemnly swear that this same notice has been served to:		
14	Stephen J. Sirianni, Attorney for Respondents, 701 5 th Avenue, Suite		
15	2560, Seattle, WA 98104,		
16	and		
17	Christopher T. Benis, Attorney for Respondents, 2101 4 th Avenue,		
18	Suite 1900, Seattle, WA 98121		
19			
20	NOTICE OF TIME AND DATE		
21	SET FOR ORAL ARGUMENT OF THIS MOTION		
22	Whereas the Court of Appeals has informed all counsel in this		
23	Trincreas the Court of Expectis has informed an counsel in this		
24	MOTION FOR DISCRETIONARY 6		
	REVIEW		

1	matter that matters on discretionary review are considered on Fridays		
2	at 09:30 am, Notice is therefore and hereby served that this motion is		
3	noted and set for oral argument on Friday, January 12th at 09:30 am, or, i		
4	the Court of Appeals should object to said date, then upon such date as		
5	soon thereafter as shall be amenable to the Court of Appeals, in such		
6	courtroom and before such magistrate as the Court of Appeals shall		
7	naturally fulfill its promise to furnish, designate, and inform the parties		
8	as to the existence of.		
9	Filed, noted and served this th day of December, 2017		
10	Sincerely		
11	Omari Tahir Garrett, Private Attorney General		
12			
13	I solemnly swear that this same notice has been served to:		
14	Stephen J. Sirianni, Attorney for Respondents, 701 5 th Avenue, Suite		
15	2560, Seattle, WA 98104,		
16	and		
17	Christopher T. Benis, Attorney for Respondents, 2101 4 th Avenue,		
18	Suite 1900, Seattle, WA 98121		
19			
20	APPENDIX ATTACHED:		
21			
22	1 – The December 6, 2017 ORDER herein appealed		
23	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2		
24	MOTION FOR DISCRETIONARY		
	REVIEW		

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2	2 – Text of the MOTION TO INTRODUCE ADDITIONAL EVIDENCE
3	INTO THE RECORD, which was denied by this order.
4	
5	3 – Text of the MOTION TO INTRODUCE MEDICAL EVIDENCE
6	INTO THE RECORD, which was also denied by this order.
7	
8	4 – Certified proof of the continuous availability to all counsel of the USE
9	drive and data introduced by the MOTION TO INTRODUCE
10	ADDITIONAL EVIDENCE INTO THE RECORD ever since my filing
11	and service of that motion in the trial court.
12	
13	5 – Text of Sirianni's OPPOSITION to the introduction of BOTH bodies
14	
15	of evidence.
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17	6 – The text of RAP 7.2(b).
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24	MOTION FOR DISCRETIONARY REVIEW

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1 DEC 19 2017

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HARRISON-BENIS, LLP ATTORNEYS AT LAW

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IN THE COURT OF APPEALS

OF THE

STATE OF WASHINGTON

6 Omari Tahir-Garrett,

7 Petitioner

8

vs.

Midtown Limited Partnership, King

10 County Superior Court Judge Suzanne Parisien, King County

Sheriffs Department, Seattle Police

12 Department, Attorney Stephen Siriani, Lawfirm Siriani Youtz

13 Spoonemore Hamburger

14 Respondents,

CASE #: 77417-4-I

(King County Court Case #: 16-2-10995-SEA)

(Related Court of Appeals Case #s 76605-8-I , and 77572-3-I)

MOTION TO INTRODUCE EVIDENCE IN CASE # 77417-4-I

15

Comes now the the appellant, Omari Tahir-Garrett, to the court and

submits the following simple motion, (pursuant to "Title 17 – Motions"),

to place the following evidence into the record in case #77417-4-I.

19. It should be noted by the Court that case #77417-4-I is a Habeus Corpus

20 petition, not an appeal, and that this motion is therefore not bound by the

21 requirements of RAP Title 9.

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4	IN THE COURT OF TI	HE
5	STATE OF WA	SHINGTON
6	Omari Tahir-Garrett, Petitioner	CASE #: 77417-4-I
7	reunonei	(King County Court Case #: 16-2-10995-SEA)
8	VS.	(Related Court of Appeals Case #s 76605-8-I
9	Midtown Limited Partnership, King County Superior Court Judge	and 77572-3-I)
10	Suzanne Parisien, King County Sheriffs Department, Seattle Police	MOTION TO INTRODUCE EVIDENCE IN CASE # 77417-4-I
11	Department, Attorney Stephen Siriani, Lawfirm Siriani Youtz	
12	Spoonemore Hamburger	
13	Respondents,	
14		
15	Comes now the the appellant, Omari Tahir-Garrett, to the court and	
16	submits the following simple motion, (pursuant to "Title 17 – Motions"),	
17	to place the following evidence into the record in case #77417-4-I.	
18	It should be noted by the Court that	case #77417-4-I is a Habeus Corpus
19	petition, not an appeal, and that this i	motion is therefore not bound by the
20 21	requirements of RAP Title 9.	
22	MOTION TO INTRODUCE	2
23	EVIDENCE IN CASE # 77417-	4-I

While I have NO problem with making the showing required under RAP
9.11, and will do so in a different motion in the appropriate related case #,
my right to introduce this evidence into case #77417-4-I is protected by
RCW 7.36, as well as by Section 13 of Article I of the Constitution Of The
State Of Washington, as well as by Clause 2 of Section 9 of Article One of
the United States Constitution, all of which I have the right to invoke
under the provisions of my 14 th Amendment Treaty Rights and
accompanying Civil Rights Act of 1866, as well as Articles One through
Thirteen of the Universal Declaration Of Human Rights, which the United
States have been obligated to comply with since 1948 as a signatory
member of the United Nations. Therefore, only a simple motion is
necessary for me to introduce this evidence into case #77417-4-I, and the
following evidence should automatically be accepted into the record of
this case:
Whereas there exists a body of empirical photographic, video and
eye witness evidence of such crimes committed against me by Respondents
that I was able to compile prior to the issuance of the May 5 th order, and
Whereas there exists a body of medical evidence demonstrating the
authenticity of medical emergencies I have suffered in the course of this
case, both in and out of the courtroom, and

MOTION TO INTRODUCE EVIDENCE IN CASE # 77417-4-I

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Whereas all of this evidence is relevant to the restraint in my personal liberty that I have suffered, am continuing to suffer and that I am continuing to invoke my Habeus Corpus right to petition for relief from,

Omari Tahir-Garrett therefore moves for the Court to accept into the record CASE # 77417-4-I this sampling of the above referenced body of empirical photographic, video and eye witness evidence I have compiled, as hereby submitted in the attached appendix of Exhibits 1 through 10 on USB drive and consisting of 7.94 GB of data (comprised by one master folder holding ten (10) individual folders each constituting the EXHIBIT of corresponding number and together containing a combined total of 173 image files), and

Omari Tahir-Garrett therefore further moves for the court to accept into the record of CASE # 77417-4-I the attached appendix of four EXHIBITS of medical evidence, illustrating the above referenced medical related matters and constituted by the following:

EXHIBIT 11, which is a dossier of pages from my Harborview Medical Center medical record for the past three years, EXHIBIT 12, which is some pages of my Swedish Hospital medical record from December 23, 2016, EXHIBIT 13, which is two pages of the DSHS Social Service Case Notes about me from April 20, 2004 through November 10, 2005 documenting two of my psychiatric evaluations and their two respective resulting Incapacity

MOTION TO INTRODUCE EVIDENCE IN CASE # 77417-4-I

1	Decisions about me, and EXHIBIT 14 , which is a folder of official Social		
2	Security Administration Papers about me from 2011 through 2014my only		
3	surviving folder of such SSA papers as all other such folders of mine were		
4	stolen from me by Midtown on or after March 15, 2017documenting,		
5	among other things, that my psychiatric condition is apparently so severe		
6	that the Social Security Administration deems it necessary to assign me a		
7	payee rather than disburse any monetary benefits to me directly.		
8			
9	Filed, noted and served this th day of December, 2017		
10	Sincerely		
11			
12	Omari Tahir Garrett, Private Attorney General		
13	PO Box 22328, Seattle, WA 98122; (206) 717-1685		
14			
15	I solemnly swear that this same notice has also been served to:		
16	Stephen J. Sirianni, Attorney for Respondents, 701 5th Avenue, Suite		
17	2560, Seattle, WA 98104,		
18	&		
19	Christopher T. Benis, Attorney for Respondents, 2101 4th Avenue, Suite		
20	1900, Seattle, WA 98121		
21			
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24	MOTION TO INTRODUCE 5		
	EVIDENCE IN CASE # 77417-4-I		

1	Dear Court,
2	As per my established and confirmed state of indigency, please
3	reimburse me these attached receipts for the costs of the duplication of
4	this motion and its attached EXHIBITS, and the acquisition of the
5	multiple USB drives, all necessary to the filing and service of this motion
6	required of me. Costs such as these are prohibitive to the exercise of
7	legal rights by indigent parties unless re-imbursed to such parties.
8	You may send the reimbursement to PO Box 22328, Seattle, WA 98122.
9	Sincerely, Omari Tahir Garrett, indigent Private Attorney General
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24	MOTION TO INTRODUCE 6

MOTION TO INTRODUCE EVIDENCE IN CASE # 77417-4-I RECEIVED COURT OF APPEALS DIVISION ONE

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LAW OFFICE OF SIRIANNI YOUTZ SPOONEMORE HAMBURGER

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HARRISON-BENIS, LLP ATTORNEYS AT LAW

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

6 Midtown Limited Partnership,

Respondent,

VS.

Omari Tahir-Garrett,

Appellant 11

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CASE #: 76605-8-I

(King County Court Case #: 16-2-10995-SEA)

(Related Court of Appeals Case #s 77417-4-I, and 77572-3-I)

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW (Noted for oral argument on January 12, 2018, 09:30 am)

Comes now the the appellant, Omari Tahir-Garrett, to the court and

submits the following motion, pursuant to RAP 9.11, to place the

following additional evidence, which has already been submitted into the

record of this same court in related cases #77417-4-I and 77572-3-I, on

review in this case# 76605-8-I AS WELL, and also herein presents 18

showing of the six (6) elements required by that rule RAP 9-11, in RAP 19

9.11(a)(1), RAP 9.11(a)(2), RAP 9.11(a)(3), RAP 9.11(a)(4), RAP 9.11(a) 20

21. (5) and RAP 9.11(a)(6) respectively:

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4	IN THE COURT OF TI	
5	STATE OF WA	
6	Midtown Limited Partnership,	CASE #: 76605-8-I
7	Respondent,	(King County Court Case #: 16-2-10995-SEA)
8	VS.	,
9	Omari Tahir-Garrett,	(Related Court of Appeals Case #s 77417-4-I, and 77572-3-I)
10	Appellant	MOTION TO PLACE
11		ADDITIONAL EVIDENCE ON REVIEW (Noted for oral argument on January 12, 2018,
12		09:30 am)
13	Comes now the the appellant, Omari Tahir-Garrett, to the court and	
14	submits the following motion, pursuant to RAP 9.11, to place the	
15	following additional evidence, which	has already been submitted into the
16	record of this same court in related cases #77417-4-I and 77572-3-I, on	
17	review in this case# 76605-8-I AS WELL, and also herein presents	
18	showing of the six (6) elements required by that rule RAP 9-11, in RAP	
19	9.11(a)(1), RAP 9.11(a)(2), RAP 9.11(a)(3), RAP 9.11(a)(4), RAP 9.11(a)	
20		(a)(3), KAF 9.11(a)(4), KAF 9.11(a)
21	(5) and RAP 9.11(a)(6) respectively:	
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23	MOTION TO PLACE ADDITI EVIDENCE ON REVIEW	IONAL 2

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16	emergency suffered
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16 17 18	emergency suffered caused Omari Tahir car, and
16 17 18 19	emergency suffered caused Omari Tahir car, and Whereas it i
16 17 18 19 20	emergency suffered caused Omari Tahir car, and Whereas it is counsel for Midtown

Whereas it is a matter of legal record that Judge Suzanne Parisien, in the text of pages 2 and 3 of her February 24th, 2017 "JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUTION", (the text of which bans Omari Tahir from many additional properties besides the one it "finds" him to be "unlawfully detaining") clearly and intentionally expresses an unequivocal disbelief on her part toward the authenticity of the medical emergency suffered by Omari Tahir Garrett on the previous day, which emergency caused Omari Tahir Garrett to be removed from her courtroom in an aid car, and

Whereas it is a matter of legal record that Judge Suzanne
Parisien, in the text of her February 23rd "ORDER ON CIVIL MOTION
FOR CONTEMPT" also clearly and intentionally expresses an
unequivocal disbelief on her part toward the authenticity of the medical
emergency suffered by Omari Tahir Garrett on that day, which emergency
caused Omari Tahir Garrett to be removed from her courtroom in an aid
car, and

Whereas it is a matter of legal record that Mr. Stephen Sirianni, counsel for Midtown Limited Partnership, during the course of the proceeding in this case 16-2-10995-SEA that occurred in the courtroom of Judge Suzanne Parisien on February 23rd, 2017 from 2:46 pm until 4:44

24 MOTION TO PLACE ADDITIONAL

EVIDENCE ON REVIEW

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9	partnership, have a
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14	counsel for Midtov
15	court of law in whi
16	PTSD as "Mr. Gar.
17	insinuating that he
18	PTSD entirely, and
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20	referenced medical
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rt verbally and intentionally express an unequivocal ne authenticity of the medical emergency suffered by ett on that day and also did verbally urge Judge Susanne eve the authenticity of that same medical emergency, caused Omari Tahir Garrett to be removed from that id car, and

t is a matter of legal record that both Judge Suzanne stephen Sirianni, counsel for Midtown limited also at various times clearly and intentionally expressed n their respective parts toward the authenticity of a nergency suffered by me on December 23, 2016, and

t is a matter of legal record that Mr. Stephen Sirianni, vn Limited Partnership, has even filed a document in a ich he characterizes the symptoms and effects of my rett's Resistance", thus clearly and intentionally thinks courts of law should doubt the authenticity of my

t is a matter of *medical* record that, during the above emergency that I suffered on February 23rd, 2017, "In t was hypertensive to systolics 220s", and that this fact is

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even admitted in said medical record by physicians who therein demonstrate a subjective political hostility towards me and bias against me, and

Whereas it is a matter of *medical* record that I also suffered similar hypertensive symptoms and was given a similar diagnosis during the above referenced medical emergency of December 23, 2016, and

Whereas it is a matter of legal record that I was extracted from the building of what plaintiffs call "The Premisis" at 2314 E. Spring Street, Seattle, WA 98122 on March 16 (as opposed to March 15), 2017 by the Seattle Police Department (as opposed to the King County Sheriff's Department), after having spent the previous night boarded up inside that building, and

Whereas it is matter of *medical* record that just a few hours later on that same day (March 16, 2017), I was hospitalized at Swedish Hospital for nausea, vomiting, dehydration and hypertension, and was not discharged therefrom until March 18, 2017, and

Whereas it is a matter of *medical* record that, upon discharging me on said day of March 18, 2017, due to the fact that I was then homeless as a result of having just been evicted by the SPD upon the Judgement And Order of Judge Suzanne Parisien issued on behalf of Midtown Limited Partners at the request of Mr. Stephen Sirianni, I had no private resting place to which to repair upon being discharged, and that, under the context of the above

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

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details, Swedish Hospital and the Seattle Police Department for some reason made the decision NOT to transfer me to either the Veterans

Administration's Housing Program or to the Seattle Housing Authority, as I requested, but instead attempted to transfer me back into the same King

County Jail from which I had only been released eighteen (18) days previously (on February 28, 2017), and

Whereas it is also a matter of *medical* record that, upon attempting to transfer me back into that King County Jail on that day (March 18, 2017), the above parties were unable to do so because the King County Jail Nurse accurately found my medical condition too severe to accept me into incarceration there, noting that my blood pressure was 221/134, that my headache and dizzyness were NOT better and that I was unable to walk, and ordering that I be transferred to Harborview Medical Center instead, where I, and then later some of my medical information from Swedish Hospital, *were* then subsequently transferred and where I was accordingly diagnosed with hypertensive urgency, and

Whereas it is also a matter of *medical* record that, on September 8, 2016, long before any eviction order was issued against me by this Court, I was physically injured by an entity who was wielding a piece of heavy equipment, on behalf and in the pay of Midtown Limited Partnership, in an attempt by Midtown and that hired entity to block the ingress and egress of

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

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my personal automobile to and from the premises of 2314 E. Spring Street where I still at that time held an unterminated tenancy, and

Whereas, regardless of any aspersions of doubt that Midtown's

counsel may continue attempting to cast upon the matter, it also a matter of

both medical AND legal record that I do in fact have a history of PTSD, and

Whereas, pursuant to RAP 9.11(a)(1), proof of these facts, in the form of each of the above referenced matters of medical record also being rendered into matters of legal record, is needed by the Court in order to fairly resolve the issues that are before it on review in this case because, without access to this existing proof, the Court would be unable to empirically determine beyond doubt the accuracy of my word verses Sirianni's and Parisien's, and would have to guess rather than know.

Whereas MidTown and Mr. Sirianni have furthermore alleged that I harrassed, stalked and attempted to intimidate MidTown's principals and contractors thus justifying the issuance of the May 5th contempt order, while I maintain that I have only ever photographed, video recorded or followed any such persons for the legal and necessary purpose of documenting them in the acts of committing crimes against myself and my personal possessions, and

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MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

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Whereas there exists a body of empirical photographic, video and eye witness evidence of such crimes committed against me by Respondents that I was able to compile prior to the issuance of the May 5th order, and

Whereas, also pursuant to RAP 9.11(a)(1), proof of these additional facts, in the form of each of the above referenced body of empirical photographic, video and eye witness evidence, is needed by the Court in order to fairly resolve the issues that are before it on review in this case because, without access to this existing proof, the Court would be unable to empirically determine beyond doubt the accuracy of my word verses Sirianni's and Parisien's, and would have to guess rather than know, and

Whereas, pursuant to RAP 9.11(a)(2), this additional evidence would almost certainly change at least some aspects of the decision being reviewed, *precisely as a result* of enabling this court to know the truth of these matters rather than having to guess at them, and

Whereas, pursuant to RAP 9.11(a)(3), it is, first of all, unnecessary to excuse any alleged "failure to present the evidence to the trial court" on my part, because I HAVE presented all of this evidence to the trial court, and that court has flatly REFUSED to accept or consider ANY of it. Moreover, even their HAD been any such alleged failure on my part to present this evidence to the trial court, it would still be "EQUITABLE" under RAP 9.11(a)(3) to excuse any such failure due to the following material facts:

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1) The vast majority of both this documentary evidence and medical
evidence documents things which occurred long AFTER review of this case
was accepted the Court of Appeals on March 22, 2017. Therefore there is no
way that most of this evidence could have been collected, let alone presented
to the trial court, prior to the appellate court's acceptance of review.
2) Any of the small portions of this evidence which were in my possession
prior to February 21, 2017, were seized from me with my briefcase on that
day when I was kidnapped by Judge Parisein and illegally held captive on
her orders in King County Jail for eight days and seven nights; and to this

day none of the effects then seized from me have been returned. I had to

begin reconstructing my evidence files on this case from scratch after I was

finally released on February 28, 2017. I therefore was denied the opportunity

to introduce any and all of the small portion of this evidence that I had at that

time.

3) Even if I had still been in possession the above referenced small portions of this evidence when alleged "trial" of this case was supposedly held by the trial court (on February 23, 2017), I would have been unable to either introduce or speak to such evidence because I was doubly excluded from that one-sided ex parte proceeding, both by bona fide medical emergency which the trial court disregarded and by renewed contempt order from that same court.

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4) On March 15th through 16th, my efforts to reconstruct these evidence files from scratch was once again interrupted, and all my work destroyed, by agents in the pay of MidTown Limited Partnership who proceeded to ransack my studio, vandalize, destroy and/or steal much of my personal possessions including most of my personal papers and evidence files, board me up inside the dark and ravaged building overnight, trigger my PTSD leading to my hospitalization of March 16th through 18th, and place me into a state of homelessness which formed the pretext for an attempt by Swedish Hospital and the SPD to attempt a re-kidnapping of me on the afternoon of March 18th, which attempted kidnapping only failed because I was accurately found to still be too ill for admittance into their jail, further triggering my PTSD, all of which took me a significant amount of time to even begin recovering from. It therefore was many months before I realistically could once again even begin reconstructing from scratch my twice stolen and destroyed evidence files in this case. 5) Furthermore, in all this time, Midtown Limited Partnership, Stephen Sirianni and Suzanne Parisien have all continued to bar me from returning to my studio that Midtown ransacked in March, refusing even my humble and reasonable request for a supervised return to seek and reclaim any of my belongings which might still remain there or might have still remained there

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MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

between March and May.

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6) Furthermore, from March through May, Midtown's agents continued to
ransack, steal and destroy more of my personal possessions which then
remained there, including material which should have been submitted to the
courts as evidence instead of being ransacked, stolen and destroyed.
7) Furthermore, as is demonstrated by the two verbatim court transcripts

included in this case's record on review, my appellant's brief, my final reply brief and finally, once I was in a position to submit it, by my multiple motions attempting to introduce this compiled evidence into the trial court's record (which were entirely denied), the racial and personal bias that Judge Suzanne Parisien of the trial court holds against me is so extreme that there never is and never was any chance of me being allowed by her to introduce this evidence into her court's record at any time, unless or until some higher court should compel her to allow its admission., and

Whereas, pursuant to RAP 9.11(a)(4), that same above referenced and well documented extreme bias against me on the part of the trial court's Judge Suzanne Parisien also prevents the possibility of any remedy via postjudgement motions in the trial court, as is further proven by the fact that I have made multiple motions there to introduce this very evidence, and they were denied, and

Whereas, pursuant to RAP 9.11(a)(5) a remedy of granting me a "new trial" would both be inadequate, (since the damages done to me by the

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

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improper order's I've appealed have already been done to me and cannot be "undone") and unnecessarily expensive due to the fact that neither side is requesting any "new trial", and

Whereas, pursuant to RAP 9.11(a)(6), it would be inequitable to decide the case solely on the evidence already taken in the trial court because this additional evidence clearly exists, clearly is materially relevant to many of the claims and counterclaims disputed by the briefs of the respective parties, and, if examined rather than buried or ignored, clearly proves many of my allegations, thus converting them from allegations into established facts. To not consider this evidence would be to exclude existing empirical proof of many of my claims from consideration, when there is no reason for the court to ignore such proof,

Omari Tahir-Garrett therefore moves for the Court to admit this sampling of the above referenced body of empirical photographic, video and eye witness evidence I have compiled, as already on file in this Court in related cases #77417-4-I and 77572-3-I, respectively, in the form of the appendix of Exhibits 1 through 10 on USB drive and consisting of 7.94 GB of data (comprised by one master folder holding ten (10) individual folders each constituting the EXHIBIT of corresponding number and together containing a combined total of 173 image files), into the record on review in this case# 76605-8-I AS WELL, and

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

1	Omari Tahir-Garrett therefore further moves for the court to
2	admit into the record of this case# 76605-8-I the appendix of four
3	EXHIBITS of medical evidence also already on file in this Court in related
4	cases #77417-4-I and 77572-3-I, respectively, illustrating the above
5	referenced medical related matters and constituted by the following:
6	EXHIBIT 11 , which is a dossier of pages from my Harborview Medical
7	Center medical record for the past three years, EXHIBIT 12 , which is some
8	pages of my Swedish Hospital medical record from December 23, 2016,
9	EXHIBIT 13 , which is two pages of the DSHS Social Service Case Notes
10	about me from April 20, 2004 through November 10, 2005 documenting two
11	of my psychiatric evaluations and their two respective resulting Incapacity
12 13	Decisions about me, and EXHIBIT 14 , which is a folder of official Social
13	Security Administration Papers about me from 2011 through 2014my only
15	surviving folder of such SSA papers as all other such folders of mine were
16	stolen from me by Midtown on or after March 15, 2017documenting,
17	among other things, that my psychiatric condition is apparently so severe
18	that the Social Security Administration deems it necessary to assign me a
19	payee rather than disburse any monetary benefits to me directly.
20	

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

1	
2	Filed, noted and served this th day of December, 2017
3	Sincerely
4	Omari Tahir Garrett, Private Attorney General
5	PO Box 22328, Seattle, WA 98122; (206) 717-1685
6	
7	I solemnly swear that this same notice has also been served to:
8	Stephen J. Sirianni, Attorney for Respondents, 701 5th Avenue, Suite
9	2560, Seattle, WA 98104,
10	&
11	Christopher T. Benis, Attorney for Respondents, 2101 4th Avenue, Suite
12	1900, Seattle, WA 98121
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24	MOTION TO PLACE ADDITIONAL 14

EVIDENCE ON REVIEW

The Court of Appeals State of Washington Court Administrator/Clerk

RICHARD D. JOHNSON.

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

January 16, 2018

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@svlaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Commissioner Masako Kanazawa of the Court was entered on January 11, 2018, regarding appellant's motion to strike:

of the

This is an unlawful detainer case. Defendant Omari Tahir-Garrett, pro se, appeals from a February 24, 2017 judgment and order declaring unlawful detainer and authorizing a writ of restitution. Tahir-Garrett also appeals from a February 21, 2017 order that held him in contempt for his disrespectful and disorderly behavior both inside and outside the courtroom and a May 5, 2017 order granting respondent Midtown Limited Partnership's motion for contempt and anti-harassment protection. This case has been fully briefed and ready for consideration since September 2017.

On December 19, 2017, Tahir-Garrett filed a motion to place additional evidence on review. He asks this Court to admit into the record certain medical records, photographs, and a video. This Court may allow the taking of additional evidence on the merits before the decision of a case on review "only if all six conditions [under RAP 9.11] are met." State v. Ziegler, 114 Wn.2d 533, 541, 789 P.2d 79 (1990). To satisfy RAP 9.11, Tahir-Garrett must demonstrate (1) that additional evidence is needed to fairly resolve the issues on review, (2) that the additional evidence would probably change the decision being reviewed, (3) that it is equitable to excuse his failure to present the evidence to the trial court, (4) that the remedy available through post-judgment motions in the trial court is inadequate or unnecessarily expensive, (5) that the appellate court remedy of granting a new trial is inadequate or unnecessarily

Among other things, Tahir-Garrett does not explain why he waited until now to seek to introduce the new evidence. He states the "vast majority" of the evidence occurred "long AFTER review of this case was accepted" in March 2017. But if that is the case, he fails to show that the new evidence is needed to fairly resolve the issues on review or that the evidence would probably change the decision being reviewed. It appears that Tahir-Garrett seeks to use the medical records to challenge the February 21 and May 2017 contempt orders. He asserts that he had PTSD (post-traumatic stress disorder). But Midtown points out that the medical records show only that Tahir-Garett had high blood pressure (for which he had refused to take medicine), had reported that he had PTSD and had been advised to seek a psychiatric evaluation (which he had refused). Midtown points out that the medical records dated February 23, 2017 noted that Tahir-Garrett was "perseverative about his court hearing and angry with the judge presiding over his case." The records also noted possible "malingering." Midtown also points out that between the February 24, 2017 judgment and the May 5, 2017 contempt order, Tahir-Garrett was well enough to file multiple motions (motion to vacate judgment and stay enforcement of judgment and motion for sanctions), a third notice of removal of this case to federal district court (which was found "frivolous"), and a new lawsuit against Midtown. The new lawsuit he filed in federal district court in April 2017 against Midtown, its principals, King County Sheriff, and the Seattle Police Department was dismissed as "frivolous" on May 23, 2017.

Further, Tahir-Garrett fails to show that the photos and videos are needed to fairly resolve the issues on review, that they would probably change the decision being reviewed, or that it is equitable to excuse his failure to present the evidence to the trial court. Midtown points out that the photos and videos are unauthenticated and do not identify who took them or when or how they are related to the issues in this case. Midtown argues that the photos, if taken after the February 24 judgment, only show his presence on the property in violation of the judgment. Tahir-Garrett states he "was able to compile [the photos and videos] *prior to* the May 5th order." Motion at 7 (emphasis added). If that is true, he does not explain why he did not present the evidence to the trial court in response to Midtown's motion for contempt. Tahir-Garrett had an opportunity to object to the post-trial motion for contempt but apparently chose to file motions and a lawsuit against Midtown. The equity does not favor allowing him to present new evidence, especially at this stage of this appeal.

The motion to place additional evidence is denied.

Sincerely.

Richard D. Johnson Court Administrator/Clerk

jh

The Court of Appeals
of the
State of Washington

RICHARD D JOHNSON, Court Administrator/Clerk (NY 1500 N)
Our Union Square
(NO Union Square
(NO Union State)
Scattle, W.A.
(State) 464-1750
(DDC-1206) 587-5965

January 30, 2018

Ann E. Merryfield Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 amerryfield@sylaw.com

Omari Tahir-Garrett
PO Box 22328
Seattle, WA 98122

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

CASE #. 77417-4-1

Personal Restraint Petition of Omari Tahir-Garrett

Counsel

Enclosed please find a copy of the Order Dismissing Personal Restraint Petition entered by this court in the above case today.

Pursuant to RAP 16.14(c), "the decision is subject to review by the Supreme Court only by a motion for discretionary review on the terms and in the manner provided in Rule 13.5A."

This court's file in the above matter has been closed

Sincerely,

Richard D. Johnson Court Administrator/Clerk

khn

enclosure

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

In the Matter of the Personal) Restraint of:	No. 77417-4-1
OMARI TAHIR-GARRETT	ORDER OF DISMISSAL
Petitioner.	

Oman Tahir-Garrett filed a personal restraint peritron. He appears to challenge orders entered in an unlawful detainer case. King County Superior Court.

Cause No. 16-2-10995-1 SEA. He claims that these orders are unlawful to the extent that he is barred from entering not only the property from which he was excited but also immediately surrounding areas. In order to obtain relief by means of a personal restraint petition, Tahir-Garrett must demonstrate that he is under restraint and that the restraint is unlawful. RAP 16.4; see also in re Pers. Restraint of Cashaw, 123.

Wn.2d. 138, 148-49, 866 P.2d 8 (1994); In re Pers. Restraint of Cook, 114 Wh.2d. 802, 8.13, 792 P.2d.506 (1990).

A personal restraint petition is 'not a substitute for statutory avenues of review' and, therefore, RAP 16.4 places the burden on the petitioner to show that other remediles available to the petitioner are inadequate. In re Pers. Restraint of Meirhofer, 182 Wn.2d 632, 648, 343 P.3d 731 (2015). In this case, Tahir-Garrett has an avenue of redress in the form of a pending appeal in this court challenging the same trial court orders. See Midtown Limited Piship v. Oman Tahir-Garrett. No. 76605 -8-I consolidated with No. 77005-5-I. Tahir-Garrett makes no attempt to show that the remedy of direct review is inadequate.

CHIEF THE PARTY NAMED IN

Tahir-Garrett's petition presents no arguable basis for collateral relief and must be dismissed.

Now, therefore, it is hereby

ORDERED that the personal restraint petition is dismissed under RAP T6.11(b).

Done this 30th day of January 2018

Shief Judge

In light of this disposition, Tahir-Garrett's "Motion to Introduce Evidence" is hereby denied.

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4 5	IN THE COURT OF TH STATE OF WA	HE	
6 7 8 9 10 11	Midtown Limited Partnership, Respondent, vs. Omari Tahir-Garrett, Appellant	Court of Appeals CASE NO. 77843-9-I (Also known as, per the Clerical decisions of Richard Johnson, #76605-8-I, #77417-4-I, and #77572-3-I) (King County Court Case #: 16-2-10995-SEA) REPLY TO "RESPONDENT MIDTOWN LIMITED PARTNERSHIP'S RESPONSE TO MOTION FOR DISCRETIONARY	
13		REVIEW",	
14	Now comes the appellant, Omari Tahir-Garrett, responding in defense of		
15	basic human dignity, respect for truth and rule of law:		
16	If the firm of Sirianni Youtz Spoonemore Hamburger and the Clerks'		
17	Office of this Court are going to continue to collude in this manner for the		
18	purpose of suppressing this evidence, then they should both at least show		
19	enough regard for the Appearance Of Fairness Doctrine to not make any		
20	more blatantly inaccurate statements about the body of evidence itself in		
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24	MOTION FOR DISCRETIONARY REVIEW",
23	"RESPONDENT MIDTOWN LIMITED PARTNERSHIP'S RESPONSE TO
22	REPLY TO 2
21	
20	subjective aspersions about me inserted into the report by physicians in the
19	So far, Mr. Sirianni has also asked to Court to exclusively consider
18	and also <i>ILLUSTRATE THE SEVERITY</i> OF THIS PTSD.
17	EVALUATION, and THAT I <i>HAVE</i> BEEN DIAGNOSED WITH PTSD
16	SHOW the facts that I <i>HAVE</i> UNDERGONE PSYCHIATRIC
15	simply READ AND CONSIDER the medical exhibits herein that DO
14	the Court's willingness to accept and elevate his false words rather than
13	medical evidence doesn't show that I have PTSD, and he has depended upon
12	So far, Mr. Sirianni has falsely (but effectively) alleged that this
11	evidence into the record.
10	majority of the remaining evidence as well, and to admit the entire body of
8	urging of Mr. Sirianni, it has a fundamental obligation to consider the vast
7	Court has in fact considered a very small fraction of this evidence at the
6	than asking the court to consider only small fractions of it. Now that the
5	evidence being considered, then their counsel should have done so, rather
4	If Midtown wanted to present a bona-fide argument against this body of
3	means of mis-characterizing the body of evidence as a whole.
2	few pages of the medical evidence in order to remove them from context as a
1	question, and not to cherry pick very small extraneous phrases from a very

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nmate wing of a hospital, but to ignore the hard factual objective medical ata recorded in those same reports by those same physicians.

So far, Mr. Sirianni, who is aware of my moral opposition to drugs nd alchohol in the community, has asked the Court of exclusively focus on ne instance in which I declined the use of drugs in favor of quiet time and neditation as a means of seeking to address my hypertension, and effectively) asked the Court to elevate that into a false conclusion that I lways refuse doctor-prescribed medicine, which is not the case.

So far, Mr. Sirianni has (effectively) asked the Court to draw the alse conclusion that the photos and videos do not identify how they are elevant to the case, and to also simultaneously draw the contradictory (but lso false) conclusion that these videos prove a violation of a court order in his case by myself personally (which they do not). Sirianni's argument epends entirely on the Court's willingness to ignore the the fact that these hotos and videos show the Respondents committing numerous crimes icluding but not limited to theft, vandalisim, violation of building code rdinances, and willful violation of RCW 59.18.380, RCW 59.18.240, The Americans with Disabilities Act of 1990 (42 U.S.C. § 12101) and the Civil Rights Act of 1964 (Pub.L. 88–352, 78 Stat. 241).

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"RESPONDENT MIDTOWN LIMITED ARTNERSHIP'S RESPONSE TO MOTION FOR DISCRETIONARY REVIEW", ...

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So far, Mr. Sirianni has (effectively) asked to the Court to accept and elevate to "conclusion" his mere assertion that I allegedly have not explained: (1) that additional evidence is needed to fairly resolve the issues on review, (2) that the additional evidence would probably change the decision being reviewed, (3) that it is equitable to excuse his failure to present the evidence to the trial court, (4) that the remedy available through post-judgment motions in the trial court is inadequate and (5) that the appellate court remedy of granting a new trial is unnecessarily. Sirianni's above assertions are entirely dependent upon the Court's willingness to completely ignore the explanations that I actually submitted to the complete fulfillment of all five of the above criteria. There would be point in me re-iterating explanations here that I have already provided and that have already been ignored rather than addressed. So I simply once again ask that my explanations be considered for the FIRST time.

So far, for his own part, Clerk Richard D. Johnson has uncritically and unequivocally complied with each of the above unorthodox and presumptuous requests of Mr. Sirianni without demonstrating any signs of independent objective investigation. He purports that the compliance with these requests of Sirianni's come from a Commissioner, rather than from himself, but his most extensive communication to Counsel to date (exhibited

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REPLY TO

"RESPONDENT MIDTOWN LIMITED
PARTNERSHIP'S RESPONSE TO

MOTION FOR DISCRETIONARY

REVIEW", ...

as an attachment to Respondent's argument here) does not make it clear where his own words and the purported words of said Commissioner respectively begin and end. Since Johnson's signature is the only one supplied on said communication, it is reasonable to assume that Johnson is the author of that entire document unless and until it is proven otherwise (even if some of its words might have been written in consultation with a Commissioner).

I am not in control of whether you officers of the Court abide by or subvert the rule of law you are sworn to uphold. You are going to do what you choose to do. Neither can I make the path of honest equity more politically convenient for you by magically becoming white like the Respondents are or by magically becoming rich and powerful like the respondents are. All I can do is continue to present the empirical truth for the record, in the hopes that some honest party genuinely seeking the truth will eventually see and read it.

As each of you reading this are either already aware, or could choose to become aware by examining the full body of evidence available to you, the truly equitable and lawful decision at this juncture would be to overturn the previous decisions to suppress this evidence, and to admit the full body of this evidence into the record on review.

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REPLY TO "RESPONDENT MIDTOWN LIMITED PARTNERSHIP'S RESPONSE TO MOTION FOR DISCRETIONARY REVIEW", ...

1	Therefore, the best of luck be upon you, your consciences and your souls.
2	
3	DATED this 8th day of February, 2018,
4	
5	Sincerely,
6	
7	Omari Tahir-Garrett, Private Attorney General, PO Box 22328,
8	Seattle, WA 98122, (206) 717-1685
9	
10	I solemnly swear that this same notice is being served to:
11	Stephen J. Sirianni, Attorney for Respondents, 701 5 th Avenue, Suite
12	2560, Seattle, WA 98104,
13	and
14	Christopher T. Benis, Attorney for Respondents, 2101 4 th Avenue,
15	
16	Suite 1900, Seattle, WA 98121
17	Sincerely
18	Omari Tahir Garrett, Private Attorney General
19	
20	
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2223	REPLY TO "RESPONDENT MIDTOWN LIMITED
23	PARTNERSHIP'S RESPONSE TO MOTION FOR DISCRETIONARY
25	REVIEW",

RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

February 9, 2018

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants King County No. 16-2-10995-1SEA

Counsel:

The Court's records indicate the supplemental clerk's papers (Sub no. 85) are not of record in this court. Please contact the trial court immediately, to ensure the timely transmittal of the record on appeal.

Please advise the court in writing regarding the status of the supplemental clerk's papers within 10 days of the date of this letter i.e. February 20, 2018.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

c: King County Clerk's Papers

SIRIANNI YOUTZ SPOONEMORE HAMBURGER

February 12, 2018

By First-Class Mail

Richard D. Johnson Court Administrator/Clerk Court of Appeals of the State of Washington, Division I 600 University Street Seattle, WA 98101

RE: Case No. 76605-8-I

MidTown Limited Partnership, Respondent, vs. Omari Tahir-Garrett, Appellant, King County No. 16-2-10995-1 SEA

Dear Mr. Johnson:

We represent MidTown Limited Partnership, the Respondent in this matter. We are responding to your February 9, 2018 letter (attached).

On February 12, 2018, my secretary called the King County Clerk's Papers section (206-477-6760) regarding the referenced supplemental clerk's papers that are not of record. The clerk advised that Appellant's Supplemental Designation of Clerk's Papers (Sub No. 85, CP 539-545) indexed on October 3, 2017, has not yet been transmitted for the record on appeal due to non-payment by Appellant.

If you have questions, please contact me. Thank you.

Very truly yours,

SIRIANNI YOUTZ SPOONEMORE HAMBURGER

Ann E. Merryfield

AEM:sh Enclosure

cc (w/enc.): JacQualine Harvey, Court of Appeals Clerk (by email only)

Omari Tahir-Garrett (by email & first-class mail)

Christopher Benis (by email only)

Client

CLKS PPRS PGS 1-160

RECEIVED COURT OF APPEALS DIVISION ONE

FEB 16 2018

Omari Tahir Garrett
Private Attorney General
PO Box 22328
Seattle, WA 98122
(206) 717-168

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square 600 University Street, Seattle, WA 98101

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121

CC: Stephen J. Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104 FEB 2 3 2818

RECEIVED

FEB 23 2018

HARRISON-BENIS, LLP ATTORNEYS AT LAW

Compliance With And Reply To
The Court of Appeals of the State of Washington:

RE: CASE # 76605-8-1, (Also known as, per the Clerical decisions of Richard Johnson, #77843-9-1 #77417-4-I and #77572-3-I) (Midtown Limited Partnership, Respondent v. Omari Tahir Garrett, Petitioner) (From King County Superior Court Case # 16-2-10995-1 SEA)

Dear DIVISION 1 Court Of Appeals, This is in response to your letter to Counsel of February 9, 2018 (here attached), regarding supplemental clerk's papers Sub no. 85 (CP 539-545), duly designated by me on September 22, 2017.

First and foremost, in compliance with your Court's specific instructions, I hereby advise you in writing that on February 15, 2018, at approximately 3:45 PM, immediately after receiving your attached letter, I immediately and personally called King County Clerk's Papers section at 206-477-6760 because, unlike Mr. Sirianni Esquire, I cannot afford to employ a secretary.

I further advise you in writing that, upon calling this number, I conversed with trial court Clerk Willie Matthews about this matter, and requested that trial court Clerk Willie Matthews likewise converse with a supervisor about this matter.

I further advise you in writing that Trial court Clerk Willie Matthews then did converse with said supervisor, one David Smith, about this matter, who proceeded to confirm to trial court Clerk Willie Matthews everything that I had already said during the course of that conversation.

Of course, I also further advise you in writing (as per your specific instructions) of these most pertinent facts that both you and the trial court are already aware of: namely that I am indigent, that my indigency was already accurately found in full by the trial court at the outset of this appeal and that my indigency has already been re-affirmed several times by Commissioners of this Court, in response to motions by Clerk Richard D. Johnson which appeared to disregard my indigency.

I also further advise you in writing that I was then assured (by trial court Clerks Willie Matthews and David Smith) that the trial court's Clerks *do* intend to abide by the procedural laws of Washington by recognizing my properly recorded indigent condition (rather than breaking those procedural laws by failing or refusing to do so). Accordingly, I was assured by their statements that the supplemental clerk's papers Sub no. 85 (CP 539-545) identified by your letter would be transmitted to your Court by their court as of that same day, February 15, 2018.

Naturally, any attempt by any party to induce or compel those Clerks NOT to duly transmit those same papers as described above, would also be a crime in violation of those same laws. Of course, as you know, I, unlike you, have no authority to direct any police officers to physically compel the trial court to obey these or any other laws. If I had any such authority, I would not have had to appeal to your Court for relief against their court's violations of my human rights in the first place. I therefore can only hope that either they will choose to obey these laws, as they have assured me they will, or else that your Court will compel them to do so.

At any rate, that is the status of the supplemental clerk's papers identified in your letter, which I have hereby advised you of in writing as per your specific instructions.

Secondly, Dear Court, it is necessary that I also hereby denote to you my great astonishment at your same aforementioned and attached letter of February 9, 2018, and the great cause for alarm that this letter raises.

Counsel for both sides are already in receipt of a major purported ruling by your Court in this matter, signed by Richard D. Johnson on January 16, 2018, which ruling is based largely on the assertion, contained within its own text, that "This case has been fully briefed and ready for consideration since September 2017."

Yet here, on February 9th, 2018, your same Court announces that this is clearly not so.

The specific item which you have just reported missing from the record on review is, in fact, one of the four most essential documents to this entire case, as it is one of the very orders that this Appellant has appealed ("ORDER GRANTING MIDTOWN LIMITED PARTNERSHIP'S MOTION FOR CONTEMPT", 05-05-2017). For the Court to consider this case in the absence of this document would mean that the Court would be failing to even examine the very order under appeal!

This new revelation/admission by both the appellate and trial Courts—that this document was *still* not present in the record on review as of mid-day on February 15, 2018—renders *absurd* any decision of EITHER Court containing and/or based on, in either whole or part, the hypothesis that this case "has been fully briefed and ready for consideration".

The above facts are therefore hereby duly denoted for your consideration and reflection.

I also do hereby solemnly swear to serving a copy of this same document to: Christopher T. Benis of Harrison Benis & Spence LLP, 2101 4th Ave Ste 1900, Seattle, WA 98121, and Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger, 701 5th Ave Ste 2560, Seattle, WA 98104

Sincerely,

Dated this 16th Day of FEB , 2018,

Omari Tahir Garrett, Private Attorney General Man Jahir - Sawett

RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

March 19, 2018

Ann E. Merryfield

701 5th Ave Ste 2560 Seattle, WA 98104-7054 amerryfield@sylaw.com

Stephen John Sirianni

Sirianni Youtz Spoonemore Hamburger Sirianni Youtz Spoonemore Hamburger

701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Richard D. Johnson, Court Administrator/Clerk of the Court was entered on March 19, 2018, regarding appellant's motion for reconsideration of request for appointment of appellate counsel:

This case is fully briefed and set for consideration before a panel of judges without oral argument on April 16, 2018. At the direction of the panel, the untimely motion to reconsider/modify the October 24, 2017 ruling by the Court Administrator/Clerk is denied.

Sincerely,

Richard D. Johnson

Court Administrator/Clerk

jh

Omari Tahir Garrett Private Attorney General PO Box 22328 Seattle, WA 98122 (206) 717-1685

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square 600 University Street, Seattle, WA 98101

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121

CC: Stephen J. Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104

Reply to The Court of Appeals of the State of Washington: **RE:** CASE # 77527-3-I,

(From King County Superior Court Case # 16-2-10995-1 SEA)

Dear DIVISION 1 Court Of Appeals,

This is in reply to your attached letter of March 12, 2018, issued and signed on behalf of your Court by Mr. Richard D. Johnson. This letter appears to refer to an alleged ruling in this case which it purports to have taken place on Tuesday, January 2, 2018. However, I am not in receipt of any ruling of that date whatsoever from your Court. Furthermore, I am not in receipt of any ruling from your court whatsoever adjudicating the matters at stake in this Case # 775257-3-I. Therefore, no such alleged ruling can be final since I have never been shown it, and since this is the first time I have been made aware of its purported existence. Please send me what you are talking about so that I may know what on Earth it is.

I also do hereby solemnly swear to serving a copy of this same reply to: Christopher T. Benis of Harrison Benis & Spence LLP, 2101 4th Ave Ste 1900, Seattle, WA 98121, and Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger, 701 5th Ave Ste 2560, Seattle, WA 98104

Sincerely,

Dated this 22 Day of MARCH, 2018,

Omari Tahir Garrett, Private Attorney General John Tahir - Sameth

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON **DIVISION I**

MIDTOWN LIMITED PARTNERSHIP,)	No. 77572-3-I
)	CERTIFICATE OF FINALITY
Respondent,	·)	King County
V.)	Superior Court No. 16-2-10995-1 SEA
OMARI TAHIR-GARRETT,)	
Petitioner.	_).	

THE STATE OF WASHINGTON TO: The Superior Court of the State of Washington in and for King County.

This is to certify that the ruling of the Court of Appeals of the State of Washington, Division I, filed on January 2, 2018, became final on March 9, 2018.

Stephen John Sirianni C: Christopher Thomas Benis Omari Tahir-Garrett



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Seattle, this 9th day of March, 2018

KICHARD'D, JOHNSON

Court Administrator/Clerk of the Court of Appeals, State of Washington Division I

Instructions

These instructions are from your provider, Margaret Bloor, PA-C

Diagnosis:

You have been diagnosed with a TJA. A stroke occurs when a blood vessel carrying oxygen and other nutrients to the brain is blocked or bursts. When a blood fails to get through to the brain, the orain cells die, causing a stroke. Strokes taused by blocked vessels are called ischemic strokes, while strokes caused by a burst artery are hemorrhagic strokes. A supply is blocked briefly and then reopens, It is a warning that a full stroke my soon occur.

Your risk factors for stroke or TIA are: high cholesterol, lack of regular exercise and an unhealthy diet

If you experience new stroke symptoms, THINK F-A-S-T! Below some common symptoms of a stroke are listed:

- F Facial weakness or numbness on one side NEW
- A Air or lay weakness or numbness on one side NEW
- S Slurred speech or difficulty with word finding NEW
- T Time is BRAIN! Call 911 as soon as you recognize these symptoms

Follow up appointments:

Primary Care:

Please following with your primary care doctor within 1-2 weeks of discharge. Please call for an appointment.

Neurology:

The Swedish Cherry Hill Stroke Clinic in the next 4 weeks with Dr. Sheila Smith or Dr. Tom Kushner. To schedule an appointment please call 206-320-3278.

Questions or concerns:

If you have not seen your clinic neurologist yet and you have questions or concerns, please do not hesitate to call our Swedish Stroke Clinic at Cherry Hill, (206)320-3278 (FAST)! Please ask to speak to our stroke nurse or our patient care coordinator.

You may also reach out to your primary care doctor

Incomplete test results:

The following test results were incomplete at the time of your discharge:

Hemoglobin A1C - this is a test for diabetes

It is imperative that you follow up on these tests results with your primary care doctor and/or your neurologist. Please discuss these tests at your follow up appointment.

Your discharge medications:

James C. Garrett (MRN: 1000897431) • Printed by [2006] \$27; at 10/14/17 12:07 PM

Page 5 of 7

The Court of Appeals
of the
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

January 4, 2018

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-I Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

The following notation ruling by Commissioner Mary Neel of the Court was entered on January 2, 2018:

Defendant/Petitioner Omar Tahir-Garrett seeks discretionary review of an October 3, 2017 trial court order denying Mr. Tahir-Garrett's motion for appointed counsel and preparation of the record at public expense. Although Mr. Tahir-Garrett has demonstrated an error in part, review is denied.

Some brief procedural history is necessary to provide context. In May 2016 plaintiff/respondent Midtown Limited Partnership filed a complaint for unlawful detainer against Mr. Tahir-Garrett, and then in November 2016 filed an amended complaint. The case was continued several times. In early February 2017, the trial court found Mr. Tahir-Garrett in contempt and removed him from the courtroom. On February 23, 2017, the court entered a judgment, order of unlawful detainer, and authorizing issuance of a writ of restitution. On March 22, 2017, Mr. Tahir-Garrett filed a notice of appeal of the unlawful detainer judgment/order. The appeal is assigned No. 76605-8-1. He also filed a motion for findings of indigency. On March 23, 2017, the trial court entered findings of indigency; the order properly concluded with language that the superior court clerk was to transmit the findings of indigency and supporting documentation to the Supreme Court for its determination of whether public funds would be

expended for the appeal. See RAP 15.2(c)(2). It appears, however, that the superior court clerk did not transmit the findings, as there is no indication on acords of a case in the Supreme Court.

On April 17, 2017, Mr. Tahir-Garrett filed a motion to vacate the judgment and stay enforcement of the writ of restitution. At the same time Midtown sought an order finding Mr. Tahir-Garrett in contempt and a protection order. On May 5, 2017, the trial court granted Midtown's motion, found Mr. Tahir-Garrett in contempt, entered a protection order, and permitted Mr. Tahir-Garrett be jailed if necessary. It appears that he was jailed for a period of time. On June 2, 2017, Mr. Tahir-Garrett filed a notice of appeal. The appeal is assigned No. 77005-5-I. On June 28, 2017, this appeal was consolidated under No. 76605-8-I. On September 22, 2017, Mr. Tahir-Garrett filed a motion for findings of indigency. On October 5, 2017, the trial court denied the motion. The order provides that Mr. Tahir-Garrett is indigent, but he is not entitled to review partially or wholly at public expense. The court ruled that the appeal is not governed by RAP 15.2(b), but instead is governed by RAP 15.2(c) and that the issues Mr. Tahir-Garrett raises lack probable merit. On November 1, 2017, Mr. Tahir-Garrett filed a notice of discretionary review. The case is assigned No. 77572-3-I.

On November 20, 2017, Mr. Tahir-Garrett filed his motion for discretionary review in No. 77572-3-I, arguing that the trial court misapplied RAP 15.2. He argues that the trial court erred in ruling that RAP 15.2(b) is inapplicable because an appeal of an order of civil contempt is governed by RAP 15.2(b)(1)(d)(civil contempt cases directing incarceration of the contemnor). He also argues that even if the applicable rule is RAP 15.2(c)(other cases), the trial court erred in denying the expenditure of public funds based on the court's determination that the appeal lacks probable merit. Mr. Tahir-Garrett argues that that decision is for the Supreme Court.

Mr. Tahir-Garrett is correct. Although his appeal of the unlawful detainer judgment is governed by RAP 15.2(c), to the extent he appeals the order of contempt, RAP 15.2(b) is the applicable rule. And even if the applicable rule is RAP 15.2(c), the rule requires the trial court to transmit the findings of indigency and supporting documentation to the Supreme Court, which determines whether public funds will be expended. Although Mr. Tahir-Garrett has demonstrated error on this point, discretionary review is not warranted.

First, it is extremely rare, if ever, for the Supreme Court to order the expenditure of public funds in cases of this type. Second, the parties have filed their briefs in the consolidated underlying case. On October 24, 2017, the clerk of this court entered a ruling: "This civil case has been fully briefed and ready for

consideration. The appellant has filed a copy of findings of indigency filed in the trial court but no order from the Supreme Court for the expenditure of public funds. Therefore, the findings of indigency will be placed in the file without action." At this point, delaying the underlying appeal is not warranted.

Therefore, it is

ORDERED that discretionary review is denied.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

LAW

c: Hon. Suzanne R. Parisien

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RECEIVED COURT OF APPEALS DIVISION ONE

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APR 5 2018

HARRISON-BENIS, LLP ATTORNEYS AT LAW

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3	SPOC. THE STATE OF SPOC. THE STATE OF SPOC.	
4	IN THE COURT OF APPEALS	
5	of the	
6	STATE OF WASHINGTON	
7	Midtown Limited Partnership,	Court of Appeals
8	Respondent,	CASE #: 76605-8-I
9	VS.	(King County Court Case #: 16-2-10995-SEA)
10	Omari Tahir-Garrett,	MOTION TO COMPET PROPERTIES
11	Appellant	MOTION TO COMPEL PRODUCTION OF THE DESIGNATED RECORD
12		
13	COMES NOW THE APPELLANT,	OMARI TAHIR-GARRETT,
14	PURSUANT TO WASHINGTON RAP TITLE 9 AND TITLE 15, AND	
15	SUBMITS THE FOLLOWING MOTION TO COMPEL PRODUCTION	
16	OF THE DESIGNATED RECORD:	
17	Whereas, on February 9, 2018, Division 1 Court of Appeals Clerk	
18	Richard D. Johnson formally informed both sides of this case, in a	
19	stunning announcement, that the record on review is incomplete, (See	
20	attached EXHIBIT A), and	
21	<i>**</i>	
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Whereas the case can only be both fully briefed and ready for consideration if the designated record on review is complete, and

Whereas Clerk Richard D. Johnson had previously and repeatedly asserted, for many continuous months, that this case "has been fully briefed and ready for consideration since September 2017", and

Whereas, during that time, multiple Clerks and Commissioners rulings have been based either partially or entirely on that particular assertion of completeness and readiness by Mr. Johnson, and

Whereas I, appellant Omari Tahir Garrett, immediately complied with the instructions contained in Mr. Johnson's February 9th announcement by contacting the trial court on February 15th to ensure the timely transmittal of the record on review, receiving assurances from the trial court that this record on review would be immediately transmitted to the Court of Appeals, and then immediately advising the Court of Appeals of this, in writing, on the very next day (See Attached EXHIBIT B), and

Whereas, in spite of these assurances to me by the trial court that it would comply with the law by transmitting this record, the trial court and its clerks office still appear to be either failing or refusing to implement this legally mandatory transmittal of record, and

MOTION TO COMPEL PRODUCTION OF THE DESIGNATED RECORD

Whereas it is an undisputed matter of record that I am an indigent party in this case, and have been repeatedly found indigent by both the trial and appellate court, and

Whereas the specific seven pages missing from the record are CP 539-545 (Sub no. 85), indexed by the trial court on October 3, 2017 (See Attached EXHIBIT C), and

Whereas this missing Sub no. 85 ("ORDER GRANTING MIDTOWN LIMITED PARTNERSHIP'S MOTION FOR CONTEMPT"), was duly designated by me on September 22, 2017 (See Attached EXHIBIT D), and

Whereas this missing order, which continues to indefinitely ban me—in violation of the 1st Amendment—from approximately five city blocks in which Respondent's no longer even hold any interest, is in fact one of the very four orders appealed in this case, and is therefore absolutely necessary for the Court of Appeals' panel to review in order to make any informed decision, and

Whereas it was recently revealed to me on March 22, 2017 that this Court of Appeals has in fact recorded a stunning determination that the trial court has been failing to comply with its obligations under RAP Title 15 to transmit the record on review in this case, and that this determination even finds that the trial court has gone so far as to fail to

MOTION TO COMPEL PRODUCTION OF THE DESIGNATED RECORD

inform the WA Supreme Court that this case even exists as required by RAP Title 15, (see my separate accompanying motion), and

Whereas it was also revealed to me on March 22 that the Clerk of this Court of Appeals and also (according to the signed statement of that Clerk) a Commissioner of the same, have placed themselves on record, in the name of this Court of Appeals, as declining to correct these failures by the clerks of the trial court (see my separate accompanying motion), and

Whereas I therefore no longer have the option to believe that the clerical office management of either court are dealing with me in good faith and/or in genuine pursuit of their duties of impartiality under the law,

Therefore I, appellant Omari Tahir Garrett, do hereby move that this Court of Appeals compel the trial court to produce the missing Clerks Papers Pages 539-545 in this case# 76605-8-I (King County Court Case #: 16-2-10995-SEA), also known as Sub no. 85 in the trial court, and

Therefore I, appellant Omari Tahir Garrett, do hereby beseech the three justices themselves to compel the trial court to produce this record even if the Clerks and/or Commissioners should fail to do so.

MOTION TO COMPEL PRODUCTION OF THE DESIGNATED RECORD

1	I also do hereby swear to serving a copy of this same document to:
2	Christopher T. Benis of Harrison Benis & Spence, LLP,
3	2101 4th Ave Ste 1900, Seattle, WA 98121, and
4	Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger,
5	701 5th Ave Ste 2560, Seattle, WA 98104
6	Sincerely, Dated this 5 Day of ARRIL, 2018, Omari Tahir Garrett,
7 8	Private Attorney General Brane Taker - Danett
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MOTION TO COMPEL PRODUCTION OF THE DESIGNATED RECORD

RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

18 FEB 13 AH 10: 38

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

KING COUNTY (206) 464-7750 SUPERIOR COURT CLERK TDD: (206) 587-5505 SEATTLE; WA

February 9, 2018

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants King County No. 16-2-10995-1SEA

Counsel:

The Court's records indicate the supplemental clerk's papers (Sub no. 85) are not of record in this court. Please contact the trial court immediately, to ensure the timely transmittal of the record on appeal.

Please advise the court in writing regarding the status of the supplemental clerk's papers within 10 days of the date of this letter i.e. February 20, 2018.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

c: King County Clerk's Papers

RECEIVED COURT OF APPEALS DIVISION ONE

FEB 16 2018

Omari Tahir Garrett
Private Attorney General
PO Box 22328
Seattle, WA 98122
(206) 717-168

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square 600 University Street, Seattle, WA 98101

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121

CC: Stephen J. Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104 FEB 2 3 2818

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FEB 23 2018

HARRISON-BENIS, LLP ATTORNEYS AT LAW

Compliance With And Reply To
The Court of Appeals of the State of Washington:

RE: CASE # 76605-8-1, (Also known as, per the Clerical decisions of Richard Johnson, #77843-9-1 #77417-4-I and #77572-3-I) (Midtown Limited Partnership, Respondent v. Omari Tahir Garrett, Petitioner) (From King County Superior Court Case # 16-2-10995-1 SEA)

Dear DIVISION 1 Court Of Appeals, This is in response to your letter to Counsel of February 9, 2018 (here attached), regarding supplemental clerk's papers Sub no. 85 (CP 539-545), duly designated by me on September 22, 2017.

First and foremost, in compliance with your Court's specific instructions, I hereby advise you in writing that on February 15, 2018, at approximately 3:45 PM, immediately after receiving your attached letter, I immediately and personally called King County Clerk's Papers section at 206-477-6760 because, unlike Mr. Sirianni Esquire, I cannot afford to employ a secretary.

I further advise you in writing that, upon calling this number, I conversed with trial court Clerk Willie Matthews about this matter, and requested that trial court Clerk Willie Matthews likewise converse with a supervisor about this matter.

I further advise you in writing that Trial court Clerk Willie Matthews then did converse with said supervisor, one David Smith, about this matter, who proceeded to confirm to trial court Clerk Willie Matthews everything that I had already said during the course of that conversation.

Of course, I also further advise you in writing (as per your specific instructions) of these most pertinent facts that both you and the trial court are already aware of: namely that I am indigent, that my indigency was already accurately found in full by the trial court at the outset of this appeal and that my indigency has already been re-affirmed several times by Commissioners of this Court, in response to motions by Clerk Richard D. Johnson which appeared to disregard my indigency.

I also further advise you in writing that I was then assured (by trial court Clerks Willie Matthews and David Smith) that the trial court's Clerks *do* intend to abide by the procedural laws of Washington by recognizing my properly recorded indigent condition (rather than breaking those procedural laws by failing or refusing to do so). Accordingly, I was assured by their statements that the supplemental clerk's papers Sub no. 85 (CP 539-545) identified by your letter would be transmitted to your Court by their court as of that same day, February 15, 2018.

Naturally, any attempt by any party to induce or compel those Clerks NOT to duly transmit those same papers as described above, would also be a crime in violation of those same laws. Of course, as you know, I, unlike you, have no authority to direct any police officers to physically compel the trial court to obey these or any other laws. If I had any such authority, I would not have had to appeal to your Court for relief against their court's violations of my human rights in the first place. I therefore can only hope that either they will choose to obey these laws, as they have assured me they will, or else that your Court will compel them to do so.

At any rate, that is the status of the supplemental clerk's papers identified in your letter, which I have hereby advised you of in writing as per your specific instructions.

Secondly, Dear Court, it is necessary that I also hereby denote to you my great astonishment at your same aforementioned and attached letter of February 9, 2018, and the great cause for alarm that this letter raises.

Counsel for both sides are already in receipt of a major purported ruling by your Court in this matter, signed by Richard D. Johnson on January 16, 2018, which ruling is based largely on the assertion, contained within its own text, that "This case has been fully briefed and ready for consideration since September 2017."

Yet here, on February 9th, 2018, your same Court announces that this is clearly not so.

The specific item which you have just reported missing from the record on review is, in fact, one of the four most essential documents to this entire case, as it is one of the very orders that this Appellant has appealed ("ORDER GRANTING MIDTOWN LIMITED PARTNERSHIP'S MOTION FOR CONTEMPT", 05-05-2017). For the Court to consider this case in the absence of this document would mean that the Court would be failing to even examine the very order under appeal!

This new revelation/admission by both the appellate and trial Courts—that this document was *still* not present in the record on review as of mid-day on February 15, 2018—renders *absurd* any decision of EITHER Court containing and/or based on, in either whole or part, the hypothesis that this case "has been fully briefed and ready for consideration".

The above facts are therefore hereby duly denoted for your consideration and reflection.

I also do hereby solemnly swear to serving a copy of this same document to: Christopher T. Benis of Harrison Benis & Spence LLP, 2101 4th Ave Ste 1900, Seattle, WA 98121, and Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger, 701 5th Ave Ste 2560, Seattle, WA 98104

Sincerely,

Dated this 16th Day of FEB, 2018,

Omari Tahir Garrett, Private Attorney General Man Jahir - Sawett

FILED 17 OCT 03 PM 4:20

KING COUNTY SUPERIOR COURT CLERK E-FILED CASE NUMBER: 16-2-10995-1 SEA

IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF KING INDEX TO CLERK'S PAPERS

Title:

MIDTOWN LTD PARTNERSHIP VS TAHIR-GARRETT

Case No.:

16-2-10995-1 SEA

Index Date: 10-03-2017

Appeal No.: 76605-8-1

Desg. Party: OMARI TAHIR-GARRETT

Pages:

539 - 545

Sub No.	Document Description	Page#
85	ORDER GRANTING MOTION FOR CONTEMPT	539 - 545

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RECEIVED COURT OF APPEALS DIVISION ONE

SEP 22 2017

107 6 A 12 HARRISON-BENIS, LLP

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

ATTORNEYS AT LAW DIDTOWN LIMITED PARTNERSHIP.

Case No. 16-2-10995-1 SEA

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Court of Appeals Case No. 76605-8-1

N.F 22 2017

CALARI TAHIR GARRETT.

Supplemental Designation of Clerk's Papers

TO THE CLERK OF THE COURT

Please prepare and transmit to the Court of Appeals, Division I, the following clerk's

ORDER GRANTING MIDTOWN LIMITED PARTNERSHIP'S OTION FOR CONTEMPT

05-05-2017

09/22/2017

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HARRISON-BENIS, LLP ATTORNEYS AT LAW

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3		SPOQ. LIJURE NAVIE UNDER	
4	DITTIE COIDT	OF ADDEALS	
	IN THE COURT OF APPEALS OF THE		
5	STATE OF WA		
6	Midtown Limited Partnership,	Court of Appeals CASE #: 76605-8-I	
7	Respondent,		
	110	(King County Court Case #: 16-2-10995-SEA)	
8	VS.	MOTION TO MODIFY RULING	
9	Omari Tahir-Garrett,	OF CLERK AND/OR COMMISSIONER	
10	Appellant	Noted for oral argument on April 16, 2018,	
11		or at such other time as the three justices shall be available.	
12	COMES NOW THE APPELLANT OMARITAHIR-GARRETT		
13	TO THE COURT AND SUBMITS THE FOLLOWING MOTION,		
14	PURSUANT TO RAP 17.2(a)(2). IT SHOULD BE DULY NOTED BY		
15	ALL PARTIES THAT, AS PER RAP 17.2(a)(2), THIS MOTION IS TO		
16	BE DETERMINED BY THE JUDGES, RATHER THAN BY A CLERK		
17	OR COMMISSIONER.		
18	Appellant Omari Tahir Garrett hereby moves for modification of		
19			
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21	purports to certify finality of the mat	tters at stake in the directly related	
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case no. 77572-3-I, as well as the document to which this March 9th ruling purports to pertain, which document was first revealed to me on March 22, 2018, even though it appears to have been written and dated between January 2nd and 4th of that year, and which document also bears the sole signature of Clerk Richard D. Johnson even though its first paragraph alleges eight of its following paragraphs to have been composed by one Commissioner Mary Neel (an allegation which I shall assume to be true unless or until said Commissioner Neel says otherwise).

On March 9, 2018, I filed a motion for reconsideration of the

matter of my request for representative counsel as an indigent party who

was the victim of wrongful incarceration from February 21st through 28th,

Richard D. Johnson had first formally denied me in this Court's name on

The first reply that I received to my March 9th motion for

reconsideration was an envelope from this Court of Appeals, postmarked

March 12, 2018, containing one single sheet of paper constituting the

attached March 9, 2018 ruling by Clerk Richard D. Johnson entitled

"CERTIFICATE OF FINALITY". To my amazement, this ruling

2017, on biased and false contempt charges (a request which Clerk

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Background:

November 1, 2017).

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MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER _

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

appeared to refer to a mysterious prior ruling that I had neither received nor previously been informed of, and further appeared to allege that the mystery ruling had taken place on January 2, 2018 and pertained to the related case number 77572-3-I, (which is the case number Clerk Richard D. Johnson chose to assign to my earlier appeal of the October 5th order the trial court had presumed to issue denying me that same request for representation, even though the matter was not before that trial court to decide).

I promptly drafted a reply letter to this Court, which I filed and served in person on March 22, 2018, explaining that I was neither in receipt of any ruling whatsoever bearing a date of January 2, 2018, nor of any ruling whatsoever determining the matters at stake in case number 77572-3-I, and asking the Court to send me a copy of any such ruling so that I might discover what on earth Mr. Johnson was talking about. (see attached EXHIBIT A).

After filing this reply letter, and on that same day of March 22, 2018, I was, to my great but only partial relief, furnished for the first time ever with a copy of the alleged January 2nd ruling to which the March 9th ruling purports to pertain, which is therefore also attached here. The clerical staff-person of the Division One Court of Appeals Office, at One Union Square, who leaked this copy to me shall remain unnamed by me in

this motion so as not to expose this employee to increased risk of retaliation by management, since I must presume that this staff-person's boss is Mr. Richard D. Johnson.

It is quite unlikely that I ever would have become aware of the existence of this document, let alone come into possession of a copy of it, if I had not happened to file my March 9th motion for reconsideration, and if I had not also happened to investigate the cryptic clue contained in Richard D. Johnson's immediate March 9th first response thereto.

Upon reading this newly discovered document for the first time, it quickly became clear to me what the motivations for concealing it from me have most likely been.

Firstly, the document constitutes a formal admission by this Court of Appeals that the trial court violated my procedural rights as both an incarcerated "contemnor" and indigent appellant by concealing the existence of my indigent appellant status from the Supreme Court of Washington in order to ensure that I would not receive public representation at ANY judicial level. The document accurately states:

"On November 20, 2017, Mr. Tahir-Garrett filed his motion for discretionary review in No. 77572-3-I, arguing that the trial court

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER misapplied RAP 15.2. He argues that the trial court erred in ruling that RAP 15.2(b) is inapplicable because an appeal of an order of civil contempt is governed by RAP 15.2(b)(1)(d)(civil contempt cases directing incarceration of the contemnor). He also argues that even if the applicable rule is RAP 15.2(c)(other cases), the trial court erred in denying the expenditure of public funds based on the court's determination that the appeal lacks probable merit. Mr. Tahir-Garrett argues that that decision is for the Supreme Court.

Mr. Tahir-Garrett is correct Although his appeal of the unlawful detainer judgement is governed by RAP 15.2(c), to the extent he appeals the order of contempt, RAP 15.2(b) is the applicable rule. And even if the applicable rule is RAP 15.2(c), the rule requires the trial court to transmit the findings of indigency and supporting documentation to the Supreme Court, which determines whether public funds will be expended."

The document furthermore denotes what was actually done to me instead:

"It appears, however, that the superior court clerk did not transmit the findings, as there is no indication on acords (sic) of a case in the Supreme Court"

But then, in spite of making the above findings, the document proceeds to record a decision by this Court of Appeals Clerk, and also purportedly by a Commissioner, to knowingly accompany the trial court in *continuing* to

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

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violate these provisions of Title 15 of the Washington Rules of Appellate Procedure ("Provisions Relating to Rights of Indigent Party") by continuing to withhold counsel from me and continuing to conceal the existence of my indigent appellant status from the Washington Supreme Court. The document's exact words are:

"Although Mr. Tahir-Garrett has demonstrated error on this point, discretionary review is not warranted."

The document's rhetorical justification of that bizarre decision is based primarily upon an assertion by Clerk Richard D. Johnson, which the text quotes verbatim:

"This civil case has been fully briefed and ready for consideration".

That assertion proved to be false, however, when the same Mr. Johnson revealed in writing, on February 9, 2018, that this case is still not ready for consideration because the trial court has still failed to fully transmit the record on review to this Court of Appeals (hence the necessity of my separate accompanying motion to compel production of the record on review).

Secondly, the text of this concealed "ruling" itself contains an empirically inaccurate narrative about the record on review, which if not modified, shall serve to confuse whomever *does* receive and read it as to the actual dates and circumstances of my 8-day-long incarceration for

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

"contempt". The third paragraph of the ruling's text (printed on its second page) attempts to convince the reader that I was jailed either in or after the month of May, for violating the May 5th Contempt Order, which is among the trial court order's I have appealed. The fact is my jailing was implemented from February 21 through February 28, 2017 as means of preventing me from defending myself at the proceeding the trial court held on February 23rd and claimed was an "eviction hearing". In truth, I have yet to ever be even accused, let alone found guilty of breaking the overreaching May 5th Contempt Order that still restrains me in violation of the 1st Amendment.

The second paragraph of the ruling's text (printed on its first page) inaccurately alleges:

"In early February 2017, the trial court found Mr. Tahir-Garrett in contempt and removed him from the courtroom".

Not only is this chronologically incorrect (due to the fact February of 2017 was already 75% over when the Respondents and their compatriot trial court began initiating the contempt charges against me), but it also conceals from any reader the critically important and undisputed facts that the courtroom from which I was first removed was not the trial court of this case, but of another case in which I am not even a party but to which I had been improperly summoned, and that, furthermore, the place to which

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

I was thus "removed" was the King County Jail, into which I was placed for the next seven nights and eight days in complete separation from all my legal papers. That is the one and only time that I was ever booked into jail in connection with this case (See attached EXHIBIT B).

The text of this ruling mentions that I have appealed the February 23rd, 2017 order of unlawful detainer, but it glaringly omits the fact that I simultaneously appealed both the February 21st and February 23rd contempt orders against me. This omission gives anyone reading this "ruling" the impression that the trial court's February 2017 contempt charges against me are undisputed. The fact is that I have very thoroughly disputed and debunked their validity in both my notices of appeal and both my appellant's briefs, as well as by submitting the two transcripts that are part of the record in case # 76605-8-I.

Thirdly, the court records clearly show that the designated record on review in case number 77572-3-I (consisting of Clerks Papers Pages 1-160, 77572-3-I) was not transmitted by the trial court to the Court of Appeals until February 15, 2018 (See attached EXHIBIT C). This occurred a full 45 days *after* the January 2, 2018 date on which Commissioner Mary Neel is alleged by Clerk Richard Johnson to have issued this ruling, and well *less* than a month before Johnson issued his

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MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

March 9th purported declaration of its "finality" without the appellant having yet ever seen it! It is therefore not possible that either the Clerk or the Commissioner of this Court of Appeals could have reviewed what was actually transmitted to them by the trial court on February 15th prior to the January 2nd date on which the ruling is alleged to have been rendered. It is also therefore not possible that the certification of this ruling's alleged finality can have been proper.

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Argument:

10 I have, meanwhile, received a second response, dated March 19, 11 2018, from Mr. Richard D. Johnson in reply to my March 9th motion for 12 reconsideration. In the March 19th response, Mr. Johnson alleges that the 13 panel itself has directed him to deny my motion for reconsideration of my 14 request for counsel, thus effectively upholding the clerical and/or 15 commissioner-based statement of intent to continue accompanying the 16 trial court in concealing these matters in violation of RAP Title 15.

Unfortunately, I must assume this allegation by Mr. Johnson to be true unless the panel should issue any indication to the contrary. I therefore will not waste my own or the Court's time repeating my already rendered—and never rebutted—argument as to why I should receive appointment of counsel, except insofar as to briefly denote two obvious

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MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

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facts. Firstly, the contents of the document recently revealed to me also have a material bearing on that question, and I therefore hope the panel takes them into consideration and still decides to appoint me a counselor. Secondly, given these multiple recurring irregularities at the clerical level of both courts, as well as the continuing incompleteness of the designated record due to the failure of the trial court to comply with RAP Titles 9 and 15 by fully producing it, there is ample reason to conclude that I need the assistance of a trained member of the bar, if only to help me ensure the full production of the record (see my separate accompanying motion to compel production of the record).

The appointment of counsel question is, however, only the secondary, rather than the primary objective of this specific motion to modify ruling.

The *primary* purpose of this motion for modification of ruling is to beseech the panel to at least correct the empirically inaccurate narrative contained in the Johnson/Neel document that is dated January 2/4, so that its text ceases to make inaccurate and misleading statements about me.

This could be achieved in part by modifying the ruling's language to accurately reflect the facts I have pointed out in the Background section of this motion above, all of which are verified and corroborated by the record on review itself, and the duly arranged transcripts of the two court

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

proceedings in question, of February 21, 2017 and February 23, 2017 respectively.

It could be achieved in full by further modifying the ruling's language so that it at least acknowledges the fact that the question of whether or not I was engaging in contempt toward the court is a disputed matter that is neither a Commissioner's nor a Clerk's job to adjudicate, rather than abandoning impartiality to incorporate the Respondents' position wholesale.

Relief Requested:

In light of the above referenced facts and for the above stated reasons, I do hereby petition the panel to render null and void the March 9th ruling of "finality" by Clerk Richard D. Johnson and to either overturn the alleged January 2nd through 4th Johnson/Neel document in full by appointing me my long requested counsel, or, short of that, to at least incorporate the above proposed corrections into the text of that presently inaccurate and misleading clerical narrative about me.

Declaration of Service:

I also do hereby swear to serving a copy of this same document to:

Christopher T. Benis of Harrison Benis & Spence, LLP,

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

I	2101 4th Ave Ste 1900, Seattle, WA 98121, and
2	Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger,
3	701 5th Ave Ste 2560, Seattle, WA 98104
4	Sincerely, this <u>S</u> day of <u>APRIL</u> , 2018, Omari Tahir Garrett,
5	Private Attorney General Emari Tahir - Sarutt.
6	CC:
7 8	Washington State Supreme Court, Olympia,
9	Washington State Human Rights Commission, Olympia,
10	Office of the World Court, The Hague,
11	Office of the UN High Commissioner for Human Rights, Geneva -
12	Human Rights Council Branch:
13	Human Rights Committee (CCPR),
14	Committee on the Elimination of Racial Discrimination (CERD).
15	Committee on the Rights of Persons with Disabilities (CRPD),
16	Committee against Torture (CAT),
17	Committee on Enforced Disappearances (CED),
18	Committee on Economic, Social and Cultural Rights (CESCR),
19	Office of the UN Special Rapporteur on the Human Rights of
20	Internally Displaced Persons
21	Internany Displaced Fersons
22	
23	
24	MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

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

MIDTOWN LIMITED)	No. 77572-3-1
PARTNERSHIP,)	CERTIFICATE OF FINALITY
Respondent,)	King County
V.)	Superior Court No. 16-2-10995-1 SEA
OMARI TAHIR-GARRETT,	į	
Petitioner.) _).	

THE STATE OF WASHINGTON TO: The Superior Court of the State of Washington in and for King County.

This is to certify that the ruling of the Court of Appeals of the State of Washington, Division I, filed on January 2, 2018, became final on March 9, 2018.

c: Stephen John Sirianni Christopher Thomas Benis Omari Tahir-Garrett



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Seattle, this 9th day of March, 2018

RICHARD D. JOHNSON

Court Administrator/Clerk of the Court of Appeals, State of Washington Division I

Omari Tahir Garrett Private Attorney General PO Box 22328 Seattle, WA 98122 (206) 717-1685

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square 600 University Street, Seattle, WA 98101

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121

CC: Stephen J. Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104

Reply to The Court of Appeals of the State of Washington: RE: CASE # 77527-3-I,

(From King County Superior Court Case # 16-2-10995-1 SEA)

Dear DIVISION 1 Court Of Appeais,

This is in reply to your attached letter of March 12, 2018, issued and signed on behalf of your Court by Mr. Richard D. Johnson. This letter appears to refer to an alleged ruling in this case which it purports to have taken place on Tuesday, January 2, 2018. However, I am not in receipt of any ruling of that date whatsoever from your Court. Furthermore, I am not in receipt of any ruling from your court whatsoever adjudicating the matters at stake in this Case # 775257-3-I. Therefore, no such alleged ruling can be final since I have never been shown it, and since this is the first time I have been made aware of its purported existence. Please send me what you are talking about so that I may know what on Earth it is.

I also do hereby solemnly swear to serving a copy of this same reply to: Christopher T. Benis of Harrison Benis & Spence LLP, 2101 4th Ave Ste 1900, Seattle, WA 98121, and Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger, 701 5th Ave Ste 2560, Seattle, WA 98104

Sincerely,

Dated this 22 Day of MARCH, 2018,

Omari Tahir Garrett, Private Attorney General Fran Tahir - Sanett

The Court of Appeals
of the
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk

DIVISION I
One Union Square
600 University Street
Scattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

January 4, 2018

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-I Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

The following notation ruling by Commissioner Mary Neel of the Court was entered on January 2, 2018:

Defendant/Petitioner Omar Tahir-Garrett seeks discretionary review of an October 3, 2017 trial court order denying Mr. Tahir-Garrett's motion for appointed counsel and preparation of the record at public expense. Although Mr. Tahir-Garrett has demonstrated an error in part, review is denied.

Some brief procedural history is necessary to provide context. In May 2016 plaintiff/respondent Midtown Limited Partnership filed a complaint for unlawful detainer against Mr. Tahir-Garrett, and then in November 2016 filed an amended complaint. The case was continued several times. In early February 2017, the trial court found Mr. Tahir-Garrett in contempt and removed him from the courtroom. On February 23, 2017, the court entered a judgment, order of unlawful detainer, and authorizing issuance of a writ of restitution. On March 22, 2017, Mr. Tahir-Garrett filed a notice of appeal of the unlawful detainer judgment/order. The appeal is assigned No. 76605-8-1. He also filed a motion for findings of indigency. On March 23, 2017, the trial court entered findings of indigency; the order properly concluded with language that the superior court clerk was to transmit the findings of indigency and supporting documentation to the Supreme Court for its determination of whether public funds would be

Page 1 of 3

expended for the appeal. See RAP 15.2(c)(2). It appears, however, that the superior court clerk did not transmit the findings, as there is no indication on acords of a case in the Supreme Court.

On April 17, 2017, Mr. Tahir-Garrett filed a motion to vacate the judgment and stay enforcement of the writ of restitution. At the same time Midtown sought an order finding Mr. Tahir-Garrett in contempt and a protection order. On May 5, 2017, the trial court granted Midtown's motion, found Mr. Tahir-Garrett in contempt, entered a protection order, and permitted Mr. Tahir-Garrett be jailed if necessary. It appears that he was jailed for a period of time. On June 2, 2017, Mr. Tahir-Garrett filed a notice of appeal. The appeal is assigned No. 77005-5-I. On June 28, 2017, this appeal was consolidated under No. 76605-8-I. On September 22, 2017, Mr. Tahir-Garrett filed a motion for findings of indigency. On October 5, 2017, the trial court denied the motion. The order provides that Mr. Tahir-Garrett is indigent, but he is not entitled to review partially or wholly at public expense. The court ruled that the appeal is not governed by RAP 15.2(b), but instead is governed by RAP 15.2(c) and that the issues Mr. Tahir-Garrett raises lack probable merit. On November 1, 2017, Mr. Tahir-Garrett filed a notice of discretionary review. The case is assigned No. 77572-3-I.

On November 20, 2017, Mr. Tahir-Garrett filed his motion for discretionary review in No. 77572-3-I, arguing that the trial court misapplied RAP 15.2. He argues that the trial court erred in ruling that RAP 15.2(b) is inapplicable because an appeal of an order of civil contempt is governed by RAP 15.2(b)(1)(d)(civil contempt cases directing incarceration of the contemnor). He also argues that even if the applicable rule is RAP 15.2(c)(other cases), the trial court erred in denying the expenditure of public funds based on the court's determination that the appeal lacks probable merit. Mr. Tahir-Garrett argues that that decision is for the Supreme Court.

Mr. Tahir-Garrett is correct. Although his appeal of the unlawful detainer judgment is governed by RAP 15.2(c), to the extent he appeals the order of contempt, RAP 15.2(b) is the applicable rule. And even if the applicable rule is RAP 15.2(c), the rule requires the trial court to transmit the findings of indigency and supporting documentation to the Supreme Court, which determines whether public funds will be expended. Although Mr. Tahir-Garrett has demonstrated error on this point, discretionary review is not warranted.

First, it is extremely rare, if ever, for the Supreme Court to order the expenditure of public funds in cases of this type. Second, the parties have filed their briefs in the consolidated underlying case. On October 24, 2017, the clerk of this court entered a ruling: "This civil case has been fully briefed and ready for

consideration. The appellant has filed a copy of findings of indigency filed in the trial court but no order from the Supreme Court for the expenditure of public funds. Therefore, the findings of indigency will be placed in the file without action." At this point, delaying the underlying appeal is not warranted.

Therefore, it is

ORDERED that discretionary review is denied.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

LAW

c: Hon. Suzanne R. Parisien

Fogarty Law Group

RECEIVED **COURT OF APPEALS** DIVISION ONE

MAR 22 2018

Omari Tahir Garrett Private Attorney General PO Box 22328 Seattle, WA 98122 (206) 717-1685

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square 600 University Street, Seattle, WA 98101

OMARI Copy

RECEIVED

RECEIVED

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121 TAR 23 2018

MAR 2 2 2019

ARRISON-BENIS, LLP ATTORNEYS AT LAW

CC: Stephen J. Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104

Reply to The Court of Appeals of the State of Washington: RE: CASE # 77527-3-I.

(From King County Superior Court Case # 16-2-10995-1 SEA)

Dear DIVISION 1 Court Of Appeals,

This is in reply to your attached letter of March 12, 2018, issued and signed on behalf of your Court by Mr. Richard D. Johnson. This letter appears to refer to an alleged ruling in this case which it purports to have taken place on Tuesday, January 2, 2018. However, I am not in receipt of any ruling of that date whatsoever from your Court. Furthermore, I am not in receipt of any ruling from your court whatsoever adjudicating the matters at stake in this Case # 775257-3-I. Therefore, no such alleged ruling can be final since I have never been snown it, and since this is the first time I have been made aware of its purported existence. Please send me what you are talking about so that I may know what on Earth it is.

I also do hereby solemnly swear to serving a copy of this same reply to: Christopher T. Benis of Harrison Benis & Spence LLP, 2101 4th Ave Ste 1900, Seattle, WA 98121, and Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger, 701 5th Ave Ste 2560, Seattle, WA 98104

Sincerely,

Dated this 22 Day of MARCH, 2018,

Omari Tahir Garrett, Private Attorney General Imai Tahir - Sanett

EXHIBITA



Jail Inmate Lookup Service

DETAILS:

Name:

Total Bail Amount:

Custody/Facility:

GARRETT, JAMES CORDELL

\$0.00

Released

BOOKINGS:

Booking #

Booked

Released

Charge(s)

217005054

02/21/2017 12:16 PM

02/28/2017 04:19 PM

CONTEMPT OF COURT

Cause No: 162109951
Charge: CONTEMPT OF COURT
Court: K C Superior Court
Release Reason: CONDITIONAL RELEASE

RCW/ORD: 9.23.010
Bail Amount: BAIL DENIED

- Disclaimer
- Other Resources

Last Updated November 12, 2015

Case Number: 18-24-10986-4 SEA Case Tide: AIDTOWN LTD PARTNERSHIP VS TAHIR-GARRETT 10-06-2017 PET FOR WAIT OF HAREAS CORPUS/COA 10-08-2017 PET FOR WAIT OF HAREAS	11 20 2517 MOFION /DEF 11 20 2617 MOFION /DEF 11 20 2617 MOFION /DEF 11 20 2617 MOFION /DEF 12 30 2617 MOFION / DEPOSITION /PLA 12 30 2617 ORDER DERVING MOTIONS 12 40 2617 MI OF BISCAR SEVIEW TO CIT OF APPEAL
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RECEIVED COURT OF APPEALS DIVISION ONE

APR - 5 2018

APR 5 2018

HARRISON-BENIS, LLP ATTORNEYS AT LAW

	ATTORNEYS AT LAW	APR - 5 2018
1		APR - 5 2018
2		SPOCALAGE PARISONSER
3		CANONIC PARTE CROSE
4	IN THE COURT of th	
5	STATE OF WA	
6	Midtown Limited Partnership,	
7	Respondent,	Court of Appeals CASE NO. 76605-8-I
7	Respondent,	(Also known as, per the
8	VS.	Clerical decisions of Richard Johnson,
9	Omari Tahir-Garrett,	#77843-9-I, #77417-4-I, and #77572-3-I)
10	Appellant	(King County Court Case #: 16-2-10995-SEA)
11	ripponunt	MOTION TO MODIFY CLERK AND/OR COMMISSIONER'S
12		RULING SUPPRESSING
13		OMARI TAHIR'S EVIDENCE
14		(Noted for oral argument 9:30 AM on April 16, or such other time as
15		the Justices shall be available)
16	COMES NOW THE APPELLANT,	OMARI TAHIR-GARRETT, TO THE
17	COURT AND SUBMITS THE FOLD	LOWING MOTION, PURSUANT TO
18	RAP 17.2(a)(2). IT SHOULD BE DI	ULY NOTED BY ALL PARTIES
19	THAT, AS PER RAP 17.2(a)(2), TH	IS MOTION IS TO BE
20	DETERMINED BY THE JUDGES,	RATHER THAN BY A CLERK OR
21	COMMISSIONER.	
22		
23		
24		
25		

Background:

Appellant Omari Tahir-Garrett hereby beseeches the Judges to modify the attached January 16, 2018 ruling by Clerk Richard D. Johnson, which Mr. Johnson purports to have been composed in part by a Commissioner on January 11, unfairly denying my December 19, 2017 motion to place additional evidence on review. (Since Johnson's is the only signature, and since the text of this ruling does not make it possible to tell where the purported words of Mr. Johnson and those of the Commissioner respectively begin and end, it is reasonable to assume that Johnson is the author of that entire document unless and until it is proven otherwise.)

Argument:

This ruling contains the inaccurate statement "This case has been fully briefed and ready for consideration since September 2017", which the same Richard D. Johnson later revealed to be untrue on February 9, 2018 (thus necessitating my separate accompanying motion to compel production of the record on review).

This ruling inaccurately alleges that I did not explain why the new evidence was not introduced until the fall of 2017, but the fact is that pages 7 through 10 of my December 19, 2017 motion (attached as EXHIBIT) *did* provide no less than eight (8) material explanations as to why I could not have introduced it earlier than that. Although this ruling enthusiastically **MOTION TO MODIFY**

MOTION TO MODIFY CLERK AND/OR COMMISSIONER'S RULING SUPPRESSING OMARI TAHIR'S EVIDENCE

2
 3
 4

accepts the argument of the Respondent's counsel without investigation, Respondents and Johnson have only even attempted to rebut one of these eight material explanations. The fact is that any *one* of these eight factors would have *alone* prevented almost anybody from being able to file this evidence any sooner than I did.

This ruling inaccurately alleges that I failed to show that the new evidence is needed to fairly resolve the issues on review or that it would probably change the decision being reviewed. But the fact is that pages 2 through 7 as well as page 11 of my December 19, 2017 motion do show that this evidence is thusly needed, and the contents of those pages are still not rebutted by either this ruling or the arguments of the Respondents.

This ruling inaccurately joins the Respondents in falsely alleging that the medical records "show only that Tahir-Garett (sic) had high blood pressure (for which he refused to take medicine), had reported that he had PTSD and had been advised to seek a psychiatric evaluation (which he had refused)." Such an inaccurate ruling depends entirely on the Clerk and/or Commissioner's willingness to ignore all but the very small fraction of this evidence that Midtown asked them to cherry-pick on its behalf. In particular, it depends upon the Court's willingness to ignore my medical exhibits 12 through 14 which that *DO* show the facts that I *HAVE*

UNDERGONE PSYCHIATRIC EVALUATION, and THAT I HAVE
MOTION TO MODIFY

CLERK AND/OR COMMISSIONER'S RULING SUPPRESSING OMARI TAHIR'S EVIDENCE

BEEN DIAGNOSED WITH PTSD and also ILLUSTRATE THE

SEVERITY of this PTSD (See Clerks Papers Pages 1-160 of #77572-3-I).
This ruling further depends upon the Clerk and/or Commissioner's clearly
biased willingness to exclusively consider subjective aspersions about me
inserted into one report by physicians in the inmate wing of a hospital, but to
ignore the hard factual objective medical data recorded in that same report
by those same physicians. It also depends upon their willingness to inscribe a
clear bias into the ruling itself in favor of the use of pharmaceutical drugs as
opposed to the clinically sound evidence-based methods of quiet time and
meditation as a means of seeking to control hypertension, and stigmatizing
my agency as a patient in any such decision-making.

The text of this ruling goes so far as to cynically mock my legal attempts to seek relief from the very criminal actions being taken against me that were impeding my ability to gather and prepare this evidence (namely, the fact that I attempted to defend myself with a motion to vacate, motion to stay, motion to sanction, motion to remove and a lawsuit against the theft and destruction of my belongings.) But every such instance of denial and dismissal of my attempted remedies, or of gloating about the same by calling me "frivolous" (which is simply an abbreviation for saying that I have no rights a white court is bound to respect), were in fact dismissals WITHOUT PREJUDICE, issued on the grounds that those courts believed this Court of MOTION TO MODIFY

CLERK AND/OR COMMISSIONER'S RULING SUPPRESSING

OMARI TAHIR'S EVIDENCE

- /

Appeals should try those matters instead, which is precisely why I have tried to bring said matters before this court by introducing this evidence.

This ruling inaccurately alleges that I have failed to show that the photos and videos I've submitted are needed to fairly resolve the issues on review, that they would probably change the decision being reviewed, and even false alleges that I did not present the evidence to the trial court (which I did). The fact is that I did show all of those things in pages 2 through 11 of my December 19, 2017 motion. Moreover, such inaccurate finding depends once more on the Clerk and/or Commissioner's biased willingness to ignore the the fact that these photos and videos show the Respondents committing numerous crimes including but not limited to theft, vandalisim, violation of building code ordinances, and willful violation of RCW 59.18.380, RCW 59.18.240, The Americans with Disabilities Act of 1990 (42 U.S.C. § 12101) and the Civil Rights Act of 1964 (Pub.L. 88–352, 78 Stat. 241). However, any court that is authentically interested in the truth of the matter can simply examine this empirical evidence, rather than accepting the Respondent's words at face value without investigation.

Finally, this ruling alleges that the photos and videos I've submitted are "unauthenicated", but does not give me any instructions as to how I should go about "authenticating" them or what criteria the court would accept from me as "authentication".

MOTION TO MODIFY CLERK AND/OR COMMISSIONER'S RULING SUPPRESSING OMARI TAHIR'S EVIDENCE

1	Prayer For Releif:
2	For these reasons, Appellant Omari Tahir-Garrett beseeches the Judges to
3	either overturn this Clerk's ruling in its entirety and accept this full body of
4	evidence, or, short of that, to at least modify the ruling to accept my medical
5	evidence exhibits 11 through 14 (Clerks Papers Pages 1-160 in #77572-3-I),
6	and to issue me specific instructions as to how I should proceed to
7	"authenticate" my video and photographic evidence in a way that will meet
8	the Court's approval and acceptance.
9	
10	DATED this 5 day of APRIL, 2018,
11	I also solemnly swear that this same notice is being served to:
12	Stephen J. Sirianni, Attorney for Respondents, 701 5 th Avenue, Suite
13	2560, Seattle, WA 98104, and
14	Christopher T. Benis, Attorney for Respondents, 2101 4 th Avenue,
15	Suite 1900, Seattle, WA 98121
16	Sincerely Fran Tahir - Dantt
17	
18	Omari Tahir-Garrett, Private Attorney General, PO Box 22328,
19 20	Seattle, WA 98122, (206) 717-1685
21	
21	
23	MOTION TO MODIFY 6
23	CLERK AND/OR COMMISSIONER'S RULING SUPPRESSING
27	OMARI TAHIR'S EVIDENCE

The Court of Appeals
of the
D. JOHNSON,
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk DIVISION 1 One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

January 16, 2018

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Commissioner Masako Kanazawa of the Court was entered on January 11, 2018, regarding appellant's motion to strike:

This is an unlawful detainer case. Defendant Omari Tahir-Garrett, pro se, appeals from a February 24, 2017 judgment and order declaring unlawful detainer and authorizing a writ of restitution. Tahir-Garrett also appeals from a February 21, 2017 order that held him in contempt for his disrespectful and disorderly behavior both inside and outside the courtroom and a May 5, 2017 order granting respondent Midtown Limited Partnership's motion for contempt and anti-harassment protection. This case has been fully briefed and ready for consideration since September 2017.

On December 19, 2017, Tahir-Garrett filed a motion to place additional evidence on review. He asks this Court to admit into the record certain medical records, photographs, and a video. This Court may allow the taking of additional evidence on the merits before the decision of a case on review "only if all six conditions [under RAP 9.11] are met." State v. Ziegler, 114 Wn.2d 533, 541, 789 P.2d 79 (1990). To satisfy RAP 9.11, Tahir-Garrett must demonstrate (1) that additional evidence is needed to fairly resolve the issues on review, (2) that the additional evidence would probably change the decision being reviewed, (3) that it is equitable to excuse his failure to present the evidence to the trial court, (4) that the remedy available through post-judgment motions in the trial court is inadequate or unnecessarily expensive, (5) that the appellate court remedy of granting a new trial is inadequate or unnecessarily

Among other things. Tahir-Garrett does not explain why he waited until now to seek to introduce the new evidence. He states the "vast majority" of the evidence occurred "long AFTER review of this case was accepted" in March 2017. But if that is the case, he fails to show that the new evidence is needed to fairly resolve the issues on review or that the evidence would probably change the decision being reviewed. It appears that Tahir-Garrett seeks to use the medical records to challenge the February 21 and May 2017 contempt orders. He asserts that he had PTSD (post-traumatic stress disorder). But Midtown points out that the medical records show only that Tahir-Garett had high blood pressure (for which he had refused to take medicine), had reported that he had PTSD and had been advised to seek a psychiatric evaluation (which he had refused). Midtown points out that the medical records dated February 23, 2017 noted that Tahir-Garrett was "perseverative about his court hearing and angry with the judge presiding over his case." The records also noted possible "malingering." Midtown also points out that between the February 24, 2017 judgment and the May 5, 2017 contempt order, Tahir-Garrett was well enough to file multiple motions (motion to vacate judgment and stay enforcement of judgment and motion for sanctions), a third notice of removal of this case to federal district court (which was found "frivolous"), and a new lawsuit against Midtown. The new lawsuit he filed in federal district court in April 2017 against Midtown, its principals, King County Sheriff, and the Seattle Police Department was dismissed as "frivolous" on May 23, 2017.

Further, Tahir-Garrett fails to show that the photos and videos are needed to fairly resolve the issues on review, that they would probably change the decision being reviewed, or that it is equitable to excuse his failure to present the evidence to the trial court. Midtown points out that the photos and videos are unauthenticated and do not identify who took them or when or how they are related to the issues in this case. Midtown argues that the photos, if taken after the February 24 judgment, only show his presence on the property in violation of the judgment. Tahir-Garrett states he "was able to compile [the photos and videos] *prior to* the May 5th order." Motion at 7 (emphasis added). If that is true, he does not explain why he did not present the evidence to the trial court in response to Midtown's motion for contempt. Tahir-Garrett had an opportunity to object to the post-trial motion for contempt but apparently chose to file motions and a lawsuit against Midtown. The equity does not favor allowing him to present new evidence, especially at this stage of this appeal.

The motion to place additional evidence is denied.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

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4	IN THE COURT	
5	OF TE STATE OF WA	
6 7	Midtown Limited Partnership,	CASE #: 76605-8-I
8	Respondent,	(King County Court Case #: 16-2-10995-SEA)
9	vs. Omari Tahir-Garrett,	(Related Court of Appeals Case #s 77417-4-I, and 77572-3-I)
10 11	Appellant	MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW
12		(Noted for oral argument on January 12, 2018, 09:30 am)
13 14	Comes now the the appellant.	, Omari Tahir-Garrett, to the court and
15	submits the following motion, pursua	ant to RAP 9.11, to place the
16	following additional evidence, which	h has already been submitted into the
17	record of this same court in related ca	ases #77417-4-I and 77572-3-I, on
18	review in this case# 76605-8-I AS W	VELL, and also herein presents
19	showing of the six (6) elements requi	ired by that rule RAP 9-11, in RAP
20	9.11(a)(1), RAP 9.11(a)(2), RAP 9.11	(a)(3), RAP 9.11(a)(4), RAP 9.11(a)
21	(5) and RAP 9.11(a)(6) respectively:	
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Whereas it is a matter of legal record that Judge Suzanne Parisien, in the text of pages 2 and 3 of her February 24th, 2017 "JUDGMENT AND ORDER DECLARING UNLAWFUL DETAINER AND AUTHORIZING ISSUANCE OF WRIT OF RESTITUTION", (the text of which bans Omari Tahir from many additional properties besides the one it "finds" him to be "unlawfully detaining") clearly and intentionally expresses an unequivocal disbelief on her part toward the authenticity of the medical emergency suffered by Omari Tahir Garrett on the previous day, which emergency caused Omari Tahir Garrett to be removed from her courtroom in an aid car, and

Whereas it is a matter of legal record that Judge Suzanne

Parisien, in the text of her February 23rd "ORDER ON CIVIL MOTION

FOR CONTEMPT" also clearly and intentionally expresses an

unequivocal disbelief on her part toward the authenticity of the medical

emergency suffered by Omari Tahir Garrett on that day, which emergency

caused Omari Tahir Garrett to be removed from her courtroom in an aid

car, and

Whereas it is a matter of legal record that Mr. Stephen Sirianni, counsel for Midtown Limited Partnership, during the course of the proceeding in this case 16-2-10995-SEA that occurred in the courtroom of Judge Suzanne Parisien on February 23rd, 2017 from 2:46 pm until 4:44

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

pm, did on his part verbally and intentionally express an unequivocal disbelief toward the authenticity of the medical emergency suffered by Omari Tahir Garrett on that day and also did verbally urge Judge Susanne Parisien to disbelieve the authenticity of that same medical emergency, which emergency caused Omari Tahir Garrett to be removed from that courtroom in an aid car, and

Whereas it is a matter of legal record that both Judge Suzanne
Parisien and Mr. Stephen Sirianni, counsel for Midtown limited
partnership, have also at various times clearly and intentionally expressed
similar disbelief on their respective parts toward the authenticity of a
similar medical emergency suffered by me on December 23, 2016, and

Whereas it is a matter of legal record that Mr. Stephen Sirianni, counsel for Midtown Limited Partnership, has even filed a document in a court of law in which he characterizes the symptoms and effects of my PTSD as "Mr. Garrett's Resistance", thus clearly and intentionally insinuating that he thinks courts of law should doubt the authenticity of my PTSD entirely, and

Whereas it is a matter of *medical* record that, during the above referenced medical emergency that I suffered on February 23rd, 2017, "In the field the patient was hypertensive to systolics 220s", and that this fact is

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

even admitted in said medical record by physicians who therein demonstrate a subjective political hostility towards me and bias against me, and

Whereas it is a matter of *medical* record that I also suffered similar hypertensive symptoms and was given a similar diagnosis during the above referenced medical emergency of December 23, 2016, and

Whereas it is a matter of legal record that I was extracted from the building of what plaintiffs call "The Premisis" at 2314 E. Spring Street, Seattle, WA 98122 on March 16 (as opposed to March 15), 2017 by the Seattle Police Department (as opposed to the King County Sheriff's Department), after having spent the previous night boarded up inside that building, and

Whereas it is matter of *medical* record that just a few hours later on that same day (March 16, 2017), I was hospitalized at Swedish Hospital for nausea, vomiting, dehydration and hypertension, and was not discharged therefrom until March 18, 2017, and

Whereas it is a matter of *medical* record that, upon discharging me on said day of March 18, 2017, due to the fact that I was then homeless as a result of having just been evicted by the SPD upon the Judgement And Order of Judge Suzanne Parisien issued on behalf of Midtown Limited Partners at the request of Mr. Stephen Sirianni, I had no private resting place to which to repair upon being discharged, and that, under the context of the above

MOTION TO PLACE ADDITIONAL

EVIDENCE ON REVIEW

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details, Swedish Hospital and the Seattle Police Department for some reason made the decision NOT to transfer me to either the Veterans

Administration's Housing Program or to the Seattle Housing Authority, as I requested, but instead attempted to transfer me back into the same King

County Jail from which I had only been released eighteen (18) days previously (on February 28, 2017), and

Whereas it is also a matter of *medical* record that, upon attempting to transfer me back into that King County Jail on that day (March 18, 2017), the above parties were unable to do so because the King County Jail Nurse accurately found my medical condition too severe to accept me into incarceration there, noting that my blood pressure was 221/134, that my headache and dizzyness were NOT better and that I was unable to walk, and ordering that I be transferred to Harborview Medical Center instead, where I, and then later some of my medical information from Swedish Hospital, *were* then subsequently transferred and where I was accordingly diagnosed with hypertensive urgency, and

Whereas it is also a matter of *medical* record that, on September 8, 2016, long before any eviction order was issued against me by this Court, I was physically injured by an entity who was wielding a piece of heavy equipment, on behalf and in the pay of Midtown Limited Partnership, in an attempt by Midtown and that hired entity to block the ingress and egress of

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

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my personal automobile to and from the premises of 2314 E. Spring Street where I still at that time held an unterminated tenancy, and

Whereas, regardless of any aspersions of doubt that Midtown's counsel may continue attempting to cast upon the matter, it also a matter of both *medical* AND *legal* record that I do in fact have a history of PTSD, and

Whereas, pursuant to RAP 9.11(a)(1), proof of these facts, in the form of each of the above referenced matters of medical record also being rendered into matters of legal record, is needed by the Court in order to fairly resolve the issues that are before it on review in this case because, without access to this existing proof, the Court would be unable to empirically determine beyond doubt the accuracy of my word verses Sirianni's and Parisien's, and would have to guess rather than know.

Whereas MidTown and Mr. Sirianni have furthermore alleged that I harrassed, stalked and attempted to intimidate MidTown's principals and contractors thus justifying the issuance of the May 5th contempt order, while I maintain that I have only ever photographed, video recorded or followed any such persons for the legal and necessary purpose of documenting them in the acts of committing crimes against myself and my personal possessions, and

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

Whereas there exists a body of empirical photographic, video and eye witness evidence of such crimes committed against me by Respondents that I was able to compile prior to the issuance of the May 5th order, and

Whereas, also pursuant to RAP 9.11(a)(1), proof of these additional facts, in the form of each of the above referenced body of empirical photographic, video and eye witness evidence, is needed by the Court in order to fairly resolve the issues that are before it on review in this case because, without access to this existing proof, the Court would be unable to empirically determine beyond doubt the accuracy of my word verses Sirianni's and Parisien's, and would have to guess rather than know, and

Whereas, pursuant to RAP 9.11(a)(2), this additional evidence would almost certainly change at least some aspects of the decision being reviewed, *precisely as a result* of enabling this court to know the truth of these matters rather than having to guess at them, and

Whereas, pursuant to RAP 9.11(a)(3), it is, first of all, unnecessary to excuse any alleged "failure to present the evidence to the trial court" on my part, because I HAVE presented all of this evidence to the trial court, and that court has flatly REFUSED to accept or consider ANY of it. Moreover, even their HAD been any such alleged failure on my part to present this evidence to the trial court, it would still be "EQUITABLE" under RAP 9.11(a)(3) to excuse any such failure due to the following material facts:

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

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1) The vast majority of both this documentary evidence and medical
evidence documents things which occurred long AFTER review of this case
was accepted the Court of Appeals on March 22, 2017. Therefore there is no
way that most of this evidence could have been collected, let alone presented
to the trial court, prior to the appellate court's acceptance of review.

2) Any of the small portions of this evidence which were in my possession prior to February 21, 2017, were seized from me with my briefcase on that day when I was kidnapped by Judge Parisein and illegally held captive on her orders in King County Jail for eight days and seven nights; and to this day none of the effects then seized from me have been returned. I had to begin reconstructing my evidence files on this case from scratch after I was finally released on February 28, 2017. I therefore was denied the opportunity to introduce any and all of the small portion of this evidence that I had at that time.

3) Even if I had still been in possession the above referenced small portions of this evidence when alleged "trial" of this case was supposedly held by the trial court (on February 23, 2017), I would have been unable to either introduce or speak to such evidence because I was doubly excluded from that one-sided ex parte proceeding, both by bona fide medical emergency which the trial court disregarded and by renewed contempt order from that same court.

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MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

	4) On March 15th through 16th, my efforts to reconstruct these evidence files
	from scratch was once again interrupted, and all my work destroyed, by
	agents in the pay of MidTown Limited Partnership who proceeded to
	ransack my studio, vandalize, destroy and/or steal much of my personal
	possessions including most of my personal papers and evidence files, board
	me up inside the dark and ravaged building overnight, trigger my PTSD
	leading to my hospitalization of March 16th through 18th, and place me into a
	state of homelessness which formed the pretext for an attempt by Swedish
	Hospital and the SPD to attempt a re-kidnapping of me on the afternoon of
	March 18th, which attempted kidnapping only failed because I was
	accurately found to still be too ill for admittance into their jail, further
	triggering my PTSD, all of which took me a significant amount of time to
	even begin recovering from. It therefore was many months before I
	realistically could once again even begin reconstructing from scratch my
-	twice stolen and destroyed evidence files in this case.
	5) Furthermore, in all this time, Midtown Limited Partnership, Stephen
	Sirianni and Suzanne Parisien have all continued to bar me from returning to
	my studio that Midtown ransacked in March, refusing even my humble and
	reasonable request for a supervised return to seek and reclaim any of my
	belongings which might still remain there or might have still remained there
	between March and May.

MOTION TO PLACE ADDITIONAL **EVIDENCE ON REVIEW**

6) Furthermore, from March through May, Midtown's agents continued to
ransack, steal and destroy more of my personal possessions which then
remained there, including material which should have been submitted to the
courts as evidence instead of being ransacked, stolen and destroyed.
7) Furthermore, as is demonstrated by the two verbatim court transcripts
included in this case's record on review, my appellant's brief, my final reply
brief and finally, once I was in a position to submit it, by my multiple
motions attempting to introduce this compiled evidence into the trial court's
record (which were entirely denied), the racial and personal bias that Judge
Suzanne Parisien of the trial court holds against me is so extreme that there
never is and never was any chance of me being allowed by her to introduce
this evidence into her court's record at any time, unless or until some higher
court should compel her to allow its admission., and
Whereas, pursuant to RAP 9.11(a)(4), that same above referenced
and well documented extreme bias against me on the part of the trial court's
Judge Suzanne Parisien also prevents the possibility of any remedy via
postjudgement motions in the trial court, as is further proven by the fact that
I have made multiple motions there to introduce this very evidence, and they
were denied, and
Whereas, pursuant to RAP 9.11(a)(5) a remedy of granting me a
"new trial" would both be inadequate, (since the damages done to me by the

MOTION TO PLACE ADDITIONAL **EVIDENCE ON REVIEW**

MOTION TO PLACE ADDITIONAL EVIDENCE ON REVIEW

improper order's I've appealed have already been done to me and cannot be "undone") and unnecessarily expensive due to the fact that neither side is requesting any "new trial", and

Whereas, pursuant to RAP 9.11(a)(6), it would be inequitable to decide the case solely on the evidence already taken in the trial court because this additional evidence clearly exists, clearly is materially relevant to many of the claims and counterclaims disputed by the briefs of the respective parties, and, if examined rather than buried or ignored, clearly proves many of my allegations, thus converting them from allegations into established facts. To not consider this evidence would be to exclude existing empirical proof of many of my claims from consideration, when there is no reason for the court to ignore such proof,

Omari Tahir-Garrett therefore moves for the Court to admit this sampling of the above referenced body of empirical photographic, video and eye witness evidence I have compiled, as already on file in this Court in related cases #77417-4-I and 77572-3-I, respectively, in the form of the appendix of Exhibits 1 through 10 on USB drive and consisting of 7.94 GB of data (comprised by one master folder holding ten (10) individual folders each constituting the EXHIBIT of corresponding number and together containing a combined total of 173 image files), into the record on review in this case# 76605-8-I AS WELL, and

admit into the record of this case# 76605-8-I the appendix of four
EXHIBITS of medical evidence also already on file in this Court in related
cases #77417-4-I and 77572-3-I, respectively, illustrating the above
referenced medical related matters and constituted by the following:
EXHIBIT 11 , which is a dossier of pages from my Harborview Medical
Center medical record for the past three years, EXHIBIT 12 , which is some
pages of my Swedish Hospital medical record from December 23, 2016,
EXHIBIT 13 , which is two pages of the DSHS Social Service Case Notes
about me from April 20, 2004 through November 10, 2005 documenting two
of my psychiatric evaluations and their two respective resulting Incapacity
Decisions about me, and EXHIBIT 14, which is a folder of official Social
Security Administration Papers about me from 2011 through 2014my only
surviving folder of such SSA papers as all other such folders of mine were
stolen from me by Midtown on or after March 15, 2017documenting,
among other things, that my psychiatric condition is apparently so severe
that the Social Security Administration deems it necessary to assign me a
payee rather than disburse any monetary benefits to me directly.

Omari Tahir-Garrett therefore further moves for the court to

MOTION TO PLACE ADDITIONAL **EVIDENCE ON REVIEW**

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RECEIVED COURT OF APPEALS DIVISION ONE

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HARRISON-BENIS, LLP ATTORNEYS AT LAW

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2		APR = 3 2018
3		LAW OFFICE OF CHANNEYOUTZ SPOONIMORE HANDJRGER
4	IN THE COURT	
5	OF TE STATE OF WA	
6	Midtown Limited Partnership,	Court of Appeals CASE #: 76605-8-I
7	Respondent,	(K) (C) (C) (H) (C) 10005 (FA)
8	VS.	(King County Court Case #: 16-2-10995-SEA)
9	Omari Tahir-Garrett,	MOTION TO MODIFY CLERK'S RULING DENYING
10	Appellant	ORAL ARGUMENT
11		Noted for oral argument on April 16, 2018,
12		or at such other time as the three justices shall be available.
13	COMES NOW THE APPELLANT,	OMARI TAHIR-GARRETT, TO
14	THE COURT AND SUBMITS THE	E FOLLOWING MOTION,
15	PURSUANT TO RAP 17.2(a)(2) an	d 11.4(f).
16	Background:	
17	On March 22, 2018, I filed a motion	to schedule oral argument.
18	RAP 11.4(f) states: "The court ordin	narily encourages oral argument."
19	On March 29, 2018, Clerk Richard I	D. Johnson issued the attached ruling
20	denying my motion for oral argumen	nt.
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1	Argument:	
2	This ruling contained no rationale whatsoever as to why RAP 11.4(f)	
3	should not apply to my appeal.	
4	Relief Requested:	
5	I hereby beseech the Judges to either overturn this ruling by scheduling	
6	oral argument, or else to modify this ruling by issuing an explanation as to	
7	why RAP 11.4(f) is being abandoned in this case.	
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10	I also do hereby swear to serving a copy of this same document to:	
11	Christopher T. Benis of Harrison Benis & Spence,	
12	LLP, 2101 4th Ave Ste 1900, Seattle, WA 98121, and	
13	Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger,	
14	701 5th Ave Ste 2560, Seattle, WA 98104	
15	Sincerely, Dated this 5 Day of APRIL , 2018,	
16	Omari Tahir Garrett, Private Attorney General	
17	Gmari Tahir - Danett	
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23	MOTION TO MODIFY 2	
24	MOTION TO MODIFY CLERK'S RULING DENYING	

ORAL ARGUMENT

RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals of the State of Washington

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

March 29, 2018

Ann E. Merryfield

701 5th Ave Ste 2560 Seattle, WA 98104-7054 amerryfield@sylaw.com

Stephen John Sirianni

Sirianni Youtz Spoonemore Hamburger Sirianni Youtz Spoonemore Hamburger

701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Richard D. Johnson, Court Administrator/Clerk of the Court was entered on March 29, 2018, regarding appellant's motion to schedule oral argument:

At the direction of the panel, the motion to schedule oral argument is denied.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

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HARRISON-BENIS, LLP ATTORNEYS AT LAW

Omari Tahir Garrett Private Attorney General PO Box 22328 Seattle, WA 98122 (206) 717-1685

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square 600 University Street, Seattle, WA 98101

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121 RECEIVED

APR - 5 2018

CC: Stephen J. Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104 LAW OFFICE OF FIGHANNI YOUTZ SPOONEMORE HAMBURGER

Reply to The Court of Appeals of the State of Washington: RE: CASE # 77843-9-I,

(From King County Superior Court Case # 16-2-10995-1 SEA)

Dear DIVISION 1 Court Of Appeals,

This is in reply to your attached letter of March 23, 2018, issued and signed on behalf of your Court by Mr. Richard D. Johnson. This letter appears to refer to an alleged ruling in this case which it purports to have taken place on Monday, February 12, 2018. However, I am not in receipt of any ruling of that date whatsoever from your Court. Furthermore, I am not in receipt of any ruling from your court whatsoever adjudicating the matters at stake in this Case # 77843-9-I. Therefore, no such alleged ruling can be final since I have never been shown it, and since this is the first time I have been made aware of its purported existence. Please send me what you are talking about so that I may know what on earth it is.

I also do hereby solemnly swear to serving a copy of this same reply to: Christopher T. Benis of Harrison Benis & Spence LLP, 2101 4th Ave Ste 1900, Seattle, WA 98121, and Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger, 701 5th Ave Ste 2560, Seattle, WA 98104

Sincerely,
Dated this 5 Day of APRIL , 2018,

Omari Tahir Garrett, Private Attorney General _

Drave Takin - Sarrett

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

MIDTOWN LIMITED PARTNERSHIP,) No. 77843-9-I
) CERTIFICATE OF FINALITY
Respondent,)) King County
V.) Superior Court No. 16-2-10995-1 SEA
OMARI TAHIR-GARRETT,)
Appellant.))

THE STATE OF WASHINGTON TO: The Superior Court of the State of Washington in and for King County.

This is to certify that the ruling of the Court of Appeals of the State of Washington, Division I, filed on February 12, 2018, became final on March 23, 2018.

c: Stephen John Sirianni Christopher Thomas Benis Omari Tahir-Garrett



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Seattle, this 23rd day of March, 2018

RICHARD D. JOHNSON

Court Administrator/Clerk of the Court of Appeals, State of Washington Division I

RETURN AFTER TEN DAYS TO THE COURT OF APPEALS DIVISION |

DIVISION I
ONE UNIONSQUARE
600 UNIVERSITY STREET
SEATTLE, WASHINGTON 98101-4170

SEATTLE WA 980 12 APR 18 PM 3 L



Omari Tahir Garrett Po Box 22328 Seattle, WA 98122

- Copy -

RICHARD D. JOHNSON, Court Administrator/Clerk The Court of Appeals
of the
State of Washington

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

February 12, 2018

Stephen John Sirianni
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Sirianni Youtz Spoonemore Hamburger
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ssirianni@sylaw.com
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Po Box 22328
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Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77843-9-1

Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

The following notation ruling by Commissioner Masako Kanazawa of the Court was entered on February 12, 2018, regarding petitioner's motion for discretionary review:

This is an unlawful detainer case. In Nos. 76605-8-I, defendant Omari Tahir-Garrett, pro se, appeals from a February 24, 2017 judgment and order that authorized a writ of restitution, a February 21, 2017 order that held him in contempt for his disrespectful and disorderly behavior both inside and outside the courtroom, and a May 5, 2017 order that granted respondent Midtown Limited Partnership's motion for contempt and anti-harassment protection. His appeal in No. 76605-8-I has been fully briefed and ready for consideration since September 2017.

In this case (No. 77843-9-I), Tahir-Garrett seeks discretionary review of a December 6, 2017 trial court order that denied his motion to introduce additional evidence into the record and amended motion to introduce medical evidence into the record. In No. 76605-8-I, on December 19, 2017, he made a similar motion to place additional evidence on review, asking this Court to admit into the record certain medical records, photographs, and a video. By ruling of January 11, 2018, this Court denied that motion because he failed to satisfy RAP 9.11.

In seeking discretionary review, Tahir-Garrett does not address RAP 2.3(b) criteria for discretionary review. In his motion for discretionary review, he argues that the trial court apparently denied his motions on the ground that the motions had to be made to the appellate court under RAP 9.11. He argues that the trial court has authority to "settle the record" under RAP 7.2(b). But the trial court's authority to settle the record after review has been accepted by the appellate court involves a dispute as to the content of the record on review. See RAP 9.5(c) (objection to the report of proceedings). Where, as here, a party seeks to introduce additional evidence for consideration by the appellate court, the "appellate court" may direct the taking of additional evidence under RAP 9.11. Tahir-Garrett has already brought a RAP 9.11 motion to introduce additional evidence, and that motion was denied. He has not filed a motion to modify the January 11, 2018 ruling in No. 76605-8-1.

If Tahir-Garrett intended his motion for discretionary review in No. 77843-9-I essentially as a motion to modify the January 11, 2018 ruling in No. 76605-8-I, I grant an extension until February 23, 2018 to file a proper motion to modify in No. 76605-8-I.

Otherwise, Tahir-Garrett offers no basis to grant discretionary review of the trial court's December 6 decision under RAP 2.3(b).

Therefore, it is

ORDERED that discretionary review is denied.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

jh

The Court of Appeals of the State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk

April 13, 2018

Ann E. Merryfield 701 5th Ave Ste 2560 Seattle, WA 98104-7054 amerryfield@sylaw.com

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

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CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Richard D. Johnson, Court Administrator/Clerk of the Court was entered on April 13, 2018, regarding appellant's motions to modify and motion to compel production of the designated record:

This case is set for consideration before a panel of judges without oral argument on April 16, 2018. On April 5, 2018, Appellant Tahir-Garrett filed four motions, three pertaining to this case and one pertaining to case number 775723.

The untimely motion to modify the January 11, 2018 commissioner's ruling has been directed to the panel assigned to decide the merits of the case.

The appellant filed a supplemental designation of clerk's papers on September 22, 2017, but has failed to pay the Superior Court for the record. Therefore, the motion to compel production of the designated record is denied.

The appellant also filed a motion to modify the clerk's ruling at the direction of the panel entered on March 29, 2018, denying the appellant's "motion to schedule argument". Rulings entered at the direction of the panel are not subject to motions to modify. Any review of the ruling at the direction of the panel must be sought by a motion for discretionary review in the Supreme Court in accordance with RAP 13.5. Therefore, the motion to modify the March 29, 2018 ruling is placed in the file without further action.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

jh

The Court of Appeals of the State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

April 16, 2018

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-I

Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

The following notation ruling by Richard D. Johnson, Court Administrator/Clerk of the Court was entered on April 13, 2018, regarding Petitioner's Motion to Modify Ruling of Clerk and/or Commissioner:

The motion to modify ruling of clerk and/or commissioner filed on April 5, 2018 is focused on the certificate of finality entered on March 9, 2018. Therefore, the motion will be treated as a motion to recall the certificate of finality entered on March 9, 2018.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

LAW

RECEIVED COURT OF APPEALS DIVISION ONE APR 20 2018

RECEIVED

		APR 2 0 2018	RECEIVED
1 2		ARRISON-BENIS, LLP ATTORNEYS AT LAW	APR 2 0 2018
3			LAW OFFICE OF COMMAND OFF SPOCALLUAL HULL LAGER
4	IN THE COURT	OF APPEALS	
5	OF T	HE	
3	STATE OF WA	1	
6	Midtown Limited Partnership,	Court of Appeals CASE #: 76605-8-I	
7	Respondent,		
	-	(King County Court	Case #: 16-2-10995-SEA)
8	VS.	MOTION TO MOD	MEV CI EDE'S
9	Omari Tahir-Garrett,	RULING OF APRI	
10	Appellant		
11	COMES NOW THE APPEL	LANT, OMARI TAHIR	-GARRETT,
12	TO THE COURT AND SUBMITS THE FOLLOWING MOTION,		
13	PURSUANT TO RAP 17.2(a)(2). IT SHOULD BE DULY NOTED BY		
14	ALL PARTIES THAT, AS PER RA	P 17.2(a)(2), THIS MOT	TION IS TO
15	BE DETERMINED BY THE JUDG	SES, RATHER THAN B	Y A CLERK
16	OR COMMISSIONER.		
17	Appellant Omari Tahir Garre	ett hereby moves for mod	ification of
18	the attached April 13, 2018 ruling by Clerk Richard D. Johnson, which		
19	ruling violates Title 15 of Washington's Rules of Appellate Procedure by		Procedure by
20			·
21	once again completely disregarding	my duly established state	e of indigency
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23			
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to deny my April 5, 2018 motion to compel production of the designated record (by accusing me of failing to pay for it). As my April 5 motion itself already denoted, it is an undisputed matter of record that I am an indigent party in this case, and have been accurately found indigent by both the trial and appellate courts. (See EXHIBIT A)

Mr. Johnson has been in possession of the trial court's accurate findings of my indigency since March 22, 2017, but has repeatedly attempted to disregard these findings and to disregard RAP Title 15. This is at least the fourth time that he has done so. In fact, Mr. Johnson's active opposition to my Title 15 rights as an indigent party has been even more constant and vigorous than that of the Respondents.

The very first thing that Mr. Johnson did after having to accept receipt of my notice of appeal was to disregard my indigency by filing a motion attempting to have my appeal dismissed for failure to pay fees I could not afford. He apparently did this in early April of 2017, many days prior to even acknowledging to me that my appeals case existed. Furthermore, he did not furnish me with any copy of that dismissal motion, and to this day I have never seen a copy of it. Only after Commissioner Mary Neel denied his dismissal motion, on April 20, 2017, did Mr. Johnson reluctantly begin to correspond with me about this case at all. (See attached EXHIBIT B.)

MOTION TO MODIFY CLERK'S RULING OF APRIL 13TH

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Then, on November 1, 2017, Mr. Johnson sent me a ruling he
claims therein to have issued on October 24, 2017, in which he blatantly
boasts that he will not act upon the findings of my indigency unless the
Supreme Court of Washington compels him to do so. (See attached
EXHIBIT C.) It was later revealed to me on March 22, 2018, that the
Supreme Court of Washington had no opportunity to compel him to do so
because even the very existence of my appeal was illegally concealed from
that same Supreme Court by the Clerks of the trial court, and that, even
once the Clerks and Commissioners of this Court of Appeals became
aware of that fact, they decided in writing to accompany those trial court
Clerks in <i>continuing</i> to conceal the existence of this appeal from the
Washington Supreme Court. (See attached EXHIBIT D.)

Then, on November 8, 2017, in response to my request for review of yet another court decision depriving me of my legal rights as an indigent party, Mr. Johnson filed yet another motion for dismissal against me, in which he falsely accused me of failing to provide this Court with findings of my indigency. (See attached EXHIBIT E.) On November 29, 2017, Mr. Johnson's motion to dismiss me was once again overruled by a Commissioner, and my indigent status was once again acknowledged and reaffirmed by the same. (See this Court's own record in case #775723.)

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MOTION TO MODIFY CLERK'S **RULING OF APRIL 13TH**

Now, for the fourth time, on April 13, 2018, Mr. Johsnon is willfully refusing to recognize either my indigency or RAP Title 15. All of this is documented in this Court's own record.

It is therefore by now quite clear that Mr. Johnson is very ideologically opposed to the existence of RAP Title 15, and does not believe that it should be part of the legal code. While Mr. Johnson of course has the right as an individual to hold such an opinion, and to express such an opinion through proper channels such as a letter to his state assemblymen, he does not have the right to subvert this rule of law by refusing to implement his duties towards it while he is on the clock as a public servant.

Furthermore, the 7 missing pages of designated record that Mr. Johnson is refusing to compel the production of constitute an essential document to this case, in the absence of which no panel of judges could possibly make an informed decision, because the document in question is in fact one of the very orders under appeal. (Its first two pages are attached here as EXHIBIT F.)

I therefore beseech the judges to defend both the rule of law and the credibility of this Court by overturning this absurd April 13 ruling of Mr. Johsnon's and compelling production of the duly designated Sub Number 85, CP 539-545, as identified in my motion of April 5, 2018.

MOTION TO MODIFY CLERK'S RULING OF APRIL 13TH

1	Declaration of Service:		
2	I also do hereby swear to serving a copy of this same document to:		
3	Christopher T. Benis of Harrison Benis & Spence, LLP,		
4	2101 4th Ave Ste 1900, Seattle, WA 98121, and		
5	Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger,		
6	701 5th Ave Ste 2560, Seattle, WA 98104		
7	Sincerely, this 26 day of 100 day, 2018, Omari Tahir Garrett,		
8	Private Attorney General James C. Banett ske Emeritchin-Banet		
9	CC: Washington State Supreme Court, Olympia,		
0	Washington State Human Rights Commission, Olympia,		
11	Office of the World Court, The Hague,		
12 13	Office of the UN High Commissioner for Human Rights, Geneva -		
14	Human Rights Council Branch:		
5	Human Rights Committee (CCPR),		
16	Committee on the Elimination of Racial Discrimination (CERD),		
17	Committee on the Rights of Persons with Disabilities (CRPD),		
18	Committee against Torture (CAT),		
19	Committee on Enforced Disappearances (CED),		
20	Committee on Economic, Social and Cultural Rights (CESCR),		
21	Office of the UN Special Rapporteur on the Human Rights of		
22	Internally Displaced Persons		
23			
24	MOTION TO MODIFY CLERK'S 5		

RULING OF APRIL 13TH

RICHARD D. JOHNSON, Court Administrator/Clerk

The Court of Appeals
of the
State of Washington

DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

April 13, 2018

Ann E. Merryfield 701 5th Ave Ste 2560 Seattle, WA 98104-7054 amerryfield@sylaw.com

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Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Richard D. Johnson, Court Administrator/Clerk of the Court was entered on April 13, 2018, regarding appellant's motions to modify and motion to compel production of the designated record:

This case is set for consideration before a panel of judges without oral argument on April 16, 2018. On April 5, 2018, Appellant Tahir-Garrett filed four motions, three pertaining to this case and one pertaining to case number 775723.

The untimely motion to modify the January 11, 2018 commissioner's ruling has been directed to the panel assigned to decide the merits of the case.

The appellant filed a supplemental designation of clerk's papers on September 22, 2017, but has failed to pay the Superior Court for the record. Therefore, the motion to compel production of the designated record is denied.

The appellant also filed a motion to modify the clerk's ruling at the direction of the panel entered on March 29, 2018, denying the appellant's "motion to schedule argument". Rulings entered at the direction of the panel are not subject to motions to modify. Any review of the ruling at the direction of the panel must be sought by a motion for discretionary review in the Supreme Court in accordance with RAP 13.5. Therefore, the motion to modify the March 29, 2018 ruling is placed in the file without further action.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

jh

In King Sounty Superior Court Olerite Office

WAR 23 2017

COURT OF AFPEALS DIVISION ONE

MAR 22 2017

Cashier Section Superior Court Clerk

SUP	ERIOR COURT OF WASHINGTON FOR KING COUNTY
M.	DTOWN LIMITED PARTNERSHIP NO. 16-2-10995-1 SEA
	PLAINTIFF) MOTION FOR FINDINGS OF INDIGENCY)
6NA	TAHIR - GARRETT)
	Defendant.
•	
1)	Identity of moving party
	OMARI TAKIR (Name) asks for relief designated in Part 2.
2)	Statement of Relief Sought.
	Waiver of Filing Fee. Preparation of verbatim report of proceedings. Costs for reproducing Clerk's Papers. Appointment of Counsel. An order to the clerk of the superior court to transmit to the
3.	Supreme Court the papers designated in the findings of indigency. Facts relevant to motion.
	a) This is <u>not</u> a criminal case, a case involving a termination of parental rights, or a case involving a disposition in a juvenile offense proceeding.
	b) Indigency (Attach separate affidavit setting forth facts demonstrating indigency).
	c) Brief statement of the nature of the case.

Motion for Findings of Indigency Page Two

d) Description of the issues sought to be reviewed. (e.g., sufficiency of evidence, erroneous instructions).

1 Denial of due process by refusing constitutional RICHT TO "SHOW CASE HEARING 2. False arresst of defendant tahir-Garrett on 2/21/2017 on false contempt of laur 3. Failure of Court to inform Dendant of correct 3PM FEB 23rd trial Times 4. Failure of Court/succing to coturn detendant's Legal Papers for trial

e) Constitutional right to review at public expense. (Explain why the moving party may have such a right). ALL acts committed under "color of law" by court and SHERIFE OFFICER WEIR/ATE BLATANTLY UNCONSTITUTIONAL, DEFENDENT 15 % year old Vietnam Veteran with SSI established PTSI Disability social security Administration has establish requiring Defendant to have FORCED PRYEED for Past 10 years

f) Statement that the appeal is brought in good faith. Defendant Omari Tatir is former school teacher with extensive record of Litigation in U.S. FEDERAL COURT CASES

g) A brief statement stating why the review you seek has probable merit. Defendant Tahir - Garrett is Very familiar with and Litigation IN MILITARY, FEDERAL, WASHINGTON STATE and Bilty of SEATTLE MUNICIPAL LAW / LITIGATION

The decision sought to be reviewed was entered on the _____ days of FEB 21) 23(21, me5)

Mari Ishir- Harrett Signature of Moving Party

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.

Superior Court Judge

Suzanne Parisien

Date 22nd MAR 2017

Presented by:

mari Ta

Moving Party

The Court of Appeals
of the
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk

April 20, 2017

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com DIVISION I

One Union Square

600 University Street Seattle, WA 98101-4170

(206) 464-7750 TDD: (206) 587-5505

Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122

CASE #: 76605-8-I

Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants

Counsel:

The following notation ruling by Commissioner Mary Neel of the Court was entered on April 20, 2017, regarding court's motion to dismiss for failure to pay filing fee:

On March 23, 2017, the trial court entered findings of indigency. The filing fee is waived.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

CMR

Copy

IMPLEMENTATION OF INSTRUCTIONS ISSUED BY THE COURT OF APPEALS OF THE STATE OF WASHINGTON ON APRIL 21, 2017 IN CASE # 76605-8-1, Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants from KING COUNTY SUPERIOR COURT No. 16-2-10995-1 SEA

To: Richard D. Johnson,

Court Administrator/Clerk, The Court of Appeals of the State of Washington DIVISION I

One Union Square

600 University Street, Seattle, WA 98211

CC: Stephen J. Sirianni, Attorney for Plaintiff, WSBA #6957

701 5th Avenue, Suite 2560, Seattle, WA 98104

CC: Christopher Thomas Benis

Harrison Benis & Spence LLP

2101 4th Ave Ste 1900, Seattle, WA 98121

CC: Seattle Deposition Reporters

Dear Honorable Richard D. Johnson,

Thank you for your two letters to me postmarked on April 21, 2017, in which you acknowledge the filing of this appeal, the trial court's entry of findings of my indigency, my timely filing of designation of clerk's papers, and my timely filing of statement of arrangements regarding the transcription of the two court proceedings presided over by Judge Suzanne Parisien in King County Superior Courtroom W355 (On 2/21/2017 and 2/23/2017 respectively) that I have asked the Court of Appeals to review.

Thank you also, in these two letters, for informing me of the Court of Appeals case number for my appeal (76605-8-1), and for informing me therein of the April 20, 2017 ruling by Commissioner Mary Neel of the Court (waiving my filing fee and recognizing the trial court's March 23, 2017 findings of my indigency) regarding what your letter of April 20th describes as "court's motion to dismiss for failure to pay filing fee", a motion that I had not been notified of the existence of until receiving these two letters from you, and I am still un-notified as to what court filed such a "motion to dismiss", or how such a motion could have been pending before the Commissioner without my having been informed of it prior to the date that it was ruled on. I therefore am, needless to say, glad to hear that said motion was not granted.

I was most overjoyed and relieved to receive your two letters, as they are the first official reply of any kind that I have received from this Court of Appeals since filing my appeal on March 22, 2017.

As you have instructed me on the first page of your letter dated April 21, 2017, I have hereto attached a second copy of my above-mentioned statement of arrangements regarding the transcription of the he two court proceedings presided over by Judge Suzanne Parisien in King County Superior Courtroom W355 (On 2/21/2017 and 2/23/2017 respectively). In relation to the RAP 9.2(a) that you mention, with which I fully wish to comply and which I believe myself to be in full compliance with, please notice that my statement of arrangements still does and always has specified the fact that the transcription is being prepared by Seattle Deposition Reporters, located in the same building as yourself, at One Union Square, 600 University Street, Suite 320, Seattle, WA 98101, a fact which this court-requested second copy emphasizes in bold type. Please also notice that I am including in this court-requested second copy the contact number of Seattle Deposition Reporters' Production Manager Ryan Dangle (206 622-6661), who can, of course, answer any further questions the court has about these arrangements in a highly professional manner. Please also note that, as of mid May, I have been informed by Seattle Deposition Reporters that the name of the specific reporter assigned to these transcriptions by that company is Grace Hitchman.

Please also notice that my statement of arrangements still does and always has specified the fact that the issues I intend to present on review are those pertaining to the orders by Judge Suzanne Parisien being appealed by myself, the Appellant Omari Tahir-Garrett, in the latter case 16-2-10995-1-SEA, and further that my statement of arrangements still does and always has included the hearing dates and times in question as well as the name of the presiding trial court judge, Suzanne Parisien.

Signature

Omari Tahir-Garrett, Private Attorney General

Appellant

PO Box 22328

Seattle, WA 98122, (206) 717-1685

This Notice has been mailed to:

Stephen J. Sirianni, Attorney for Respondents, WSBA #6957

701 5th Avenue, Suite 2560, Seattle, WA 98104,

206-223-0303.

Christopher Thomas Benis
Harrison Benis & Spence LLP
2101 4th Ave Ste 1900
Seattle, WA 98121-2315
Chenis@harrison-benis.com

Stephen John Sirianni
Sirianni Youtz Spoonemore Hamburger
701 5th Ave Ste 2560
Seattle, WA 98104-7054
Seattle, WA 98104-7054
Ssirianni@sylaw.com November 1, 2017 Omari Tahir-Garrett PO Box 22328 Seattle, WA 98122 CASE #: 76605-8-1 Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al., Appellants Counsel: The following notation ruling by Richard D. Johnson, Court Administrator/Clerk of the Court was entered on October 24, 2017, regarding appellant's motion and declaration for order authorizing review at public expense and appointing an attorney: This civil case has been fully briefed and ready for consideration. The appellant has filed a copy of findings of indigency filed in the trial court but no order from the Supreme Court for expenditure of public funds. Therefore, the finding of indigency will be placed in the file without action. Sincerely. Richard D. Johnson Court Administrator/Clark

The Court of Appeals
of the
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
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January 4, 2018

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com

Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-1

Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

The following notation ruling by Commissioner Mary Neel of the Court was entered on January 2, 2018:

Defendant/Petitioner Omar Tahir-Garrett seeks discretionary review of an October 3, 2017 trial court order denying Mr. Tahir-Garrett's motion for appointed counsel and preparation of the record at public expense. Although Mr. Tahir-Garrett has demonstrated an error in part, review is denied.

Some brief procedural history is necessary to provide context. In May 2016 plaintiff/respondent Midtown Limited Partnership filed a complaint for unlawful detainer against Mr. Tahir-Garrett, and then in November 2016 filed an amended complaint. The case was continued several times. In early February 2017, the trial court found Mr. Tahir-Garrett in contempt and removed him from the courtroom. On February 23, 2017, the court entered a judgment, order of unlawful detainer, and authorizing issuance of a writ of restitution. On March 22, 2017, Mr. Tahir-Garrett filed a notice of appeal of the unlawful detainer judgment/order. The appeal is assigned No. 76605-8-1. He also filed a motion for findings of indigency. On March 23, 2017, the trial court entered findings of indigency; the order properly concluded with language that the superior court clerk was to transmit the findings of indigency and supporting documentation to the Supreme Court for its determination of whether public funds would be

Page 1 of 3

expended for the appeal. See RAP 15.2(c)(2). It appears, however, that the superior court clerk did not transmit the findings, as there is no indication on acords of a case in the Supreme Court.

On April 17, 2017, Mr. Tahir-Garrett filed a motion to vacate the judgment and stay enforcement of the writ of restitution. At the same time Midtown sought an order finding Mr. Tahir-Garrett in contempt and a protection order. On May 5, 2017, the trial court granted Midtown's motion, found Mr. Tahir-Garrett in contempt, entered a protection order, and permitted Mr. Tahir-Garrett be jailed if necessary. It appears that he was jailed for a period of time. On June 2, 2017, Mr. Tahir-Garrett filed a notice of appeal. The appeal is assigned No. 77005-5-I. On June 28, 2017, this appeal was consolidated under No. 76605-8-I. On September 22, 2017, Mr. Tahir-Garrett filed a motion for findings of indigency. On October 5, 2017, the trial court denied the motion. The order provides that Mr. Tahir-Garrett is indigent, but he is not entitled to review partially or wholly at public expense. The court ruled that the appeal is not governed by RAP 15.2(b), but instead is governed by RAP 15.2(c) and that the issues Mr. Tahir-Garrett raises lack probable merit. On November 1, 2017, Mr. Tahir-Garrett filed a notice of discretionary review. The case is assigned No. 77572-3-I.

On November 20, 2017, Mr. Tahir-Garrett filed his motion for discretionary review in No. 77572-3-I, arguing that the trial court misapplied RAP 15.2. He argues that the trial court erred in ruling that RAP 15.2(b) is inapplicable because an appeal of an order of civil contempt is governed by RAP 15.2(b)(1)(d)(civil contempt cases directing incarceration of the contemnor). He also argues that even if the applicable rule is RAP 15.2(c)(other cases), the trial court erred in denying the expenditure of public funds based on the court's determination that the appeal lacks probable merit. Mr. Tahir-Garrett argues that that decision is for the Supreme Court.

Mr. Tahir-Garrett is correct. Although his appeal of the unlawful detainer judgment is governed by RAP 15.2(c), to the extent he appeals the order of contempt, RAP 15.2(b) is the applicable rule. And even if the applicable rule is RAP 15.2(c), the rule requires the trial court to transmit the findings of indigency and supporting documentation to the Supreme Court, which determines whether public funds will be expended. Although Mr. Tahir-Garrett has demonstrated error on this point, discretionary review is not warranted.

First, it is extremely rare, if ever, for the Supreme Court to order the expenditure of public funds in cases of this type. Second, the parties have filed their briefs in the consolidated underlying case. On October 24, 2017, the clerk of this court entered a ruling: "This civil case has been fully briefed and ready for

consideration. The appellant has filed a copy of findings of indigency filed in the trial court but no order from the Supreme Court for the expenditure of public funds. Therefore, the findings of indigency will be placed in the file without action." At this point, delaying the underlying appeal is not warranted.

Therefore, it is

ORDERED that discretionary review is denied.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

LAW

c: Hon. Suzanne R. Parisien

The Court of Appeals
of the
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk DIVISION I One Union Square 600 University Street Seattle, WA 98101-4170 (206) 464-7750 TDD: (206) 587-5505

November 8, 2017

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-1

Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

RE: King County No. 16-2-10995-1 SEA

Receipt is acknowledged of the notice of appeal filed in King County Superior Court on November 1, 2017, without payment of the filing fee. In view of appellant's failure to pay a filing fee, or, in the alternative, to provide this court with an order of indigency in proper form, a court's motion to dismiss has been set for Friday, December 1, 2017, at 10:30 a.m. Appellant has the permission of the court to seek an order of indigency in the trial court even if the time period for filing the notice of appeal has passed. RAP 18.8(a).

Sincerely,

Richard D. Johnson Court Administrator/Clerk

LAW

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4" Ave Ste 1900, Seattle, WA 98121 CC: Stephen J. Sirianni Singmi Youtz Spoonemore Hamburger 761.5° Ave Sie 2560, Seanie, WA 98104 Reply to The Court of Appeals of the State of Was RE: CASE # 77572-3-1 (RE: King County No. 16-2-10995-1 SEA, RE Numbers 76605-8-1, 77417-4-1 and 77572-3-1) Midtown Limited Partnership, Respondent v. Omari Tahin Garrett

Dear Court of Appeals of the State of Washington, DIVISION 1,

I am now in receipt of two letters addressed to me from your Court Administrator Clerk Mr. Richard D. Johnson, each purportedly dated November 8th, 2017, both of which acknowledge receipt of my Jonnson, each purportion.

Jonnson, each purportion of appeal of the trial court's October 5th "order" denying my reflect. counsel. The first of these two letters from your Mr. Johnson to me incorrectly alleges a failure on my part to provide your Court with an order of indigency in proper form, while the second of these two letters requests that I file a motion for discretionary review and purports to threaten me with sanctions if I do not file that motion within 12 calendar days of Mr. Johnson's request that I do so.

I hereby respond to the first of these two letters from your Mr. Johnson, which incorrectly alleges a failure on my part to provide your Court with an order of indigency in proper form and purpose the court's motion to dismiss has been set for Friday, December 1, 2017, at 10:30 a.m.

Your Court Admistrator/Clerk Mr. Richard D. Johnson has erred in alleging that I did not provide you Court with an order of indigency in proper torm. The facts of record are that I was accurately found indigent by the trial court on March 22nd, 2017, and that I provided your Court with that order of indigency on that same day. A copy of the same, as received by your Court on that day, is here attack

Assuming that your court wishes to continue to present an appearance of fairness, and an appearance compliance with Articles 6, 7, 8, 9, 10, 11, 12, 13 and 15 of the Universal Declaration of Franking Rights, you will therefore naturally withdraw this pending "motion to dismiss", as to do otherwise would blatantly breach each of the above nine respective UDHR Articles.

her - Benett Omari Tahir Garrett, Private Attorney

HON. SUZANNE R. PARISIEN Noted for Consideration: April 17, 2017 Without Oral Argument

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

MIDTOWN LIMITED PARTNERSHIP, a Washington Limited Partnership,

Plaintiff,

Defendants.

NO. 16-2-10995-1 SEA

OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT, and

ALL OTHER OCCUPANTS,

SRP

ORDER GRANTING
MIDTOWN LIMITED PARTNERSHIP'S
MOTION FOR CONTEMPT

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MidTown Limited Partnership, LLC ("MidTown") moved for contempt of this Court's Judgment and Order dated February 24, 2017 ("Judgment and Order"). That Judgment and Order permanently bars and enjoins defendant Omari Tahir-Garrett from possession of or entry upon the MidTown Center, consisting of the one square block situated between East Spring Street and East Union Street, and 23rd Avenue and 24th Avenue in Seattle, Washington (the "Property").

19

Avenue in Seattle, Washington (the "Property").

20

This Court considered MidTown's Motion, the Declaration of Margaret Delaney, and the pleadings and record herein, and FINDS AND CONCLUDES that:

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1. Mr. Tahir-Garrett violated the Judgment and Order by regularly entering onto and remaining at the Property since March 15, 2017, and by regularly occupying a space at 1158/1160 - 23rd Avenue that is located on the Property;

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2. His violation of the Judgment and Order was knowing and intentional;

ORDER GRANTING
MIDTOWN LIMITED PARTNERSHIP'S
MOTION FOR CONTEMPT - 1

SIRIANNI YOUTZ
SPOONEMORE HAMBURGER
701 FIFTH AVENUE, SUITE 2560
SEATTLE, WASHINGTON 98104
TEL. (206) 223-0303 FAX (206) 223-0246

- 4. He will continue to violate the Judgment and Order without further coercive intervention;
- 5. His presence and activities both on and off the Property have interfered with MidTown's legitimate business operations;
- 6. He has followed, photographed and/or video recorded, shouted abusively at, and intimidated MidTown's property manager and limited partner, Margaret Delaney and limited partners Carol Zarek and Elizabeth Bangasser Hall, and at workers hired by MidTown, in an effort to interfere with MidTown's business operations.

For good cause shown, this Court ORDERS that:

- 1. MidTown's Motion for Contempt is GRANTED;
- 2. Mr. Tahir-Garrett is permanently restrained from: (a) being on the Property; or (b) being within 200 feet of the Property and/or the persons defined in paragraph 3, below;
- 3. Mr. Tahir-Garrett, either individually or by assisting or encouraging others to do the same, is permanently restrained from contacting, following, surveilling, harassing, stalking, video recording, and photographing MidTown's principals, including Margaret Delaney, Carol Zarek, Elizabeth Bangasser Hall, Hugh Bangasser, and workers, contractors, inspectors, employees, vendors, anyone engaged to perform services on the Property, and potential purchasers of the Property and their agents;
- 4. Law enforcement officers are directed to remove Mr. Tahir-Garrett from the Property and to jail him as necessary to prevent him from: (a) violating the Judgment and Order that enjoined him from entry upon or possession of any portion of the one-square block of Property owned by MidTown and located between 23rd and 24th Avenues and East Spring and East Union Streets in Seattle; and (b) violating this Order;

ORDER GRANTING
MIDTOWN LIMITED PARTNERSHIP'S
MOTION FOR CONTEMPT 2

SIRIANNI YOU'TZ SPOONEMORE HAMBURGER 701 FIFTH AVENUE, SUITE 2560 SEATTLE, WASHINGTON 98104 TEL (206) 223-0303 FAX (206) 223-0246

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HARRISON-BENIS, LLP ATTORNEYS AT LAW

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3		SPOC. L. J. C. L. C.
4	IN THE COURT	
5	OF TE STATE OF WA	
6	Midtown Limited Partnership,	Court of Appeals CASE #: 76605-8-I
7	Respondent,	(also known as #77572-3-I, as per the clerical decisions of Richard D. Johnson)
8	VS.	(King County Court Case #: 16-2-10995-SEA)
9	Omari Tahir-Garrett,	
10	Appellant	MOTION TO MODIFY, IN PART, CLERK'S RULING OF APRIL 16TH
11		
12	COMES NOW THE APPE	LLANT, OMARI TAHIR-
13	GARRETT, TO THE COURT AND SUBMITS THE FOLLOWING	
14	MOTION, PURSUANT TO RAP	17.2(a)(2). IT SHOULD BE DULY
15	NOTED BY ALL PARTIES THAT	T, AS PER RAP 17.2(a)(2), THIS
16	MOTION IS TO BE DETERMINE	ED BY THE JUDGES, RATHER
17	THAN BY A CLERK OR COMM	IISSIONER.
18	Appellant Omari Tahir Garrett hereby moves for partial	
19	modification of the attached April 16, 2018 ruling by Clerk Richard D.	
20	Johnson, which ruling regards my April 5, 2018 Motion to Modify Ruling	
21	Johnson, which fulling regards my A	pm 3, 2018 Motion to Modify Ruling
22		
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MOTION TO MODIFY, IN PART, CLERK'S RULING OF APRIL 16TH

of Clerk and/or Commissioner (attached as EXHIBIT). As currently written, this Clerk's "notation ruling" consists of two sentences.

The first sentence currently reads: "The motion to modify ruling of clerk and/or commissioner filed on April 5, 2018 is focused on the certificate of finality entered on March 9, 2018."

As my April 5, 2018 motion itself explains on its 10th page, lines 15-18, the primary focus of the motion is to beseech the panel to *at least* correct the empirically inaccurate narrative contained in the Johnson/Neel document that is dated January 2/4, so that its text ceases to make inaccurate and misleading statements about me. It is true, of course, that in order to make my motion's primary plea, I had to first therein denote the fact that the March 9, 2018 "Certificate of Finality" was issued in error and request its recall. But, while that fact is important, it should not be confused with the primary focus of my motion. I therefore propose that this first sentence be modified for accuracy, which can be easily achieved by replacing the words "*is focused on*" with the words "*includes a request for recall of*".

The second sentence currently reads: "Therefore, the motion will be treated as a motion to recall the certificate of finality entered on March 9, 2018."

MOTION TO MODIFY, IN PART, CLERK'S RULING OF APRIL 16TH

As currently written, this second sentence leaves its own procedural meaning vague and unspecified. I must request that at least one additional sentence be added to this ruling so that its procedural meaning is rendered clear and explicit to all parties.

It is true that, to the extent my April 5 motion requests recall of the March 9 Certificate of Finality, the Clerk or a Commissioner do have the choice, under the letter of RAP 12.9(b) and 17.2(a)(4), to either recall the Certificate of Finality by admitting that it's issuance was by inadvertent mistake, or else to deny the fact that I have demonstrated error in regards to the Certificate of Finality (which would formally cause the mistake to *cease* being inadvertent). However, unless the Clerk or Commissioner were to choose the latter option (which I hope they will not, as to do so would be be an arbitrary and capricious disregard for the material facts before us), then the main body of my April 5, 2018 motion must still be placed before the panel of judges under 17.2(a)(2).

I therefore move for the April 16 ruling to be further modified by the addition of one additional sentence explicitly acknowledging that my April 5, 2018 motion is to be placed before the judges as per 17.2(a)(2).

I also do hereby swear to serving a copy of this same document to:

Declaration of Service:

1	Christopher T. Benis of Harrison Benis & Spence, LLP,
2	2101 4th Ave Ste 1900, Seattle, WA 98121, and
3	Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger,
4	701 5th Ave Ste 2560, Seattle, WA 98104
5	Sincerely, this 20 day of APRIL, 2018, Omari Tahir Garrett,
6	Private Attorney General James Emai Tahir - Santo
7 8	CC: Washington State Supreme Court, Olympia,
9	Washington State Human Rights Commission, Olympia,
10	Office of the World Court, The Hague,
11	Office of the UN High Commissioner for Human Rights, Geneva -
12	Human Rights Council Branch:
13	Human Rights Committee (CCPR),
14	Committee on the Elimination of Racial Discrimination (CERD),
15	Committee on the Rights of Persons with Disabilities (CRPD),
16	Committee against Torture (CAT),
17	Committee on Enforced Disappearances (CED),
18	Committee on Economic, Social and Cultural Rights (CESCR),
19 20	Office of the UN Special Rapporteur on the Human Rights of
21	Internally Displaced Persons
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24	MOTION TO MODIFY, IN PART, 4
25	CLERK'S RULING OF APRIL 16TH

The Court of Appeals
of the
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

April 16, 2018

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-I

Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

The following notation ruling by Richard D. Johnson, Court Administrator/Clerk of the Court was entered on April 13, 2018, regarding Petitioner's Motion to Modify Ruling of Clerk and/or Commissioner:

The motion to modify ruling of clerk and/or commissioner filed on April 5, 2018 is focused on the certificate of finality entered on March 9, 2018. Therefore, the motion will be treated as a motion to recall the certificate of finality entered on March 9, 2018.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

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HARRISON-BENIS, LLP ATTORNEYS AT LAW

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RECEIVED COURT OF APPEALS DIVISION ONE

APR - 5 2018

RECEIVED SPR - 5 2018 1 2 3 4 IN THE COURT OF APPEALS OF THE 5 STATE OF WASHINGTON Midtown Limited Partnership, **Court of Appeals** CASE #: 76605-8-I Respondent 7 (King County Court Case #: 16-2-10995-SEA) 8 VS. MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER 9 Omari Tahir-Garrett, 10 Noted for oral argument on April 16, 2018, Appellant or at such other time as the three justices 11 shall be available. COMES NOW THE APPELLANT, OMARI TAHIR-GARRETT, 12 TO THE COURT AND SUBMITS THE FOLLOWING MOTION, 13 PURSUANT TO RAP 17.2(a)(2). IT SHOULD BE DULY NOTED BY 14 ALL PARTIES THAT, AS PER RAP 17.2(a)(2), THIS MOTION IS TO 15 16 BE DETERMINED BY THE JUDGES, RATHER THAN BY A CLERK 17 OR COMMISSIONER. 18 Appellant Omari Tahir Garrett hereby moves for modification of 19 the attached March 9, 2018 ruling by Clerk Richard D. Johnson which 20 purports to certify finality of the matters at stake in the directly related 21 22 23 24

case no. 77572-3-I, as well as the document to which this March 9th ruling purports to pertain, which document was first revealed to me on March 22, 2018, even though it appears to have been written and dated between January 2nd and 4th of that year, and which document also bears the sole signature of Clerk Richard D. Johnson even though its first paragraph alleges eight of its following paragraphs to have been composed by one Commissioner Mary Neel (an allegation which I shall assume to be true unless or until said Commissioner Neel says otherwise).

On March 9, 2018, I filed a motion for reconsideration of the matter of my request for representative counsel as an indigent party who was the victim of wrongful incarceration from February 21st through 28th, 2017, on biased and false contempt charges (a request which Clerk Richard D. Johnson had first formally denied me in this Court's name on November 1, 2017).

The first reply that I received to my March 9th motion for reconsideration was an envelope from this Court of Appeals, postmarked March 12, 2018, containing one single sheet of paper constituting the attached March 9, 2018 ruling by Clerk Richard D. Johnson entitled "CERTIFICATE OF FINALITY". To my amazement, this ruling

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER appeared to refer to a mysterious prior ruling that I had neither received nor previously been informed of, and further appeared to allege that the mystery ruling had taken place on January 2, 2018 and pertained to the related case number 77572-3-I, (which is the case number Clerk Richard D. Johnson chose to assign to my earlier appeal of the October 5th order the trial court had presumed to issue denying me that same request for representation, even though the matter was not before that trial court to decide).

I promptly drafted a reply letter to this Court, which I filed and served in person on March 22, 2018, explaining that I was neither in receipt of any ruling whatsoever bearing a date of January 2, 2018, nor of any ruling whatsoever determining the matters at stake in case number 77572-3-I, and asking the Court to send me a copy of any such ruling so that I might discover what on earth Mr. Johnson was talking about. (see attached EXHIBIT A).

After filing this reply letter, and on that same day of March 22, 2018, I was, to my great but only partial relief, furnished for the first time ever with a copy of the alleged January 2nd ruling to which the March 9th ruling purports to pertain, which is therefore also attached here. The clerical staff-person of the Division One Court of Appeals Office, at One Union Square, who leaked this copy to me shall remain unnamed by me in

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER 3

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this motion so as not to expose this employee to increased risk of retaliation by management, since I must presume that this staff-person's boss is Mr. Richard D. Johnson.

It is quite unlikely that I ever would have become aware of the existence of this document, let alone come into possession of a copy of it, if I had not happened to file my March 9th motion for reconsideration, and if I had not also happened to investigate the cryptic clue contained in Richard D. Johnson's immediate March 9th first response thereto.

Upon reading this newly discovered document for the first time, it quickly became clear to me what the motivations for concealing it from me have most likely been.

Firstly, the document constitutes a formal admission by this Court of Appeals that the trial court violated my procedural rights as both an incarcerated "contemnor" and indigent appellant by concealing the existence of my indigent appellant status from the Supreme Court of Washington in order to ensure that I would not receive public representation at ANY judicial level. The document accurately states:

"On November 20, 2017, Mr. Tahir-Garrett filed his motion for discretionary review in No. 77572-3-1, arguing that the trial court

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

misapplied RAP 15.2. He argues that the trial court erred in ruling that RAP 15.2(b) is inapplicable because an appeal of an order of civil contempt is governed by RAP 15.2(b)(1)(d)(civil contempt cases directing incarceration of the contemnor). He also argues that even if the applicable rule is RAP 15.2(c)(other cases), the trial court erred in denying the expenditure of public funds based on the court's determination that the appeal lacks probable merit. Mr. Tahir-Garrett argues that that decision is for the Supreme Court.

Mr. Tahir-Garrett is correct Although his appeal of the unlawful detainer judgement is governed by RAP 15.2(c), to the extent he appeals the order of contempt, RAP 15.2(b) is the applicable rule. And even if the applicable rule is RAP 15.2(c), the rule requires the trial court to transmit the findings of indigency and supporting documentation to the Supreme Court, which determines whether public funds will be expended."

The document furthermore denotes what was actually done to me instead:

"It appears, however, that the superior court clerk did not transmit the findings, as there is no indication on acords (sic) of a case in the Supreme Court"

But then, in spite of making the above findings, the document proceeds to record a decision by this Court of Appeals Clerk, and also purportedly by a Commissioner, to knowingly accompany the trial court in *continuing* to

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

violate these provisions of Title 15 of the Washington Rules of Appellate Procedure ("Provisions Relating to Rights of Indigent Party") by continuing to withhold counsel from me and continuing to conceal the existence of my indigent appellant status from the Washington Supreme Court. The document's exact words are:

"Although Mr. Tahir-Garrett has demonstrated error on this point, discretionary review is not warranted."

The document's rhetorical justification of that bizarre decision is based primarily upon an assertion by Clerk Richard D. Johnson, which the text quotes verbatim:

"This civil case has been fully briefed and ready for consideration".

That assertion proved to be false, however, when the same Mr. Johnson revealed in writing, on February 9, 2018, that this case is still not ready for consideration because the trial court has still failed to fully transmit the record on review to this Court of Appeals (hence the necessity of my separate accompanying motion to compel production of the record on review).

Secondly, the text of this concealed "ruling" itself contains an empirically inaccurate narrative about the record on review, which if not modified, shall serve to confuse whomever *does* receive and read it as to the actual dates and circumstances of my 8-day-long incarceration for

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER "contempt". The third paragraph of the ruling's text (printed on its second page) attempts to convince the reader that I was jailed either in or after the month of May, for violating the May 5th Contempt Order, which is among the trial court order's I have appealed. The fact is my jailing was implemented from February 21 through February 28, 2017 as means of preventing me from defending myself at the proceeding the trial court held on February 23rd and claimed was an "eviction hearing". In truth, I have yet to ever be even accused, let alone found guilty of breaking the overreaching May 5th Contempt Order that still restrains me in violation of the 1st Amendment.

The second paragraph of the ruling's text (printed on its first page) inaccurately alleges:

"In early February 2017, the trial court found Mr. Tahir-Garrett in contempt and removed him from the courtroom".

Not only is this chronologically incorrect (due to the fact February of 2017 was already 75% over when the Respondents and their compatriot trial court began initiating the contempt charges against me), but it also conceals from any reader the critically important and undisputed facts that the courtroom from which I was first removed was not the trial court of this case, but of another case in which I am not even a party but to which I had been improperly summoned, and that, furthermore, the place to which

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

I was thus "removed" was the King County Jail, into which I was placed for the next seven nights and eight days in complete separation from all my legal papers. That is the one and only time that I was ever booked into jail in connection with this case (See attached EXHIBIT B).

The text of this ruling mentions that I have appealed the February 23rd, 2017 order of unlawful detainer, but it glaringly omits the fact that I simultaneously appealed both the February 21st and February 23rd contempt orders against me. This omission gives anyone reading this "ruling" the impression that the trial court's February 2017 contempt charges against me are undisputed. The fact is that I have very thoroughly disputed and debunked their validity in both my notices of appeal and both my appellant's briefs, as well as by submitting the two transcripts that are part of the record in case # 76605-8-I.

Thirdly, the court records clearly show that the designated record on review in case number 77572-3-I (consisting of Clerks Papers Pages 1-160, 77572-3-I) was not transmitted by the trial court to the Court of Appeals until February 15, 2018 (See attached EXHIBIT C). This occurred a full 45 days *after* the January 2, 2018 date on which Commissioner Mary Neel is alleged by Clerk Richard Johnson to have issued this ruling, and well *less* than a month before Johnson issued his

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER March 9th purported declaration of its "finality" without the appellant having yet ever seen it! It is therefore not possible that either the Clerk or the Commissioner of this Court of Appeals could have reviewed what was actually transmitted to them by the trial court on February 15th prior to the January 2nd date on which the ruling is alleged to have been rendered. It is also therefore not possible that the certification of this ruling's alleged finality can have been proper.

Argument:

I have, meanwhile, received a second response, dated March 19, 2018, from Mr. Richard D. Johnson in reply to my March 9th motion for reconsideration. In the March 19th response, Mr. Johnson alleges that the panel itself has directed him to deny my motion for reconsideration of my request for counsel, thus effectively upholding the clerical and/or commissioner-based statement of intent to continue accompanying the trial court in concealing these matters in violation of RAP Title 15.

Unfortunately, I must assume this allegation by Mr. Johnson to be true unless the panel should issue any indication to the contrary. I therefore will not waste my own or the Court's time repeating my already rendered—and never rebutted—argument as to why I should receive appointment of counsel, except insofar as to briefly denote two obvious

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

facts. Firstly, the contents of the document recently revealed to me also have a material bearing on that question, and I therefore hope the panel takes them into consideration and still decides to appoint me a counselor. Secondly, given these multiple recurring irregularities at the clerical level of both courts, as well as the continuing incompleteness of the designated record due to the failure of the trial court to comply with RAP Titles 9 and 15 by fully producing it, there is ample reason to conclude that I need the assistance of a trained member of the bar, if only to help me ensure the full production of the record (see my separate accompanying motion to compel production of the record).

The appointment of counsel question is, however, only the secondary, rather than the primary objective of this specific motion to modify ruling.

The *primary* purpose of this motion for modification of ruling is to beseech the panel to at least correct the empirically inaccurate narrative contained in the Johnson/Neel document that is dated January 2/4, so that its text ceases to make inaccurate and misleading statements about me.

This could be achieved in part by modifying the ruling's language to accurately reflect the facts I have pointed out in the Background section of this motion above, all of which are verified and corroborated by the record on review itself, and the duly arranged transcripts of the two court

MOTION TO MODIFY RULING
OF CLERK AND/OR COMMISSIONER

proceedings in question, of February 21, 2017 and February 23, 2017 respectively.

It could be achieved in full by further modifying the ruling's language so that it at least acknowledges the fact that the question of whether or not I was engaging in contempt toward the court is a disputed matter that is neither a Commissioner's nor a Clerk's job to adjudicate, rather than abandoning impartiality to incorporate the Respondents' position wholesale.

Relief Requested:

In light of the above referenced facts and for the above stated reasons, I do hereby petition the panel to render null and void the March 9th ruling of "finality" by Clerk Richard D. Johnson and to either overturn the alleged January 2nd through 4th Johnson/Neel document in full by appointing me my long requested counsel, or, short of that, to at least incorporate the above proposed corrections into the text of that presently inaccurate and misleading clerical narrative about me.

Declaration of Service:

I also do hereby swear to serving a copy of this same document to:

Christopher T. Benis of Harrison Benis & Spence, LLP,

MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

,	2101 4 th Ave Ste 1900, Seattle, WA 98121, and
2	Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger,
3	701 5th Ave Ste 2560, Seattle, WA 98104
4	Sincerely, this <u>S</u> day of <u>APRIL</u> , 2018, Omari Tahir Garrett
5 6	Private Attorney General Emari Tohir - Sanett
7	CC:
8	Washington State Supreme Court, Olympia,
9	Washington State Human Rights Commission, Olympia,
0	Office of the World Court, The Hague,
1	Office of the UN High Commissioner for Human Rights, Geneva -
2	Human Rights Council Branch:
3	Human Rights Committee (CCPR),
4	Committee on the Elimination of Racial Discrimination (CERD)
5	Committee on the Rights of Persons with Disabilities (CRPD),
7	Committee against Torture (CAT),
8	Committee on Enforced Disappearances (CED),
9	Committee on Economic, Social and Cultural Rights (CESCR),
20	Office of the UN Special Rapporteur on the Human Rights of
21	Internally Displaced Persons
22	
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24	MOTION TO MODIFY RULING OF CLERK AND/OR COMMISSIONER

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

MIDTOWN LIMITED)	No. 77572-3-1
RTNERSHIP,))	CERTIFICATE OF FINALITY
Respondent,)	
)	King County
V.)	Superior Court No. 16-2-10995-1 SEA
OMARI TAHIR-GARRETT,)	
)	
Petitioner.)	

THE STATE OF WASHINGTON TO: The Superior Court of the State of Washington in and for King County.

This is to certify that the ruling of the Court of Appeals of the State of Washington, Division I, filed on January 2, 2018, became final on March 9, 2018.

c: Stephen John Sirianni Christopher Thomas Benis Omari Tahir-Garrett



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Seattle, this 9th day of March, 2018

RICHARD D JOHNSON

Court Administrator/Clerk of the Court of Appeals, State of Washington Division 1

Omari Tahir Garrett Private Attorney General PO Box 22328 Seattle, WA 98122 (206) 717-1685

To: The Court of Appeals of the State of Washington DIVISION 1 One Union Square 600 University Street, Seattle, WA 98101

CC: Christopher T. Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900, Seattle, WA 98121

CC: Stephen J. Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560, Seattle, WA 98104

Reply to The Court of Appeals of the State of Washington: **RE:** CASE # 77527-3-I,

(From King County Superior Court Case # 16-2-10995-1 SEA)

Dear DIVISION 1 Court Of Appeais,

This is in reply to your attached letter of March 12, 2018, issued and signed on behalf of your Court by Mr. Richard D. Johnson. This retter appears to refer to an alleged ruling in this case which it purports to have taken place on Tuesday, January 2, 2018. However, I am not in receipt of any ruling of that date whatsoever from your Court. Furthermore, I am not in receipt of any ruling from your court whatsoever adjudicating the matters at stake in this Case # 775257-3-I. Therefore, no such alleged ruling can be final since I have never been shown it, and since this is the first time I have been made aware of its purported existence. Please send me what you are talking about so that I may know what on Earth it is.

I also do hereby solemnly swear to serving a copy of this same reply to: Christopher T. Benis of Harrison Benis & Spence LLP, 2101 4th Ave Ste 1900, Seattle, WA 98121, and Stephen J. Sirianni of Sirianni Youtz Spoonemore Hamburger, 701 5th Ave Ste 2560, Seattle, WA 98104

Sincerely,

Dated this 22 Day of MARCH 2018,

Omari Tahir Garrett, Private Actorney General John Tahir - Sanett

DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

January 4, 2018

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-I Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

Counsel:

The following notation ruling by Commissioner Mary Neel of the Court was entered on January 2, 2018:

Defendant/Petitioner Omar Tahir-Garrett seeks discretionary review of an October 3, 2017 trial court order denying Mr. Tahir-Garrett's motion for appointed counsel and preparation of the record at public expense. Although Mr. Tahir-Garrett has demonstrated an error in part, review is denied.

Some brief procedural history is necessary to provide context. In May 2016 plaintiff/respondent Midtown Limited Partnership filed a complaint for unlawful detainer against Mr. Tahir-Garrett, and then in November 2016 filed an amended complaint. The case was continued several times. In early February 2017, the trial court found Mr. Tahir-Garrett in contempt and removed him from the courtroom. On February 23, 2017, the court entered a judgment, order of unlawful detainer, and authorizing issuance of a writ of restitution. On March 22, 2017, Mr. Tahir-Garrett filed a notice of appeal of the unlawful detainer judgment/order. The appeal is assigned No. 76605-8-I. He also filed a motion for findings of indigency. On March 23, 2017, the trial court entered findings of indigency; the order properly concluded with language that the superior court clerk was to transmit the findings of indigency and supporting documentation to the Supreme Court for its determination of whether public funds would be

Page 1 of 3

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

MIDTOWN LIMITED PARTNERSHIP, a Washington limited partnership,) DIVISION ONE
Respondent,	No. 76605-8-I (consol. with No. 77005-5-I)
OMARI TAHIR-GARRETT, a.k.a. OMARI TAHIR, a.k.a. JAMES C. GARRETT; and ALL OTHER OCCUPANTS,) ORDER DENYING) MOTION TO MODIFY)
Appellant.)))

The appellant having filed a motion on April 5, 2018 to modify the commissioner's January 11, 2018 ruling, and a majority of the panel having determined that the motion should be denied as untimely filed; now, therefore, it is hereby

ORDERED that the motion to modify be, and the same is, hereby denied.

Dated this 23rd day of April, 2018.

Deny , J.

Speco, J.

appelwick Cf

The Court of Appeals
of the
State of Washington

RICHARD D. JOHNSON, Court Administrator/Clerk DIVISION I
One Union Square
600 University Street
Seattle, WA
98101-4170
(206) 464-7750
TDD: (206) 587-5505

April 30, 2018

Stephen John Sirianni Sirianni Youtz Spoonemore Hamburger 701 5th Ave Ste 2560 Seattle, WA 98104-7054 ssirianni@sylaw.com Omari Tahir-Garrett P.O. Box 22328 Seattle, WA 98122

Christopher Thomas Benis Harrison Benis & Spence LLP 2101 4th Ave Ste 1900 Seattle, WA 98121-2315 cbenis@harrison-benis.com

CASE #: 77572-3-l Midtown Limited Partnership, Respondent v. Omari Tahir-Garrett, Petitioner

On April 20, 2018, a motion to modify was filed in the above-referenced case. Any response to the motion is due by May 10, 2018. Any reply to the response is due 10 days after the response is filed. After the time period for the reply has passed, the motion will be submitted to a panel of this court for determination without oral argument. RAP 17.5(b). The parties will be notified when a decision on the motion has been entered.

Sincerely,

Richard D. Johnson Court Administrator/Clerk

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

MIDTOWN LIMITED PARTNERSHIP, a) Washington limited partnership,	DIVISION ONE
Respondent,)	No. 76605-8-I (consol. with No. 77005-5-I)
V.) OMARI TAHIR-GARRETT, a.k.a.) OMARI TAHIR, a.k.a. JAMES C.) GARRETT; and ALL OTHER) OCCUPANTS,)	ORDER DENYING MOTION TO MODIFY
Appellant.)	

The appellant having filed a motion on April 20, 2018 to modify the court administrator's April 13, 2018 ruling, and a majority of the panel having determined that the motion should be denied; now, therefore, it is hereby

ORDERED that the motion to modify be, and the same is, hereby denied.

Dated this 4th day of May, 2018.

Spennen J.

2018 MAY -4 AM 10: 23

July 20, 2018 - 4:06 PM

Filing Motion for Discretionary Review of Court of Appeals

Transmittal Information

Filed with Court: Supreme Court **Appellate Court Case Number:** Case Initiation

Appellate Court Case Title: Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al.,

Appellants (766058)

The following documents have been uploaded:

• DCA_Motion_Discretionary_Rvw_of_COA_20180720160252SC333311_5795.pdf

This File Contains:

Motion for Discretionary Review of Court of Appeals
The Original File Name was Appendix -final.pdf

A copy of the uploaded files will be sent to:

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

Comments:

Final Revised Appendix a (shortened)

Sender Name: Lawrence Hildes - Email: lhildes@earthlink.net

Address:

PO BOX 5405

BELLINGHAM, WA, 98227-5405

Phone: 360-599-4339

Note: The Filing Id is 20180720160252SC333311

July 18, 2018 - 3:42 PM

Filing Motion for Discretionary Review of Court of Appeals

Transmittal Information

Filed with Court: Supreme Court **Appellate Court Case Number:** Case Initiation

Appellate Court Case Title: Midtown Limited Partnership, Respondent vs. Omari Tahir-Garrett, et al.,

Appellants (766058)

The following documents have been uploaded:

DCA_Motion_Discretionary_Rvw_of_COA_20180718154050SC691029_2732.pdf

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Motion for Discretionary Review of Court of Appeals

The Original File Name was Appellant s State Supreme Court PETITION FOR REVIEW -Revised-Final.pdf

• DCA_Other_20180718154050SC691029_7196.pdf

This File Contains:

Other - Motion for Leave to File Revised Petition

The Original File Name was Motion for Leave to file a Revised Brief - Tahir-Garrett v Midtown Limited Partnershp - WA Sup Ct.pdf

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Comments:

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