

10-28-13

State Supreme Court

9 justices

P.O. Box 10929

Olympia WA 98504

RECEIVED
BY RONALD L. CALVERT

13 OCT 31 AM 8:33

Dean Clerk of Court

Susan Carlson / 9 justices

This letter negates court rules this court should
immediately "revoke"

and why they need "reversed", as set forth herein,
should immediately be brought to the attention of this
court, it 9 justices, to court commissioners & clerk.

Before it decides any more PRP's! (pending)

(and immediately needed to protect this court from
court sent negates it. rules! "internal" rules) : to protect
Constitutional right of parties! : to protect their liberty

Thank you & please revoke!

Sincerely & Respectfully

Ms Mary Clark
w/cw

9601 Bayview Rd NW

919 Hanson WA 98332

Required Revision of Rules

with Examples by real cases (required to understand unintended rules illegal impact!)

- (A) The state Supreme court held in Isadore 151 Wn2d 284, 289 (2001) [in Gnantham 168 Wn2d @ 214, 227 (2010)] that where a prisoner has had no previous or alternative avenue for obtaining state judicial review (no prior opportunity for) that the court does not apply a heightened threshold requirements applicable to P.R.P., instead petitioner need show only that he is restrained under Rsp 16.4 (b) & restraint violated Rsp 16.4. (c)]

These cases by Supreme court are equivalent to tier one / first level review as in Holbert v Mich 162 Fed2d 552 & in 2012 decision Martinez v Ryan 182 Fed2d 272

where US Supreme court based these (2) cases on longstanding jurisprudence of other court for 30 yrs! where Supreme court held in these (2) cases / other following - that where a state law provides a claim cannot be brought in direct appeal, must use a collateral attack / a P.R.P. / mandamus / other. Then there are level one DA claim: in a P.R.P. / other. & here requires court appoint counsel to prepare & file the claim before the appellate court can decide the merit of!

- (B) The US Supreme court left it open for a scope of what state or other action (by state under color of law) would constitute or could constitute preventing claim in DA, & forcing claim into collateral attack / post conviction / mandamus / other instead

These claim can be (1) where Superior court judge (in Maher 904.110 (2)) intentionally did not do a Cr. 2.2 (b) procedure

at time of "entering" to prevent DA & prevent attorney assistance
& review in DA & force accused (Mr. Clark) to bring her claim. CA /
PRP, for burden shifting & no attorney assistance & review in PRP!

Here all her claims in yrs later PRP, are all her one / level &
review & court had to appoint her counsel to prepare the PRP before
appellate court could rule on the claims.

a(2) • claim, as in Statutory Slattery 177 uncl. 90 (2013) as in
Mr. Clark claim, where Superior court acted concert DA & coa to
prevent her claim in DA to force her claim into a PRP / a
into a mandamus here are intentional illegal conduct by compt
judges / compt court commissions / clerk. in Wash State

• pattern / practice of / policy, custom of corruption by
court corruption to intentionally deprive accused of all relief in judicial
illegal conduct!

(3) • a where lawmakers know they can never apply any
SNA later amended 9944 law retro for any purpose / any guarantee
since this is not only illegal / uncon? for various reasons.

but intentionally deprives prisoners of level one DA
on whole non-retro / and retro claim & lawmakers intentionally
forcing level 1 DA claim into PRP to prevent counsel & review

a(4) • where DOE illegally

• maliciously applies SNA later amend retro to
level one DA claim - forced into PRP.

(5) • other instances (6) • or in "Isadore" claim, prisoner
where a defendant has had no prior opportunity / access
to bring these claims (i presented in DA) & forced to use
CA / PRP.

a(7) • in uncl 3620 000 largest 10, 10 pages
incorrect language & application

that clearly prevent defendant claim in DA!

- (c) license appointing counsel in criminal appeals is under 10.73.150 and section (4) provides for court to appoint counsel only in a 1st PRP (first), then only if a showing of probable merit (under App. 16.15)

And App 16.15 (h) is given by court rules

But when a claim is presented in DA (by action under state law or by court rules or by pattern/practice of corruption under color of law), there is being forced to be filed under mandamus PRP it unrelated if it is 1st PRP (or 5th or 6th PRP!) (indeed all prior PRPs could have also been level one review unknown by defendant!)

Revision

Thus App 16.15 (h) rules must insert language that in any claim that level one review (as in Holbert v Mich or Martinez v Ryan, in prior pg. — known!)

that that level one PRP / a mandamus review (presented in DA) is always a First PRP for purposes of 10.73.150 (4) & App 16.15 (h)!

- (d) license Case law of US Supreme court prohibits any law or court rule or court from determining if a claim has probable merit before the court appoints counsel in level one review of that claim!

Thus App 16.15 (h)

Revision

must insert additional language that no law can require, & no court can condition appointment of counsel on determination of probable merit of a level one claim (defined in Holbert v Mich & 30 y. of prior case law!)

otherwise w/o revised court rules, judges can illegally evade decision of US Supreme Court they do not like (dispute that decision is legally / or constitutionally required to protect accused right)

- judges can ignore fact a claim is Level one -

- w/o the revised court rules, defendant may not know they can plead a Level one claim in PRP / CL / other that would require a court to appoint them counsel to prepare that level one claim before court can decide the merit!

● (E) ● But likewise where a accused (as Ms. Clark) files a mandamus on all Level one claims, Supreme Court illegally 're-designates' the mandamus a PRP - , given 8/12/94 case no.

• here immediately Ms. Clark files a motion for court to appoint her counsel on her Level one claim as in Holbert v. Ryan (prior pg. ——— herein)

Revision

Then Supreme Court judges must immediately appoint her counsel to prepare, file all her claims in "PRP" (court created -)

• The judges of Supreme Court cannot direct court clerk to hold the motion for counsel for 8 to 12 mo & court decide counsel motion by 5 judges panel

(or illegally decided by a court committee)

since this is an intentional / even illegal act by the court chief (to evidence criminal intent of court) to delay acting on the counsel motion for 8 - 12 mo or more

So judges or committee can fraudulently & falsely claim the counsel motion can be denied, because a later filed PRP

by an attorney (months later appointed) would be time served!
And Ohio Supreme court judges (9 judges) & court commissioners
& court clerk intentional delay in appointing counsel in a PRR /
mandamus / other - then falsely claiming time served for the (new) or
PRR prepared by an attorney, would be,

or is, clear fraud, deception, bad faith illegal conduct
of State Supreme court to intentionally delay acting on accused
'counsel motion' so judges/court delay several months. The
court could / does intentionally create their own falsely
created time served, (1 void decision of US Supreme court!)

I can get 9 judges of Supreme court criminally prosecuted
18 USC 241 / 242 crimes & aggravating factor.

I state law crimes!

Indeed Supreme court must enumerate an example of
claims as in Holzer, a Martinez v Ryan (6 or seven)

so the reason why the claim is her one reason -
for appointment of counsel - need not be enmeshed with ^{the} claim.

(where claim ^{the} merit, need not be decided before the
motion for counsel granted) for immediate granting motion for
counsel to prevent time served.

or direct counsel to file ^{additional} motion to extend time to
file PRR - with the counsel motion a court automatically
extend time to file PRR

Indeed here Ohio court knew from Mr. Clark's counsel motion.
(2d) all his claims were being prevented by
illegal conduct of judges (evidenced judge did not OK 22(B)

proceeds 1997 - plus due to Ohio court needlessly violating
the court rules (for attempt, not for more pleading.)

• This court knew also in 2011-2012 court cases
302620-III & Ohio court 87813-7 (The latter pending
in Ohio court when Ms. Clark filed her mandamus) (now a PRP)
that due to more of Ohio court rules easily misapplied by
corrupt CCA judges: due to illegal court decision of Revised
95 ungr. —

• due to illegal pattern/practice of Superior court
acting in concert CCA now III as in Slattery 177 and 20 (2013)
that these courts, were able to also illegally prevent
Ms. Clark DA on all her claim (in 88129-4)

• all are level one claim being forced again, 17 up
later, into illegal PRP's! (88129-4)

• These 9 judges & court commission / clerk of Ohio court all
knew all Ms. Clark claim in 88129-4 were all level one
revised!

have no reasonable basis to not grant her motion for
court in Dec 2012; rather than the court illegal wait
almost a year! in a illegal attempt to try to deny
the motion by judicial created time bar.

that court had to grant also a time bar!

• (F) then the obvious!

The mandamus (illegally a court created PRP) 88129-4
has no time to file! indeed mandamus is based on
similar to discovery rule! when the claim discovered!
• no 1yr time bar applies!

Secondly the very purpose of the decision in Halsbury is much that claims being prevented in DA (direct appeal) & being forced by state action / action under color of law, into a PNP / murders / other, is other a PNP equivalent to a DA! and in DA ^{now} ~~once~~ filed, the attorney is immediately appointed here creates no time loss, caused by judicial delays, since the "time" to file briefs does not commence until the counsel appointed!

There some required in claim (level one) in PNP requires ^{the} time to file a PNP is automatically extended to date the counsel motion decided! & files the PNP (like the DA brief) otherwise the Supreme court delay in deciding appointed counsel motion, (for level one claim) would illegally

allows the Supreme court to void / moot all decisions in US Supreme court of Halsbury & much & in

Montgomery v Ryan! a serious claim against this court where since this court owns improperly written court rules (even illegally written in App 2.2 (i) & (9) & App 10.10 other.) is causation in preventing caused level one claim in DA & forcing level 1 claim in illegal PNP!

a serious causation that can cause this court serious legal consequences for! This court cannot afford to ignore! (civil action against court)

There the Supreme court decision in Nadder Haybighi (regarding ET in relation seat) 87529-4 9-12-13

is profoundly illegal if applied to level one claim. (prevented
in DA, forced into PPP: !)

• could cause more uncomfortable & harmful

decision, by this court as in Staley Bashaw 168 and —

• need of this court to terminate legal services of Stuegg

• & Carlson (where they are not careful/knowledgeable)

• quick thinkers or choose not to be! in leading this court

• judges down a illegal/wrong path. The court could get
criminally PA for!! (Court must follow McDonald V Scott 129 6d 886

(9) Additionally — in all PPP, prepared / filed by a appointed
attorney that are based on level one claim

• as in Diadore claim, no prior / or alternative
way to bring a somer (all claim ^{PPP} similar as in "DA")

Revision:

• The appointed attorney will get paid for all his
time/hrs, expenses, cost / all compensation for all his services
whether he wins or not!

as one all level one claim that would have been
in DA, prevented from DA, US Supreme court holds that
the PPP is equivalent to DA!

The attorney can request same rate as private practice
(in attorney other public defender 36.26 040)

or rate as a public defender 3126 080

These attorneys appointed in PPP for level 1 claim

The attorney work is equivalent to DA, he's paid whether
win or not! • and civil rules on App 18, that attorneys

recover attorney fees of substantially private is N/A to PPP.

filed on level one claims!

revisions

These court rules must be revised to assure all attorneys are aware of these fact/law, to prevent defeat of filing PPP on level one claim

• prevent circumventing / voiding decision of US Supreme Court (legally & const. required decision!)

Here Mr. Clerk purportedly 1/2 deadline to file a PPP is 2-6-14 or let say Clerk Carlson's "PPP"!

properly written / carefully thought out court rules are crucial to judges / clerks ability to protect accused Constitutional right (from illegal conduct of PA & Co's! (or from even unfair police defender.)

• assuming no one deemed "the court" or acting behalf the court as "the court".

Can in bias & prejudice intentionally or recklessly deprive accused of trial in their court (I know the many mean it can be done!)

and it not possible to suggest required rule changes / revisions. We giving someones case as an example!

• Before the court act in pending cases & protect court from legal liabilities or not using proper rules in pending cases

(I of profoundly ignorant lawyer, filing PRR that do not note all herein to this court in their pleadings & court rules are to state the correct law

for even attorney (a prose)
Please nurse

Sincerely
& Respectfully

Mom Mary Clark

WCAW

9601 Bayou Blvd NW

919 House W 98332

More Revision! in Form.

Crucial fact are

- (1) New 204.190/200 authorizes Supreme court to create their own court rules / procedures / forms.

Hence the Supreme court created CrR 4.2 form (statement of adult plea)

- (2) But this form is entirely generic!
and it has no place for individual, defendant fact of their own case (needed since all will be different)

- (3) The Supreme court failed to have a section in CrR 4.2 form it created that states as (A) (B) (C) below

- (A) CrR 6.1 (d) for non jury findings

• judges finding of fact / conclusion of law to each element of the offense charged [wipes ?] element

Element 1

Element 2

et seq -

(see attached form (A) for

- (B) • judges finding of fact / law required

New 994.090 / 411

(see attached form (B) for

- (C) • judges finding of fact / law as required at 4.2 (the use of boilerplate language) (see attached form (C))

(4) indeed 3 state laws/rules require these findings of fact; 1 law (unwritten) and numerous decisions of state Supreme court itself require these findings of fact/law (as does CR 6.1 (d))

(5) Hence since Supreme Court case law, several laws/court rules require such unwritten findings of fact/conclusion of law since are individual to each defendant case

• are specific undictated findings of fact/law that are prohibited from being generic /

• where no finding of fact/law done the court itself holds it required/essential for a guilty finding if no conviction exist.

When it is clear recklessness ? negligence for Supreme Court to not put in CR 4.2 form., the requirement of law & rules & requirement of their own court decision!

(6) indeed w/o such additional (3) section (A, B, C para pg.) in the CR 4.2 form format the Supreme court reasonably did know that w/o such a form

When 'ommission' would facilitate, solely encourage, aid, & complicity in corrupt PA/corrupt Superior court judges in obtaining "purported conviction" not based on fact & law!

• knowingly foreseeable and J-J on law & evidence & enlargement for many years on DOJ/a DOJ's grounds! (plus provided speed of right w/o such findings)

(7) and are many act as 'ommission', in Supreme court duty to act to put such in their form. that can be claim of 'circumstantial evidence' of Supreme court criminal intent to

commit to do their duty, to facilitate, select, encourage or aid.
Superior court judges a co-accused in serious state, 2nd crimes against
defendant/accused (as Mr Clark) / additionally
(18 use 241/242 crimes)

(8) • because the Supreme court makes their court rules for only
attorneys / for person that can afford attorney!
not for layperson!

(indeed Mr Clark lost several rules in Rep. that are
unconst as written) including (not limited to) Rep. 2.2 (1)
that states a right to appeal a final judgment
(not a non final judgment)

• in criminal cases since only criminal rules / Rep rules
apply - only an attorney would know the "appeal a final judgment"
is for only civil cases under civil rules

• the appeal a non final judgment (required in
a criminal case) is no where in court rules (Rep)
and must be inside knowledge of attorney, ^{that} only that Rep 2.2 (1)

appeal final judgment applies also to non final judgment (if it does it
inside knowledge (9) • mean, only OR 2.2 (5) Superior court criminal rules
apply to criminal appeals / is why the judge of Superior
court must advise all accused of their right of appeal
in 2.2 (5) as Procedure

• See State v. Hane
w/ g p @

since no Rep rules / any rule covers it!

(9) because OR 2.2 (5)

illegally states to appeal a conviction, rather than a
judgment

(10) Those witnesses glorifying recklessness / negligence
a circumstantial evidence of criminal intent to have
repugnant omission in court rules that allows Supreme Court
to facilitate, select, encourage, aid, (be complicit in)
illegal / corrupt judges, PA & Co. in violating state
2ed. Const right of accused / and unlawful imprisonment
in criminal intent for Superior Court judge / PA et al
to cause accused death by unlawful imprisonment, unlawful
condition of confinement!

(11) Those where Supreme court creates (intentionally) rules made
only for attorneys or for attorneys to apply, to save / protect
Const right of accused

When who appointed attorney, layperson / pro se
accused cannot save / protect their own const right

The Supreme court

- has a duty to appoint counsel to assist
person, or no choice!

- (until the court re-writes their court rules,
properly for both attorneys & layperson / pro se defendant!) for
even pro se accused to protect their const right)

(12) • likewise, those unconsc. / recklessly created court rules
forever, inherently facilitated / selected, encouraged Superior
court judges & corrupt Co. (MS III) to makeup / create their
own federal / PA created procedural bar, / time bar, not attributable
to any failure on part of accused! That are serious state 2ed
law crimes to do!

Revision of rules

The Supreme Court is reviewing it. Court rules in 1992 did
 never R.P. 16.3 (5)

1. 1st. The determination ultimately made by a
 "chief judge" under Rules 16.11 & 16.13 may be
 made by a (commission (of Supreme Court))

When the matter in R.P. 16.3 is Supreme Court commissioners. In
 acting as a chief judge of a court had to provide R.P. 16.11, that
 only allow a chief judge to decide & claim. (1) / provision
 (in that claim on not?)

But if petition is not provision

cases determined solely on the merits - the chief judge
 will refer the petition to a panel of judges for determination on

merits

that I cannot be determined solely on merits. The chief judge will
 transfer the petition to a Supreme Court for determination on
 merits as for a Supreme hearing
 the chief judge may refer other cases normally to obtain a
 prompt determination on merits

But

No more than R.P. 16.11 allow a 1 man "chief judge" to decide
 a case on "commission/provisional 500" rather than on merits

Separately

Since a court commissioner is acting chief judge on a chief
 judge, is provided from merit determination. The 500 can
 on an merit / law to provide 500 can even start a new

cases where merit of claim are inherently her one a judicial claim,
if no prior opportunity / or avenue to bring claim, are matter of law
(or mixed fact & law) for a 3 judge panel

and there are least claim in a PRP or judicial claim of
no prior / opportunity / avenue to bring claim, both satisfy
"good cause" 16.4 (d) & inherently merit has been found!

(and a chief judge act under Rpt 16.4, 16.4 (d), 16.11
Not under 1073090/100 140!)

The only other decision a chief judge can make, Rpt 16.11 is

- "either other order necessary to obtain a prompt
determination on merit."

This includes opportunity caused based on a statement, (pertinent
- reasons) from petitioner. The claim are (1) her one review.

why, or are (2) judicial claim / if no prior opportunity /
avenue to bring. ("prime fact" showing on "matter of law")

(This court proceeding similar as is

- McDonald / Smith 124 L.J.R. 340)

Then after a 3 judge panel rules on merit, the Rpt rules provide
review 13.5 plus re-consideration (Rpt 12.4)

But here (for example Mr. Clark's case) the Supreme court commissioner
did not proceed under Rpt 16.11 and he made decision under
1073090/100, not authorized under Rpt 16.11 for a 1 man / chief judge
to make nor to make under Rpt 16.4 (d) & Rpt 1073090/100
and had Supreme court commissioner made a 1 man judge decision

Rp 16.481

The fact Mr. Clark's claims are all 'tier 1 / level one' claims, plus are Trochare claims of no prior opportunity / avenue to bring claims, both these claims are evidence / admit of 'good cause' 16.41(a), evidence these claims not time barred!

(Hence why Mr. Clark filed motions to strike Respondent's Motion; the commissioner could not consider under Rp 16.41(a), he illegally did! - (no could he under 16.9)!

Then

Since Rp 16.5 (s) allows (illegally - a violation of state const.) a Supreme court commissioner to act as a chief judge.

it prevents review Rp 13.5, prevents reconsideration and leaves only a Rp 17.7 motion to modify

But

Mr. Clark - has to file a Motion to strike entire ruling, as not authorized by law / or by state const. or by any rule -

And not since his ruling based on illegal act / rulings of clerk & Carlson making the entire proceeding void!

void commissioner's order

Hence Mr. Clark was prohibited from reading or even challenging any of the content of Court Commissioner's ruling, not authorized by law & is void / illegal proceeding! (void is a matter of law) But note he would have been required to rule on all (all) his several motions before he could make procedural decision!

As his several motions prohibited his ruling & would have voided his illegal ruling!

Enduring again, inadequate, or improperly or recklessly negligently
within court rules

She must revoke every such suspect matter/issue /
purpose / intention a suspect matter to be so / not
on against inferior tribunals / the / persons. In Supreme Court /
appellate court! (as original common law under Supreme
Court, see Pringle)

• - court can be criminally charged for not providing
relief all things required!

(and go 121 will never stand in a Court, legal challenges to it!
never' is challenged in proper 2nd court, with properly
get law supporting the challenge!)

The better course is to make court rules solely with an eye
to protect individuals (not right as against any person
(3 Branches) violation of their rights!

• as further Branches etc. repeated
• "even let one's practices get them from the door"

(including that by means of ruleless rules!)

but they can't



State Supreme Court
Clerk of Court R Carlson
PO Box 40929
Olympia Wash 98504

919 Hanson WA 98332

State Supreme Court
Clare of Court S Carlson
PO Box 40929
Olympia Wash 98504

LEGAL MAIL

Deadline legal mail