

Also, I should be awarded any and all appropriate damages.

DATE: December 19, 2020

Keith Arnold

Keith L. Arnold
Pro Se Petitioner
404 22nd St. SE, Apt. A
Auburn, WA 98002-6838
KLA@bus.illinois.edu
253-931-5183

APPENDIX

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THE SUPREME COURT OF WASHINGTON

CITY OF AUBURN,

Respondent,

v.

KEITH ARNOLD,

Petitioner.

No. 98176-1

ORDER

Court of Appeals
No. 80246-1-I

Department II of the Court, composed of Chief Justice Stephens and Justices Madsen, González, Yu and Whitener, considered this matter at its July 7, 2020, Motion Calendar and unanimously agreed that the following order be entered.

IT IS ORDERED:

That the Petitioner's motion to modify the Commissioner's ruling is denied.

DATED at Olympia, Washington, this 8th day of July, 2020.

For the Court


CHIEF JUSTICE

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

CITY OF AUBURN,

Respondent,

KEITH L. ARNOLD,

Petitioner.

No. 80246-1-I

CERTIFICATE OF FINALITY

King County

Superior Court No. 18-2-55775-5 SEA

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 October 10, 2019, became final on August 4, 2020. An order denying a motion to modify was entered on January 15, 2020. A ruling denying a motion for discretionary review was entered in the Supreme Court on April 23, 2020. An order denying a motion to modify was entered on July 8, 2020.

c: Keith Arnold
Kendra Rosenberg Comeau
Gregory Glen Thomsen

IN TESTIMONY WHEREOF, I

have hereunto set my hand
and affixed the seal of
said Court at Seattle, this 4th
day of August, 2020.

Richard D. Johnson
Court Administrator/Clerk of the
Court of Appeals, State of
Washington Division I



IN THE SUPREME COURT OF THE STATE OF WASHINGTON

CITY OF AUBURN,

Respondent,

v.

KEITH L. ARNOLD,

Petitioner.

No. 98176-1

Court of Appeals No. 80246-1-I

RULING DENYING REVIEW

Pro se petitioner Keith Arnold seeks discretionary review of a decision by Division One of the Court of Appeals dismissing his motion for discretionary review of a King County Superior Court decision on a RALJ appeal affirming a \$20 parking ticket issued against Mr. Arnold by the city of Auburn. Commissioner Masako Kanazawa dismissed the motion for discretionary review because the Court of Appeals lacks jurisdiction over civil cases where the amount in controversy does not exceed \$200. RCW 2.06.030. A panel of judges denied Mr. Arnold's motion to modify the commissioner's ruling. RAP 17.7. The Court of Appeals did not err in dismissing the motion for discretionary review for lack of jurisdiction under RCW 2.06.030. The same \$200 jurisdictional limit in civil cases applies in this court. Const. art. IV § 4; RCW 2.04.010. Mr. Arnold's argument that the \$20 parking infraction at issue involves a controversy exceeding \$200 is unpersuasive.

The motion for discretionary review is denied.


COMMISSIONER

April 23, 2020

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 10, 2019

Kendra Rosenberg Comeau
City of Auburn
25 W Main St
Auburn, WA 98001-4998
kcomeau@auburnwa.gov

Keith Arnold
404 22nd St. SE Apt A
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Gregory Glen Thomsen
Auburn City Attorney's Office
25 W Main St
Auburn, WA 98001-4998
gthomsen@auburnwa.gov

CASE #: 80246-1-I

Keith Arnold, Petitioner v. City of Auburn, Respondent

Counsel:

The following notation ruling by Commissioner Masako Kanazawa of the Court was entered on October 10, 2019, regarding Petitioner's Motion for Discretionary Review:

Keith Arnold, pro se, seeks discretionary review of a superior court decision that affirmed King County District Court's finding of a \$20 parking infraction. The City of Auburn correctly points out that this Court lacks jurisdiction over civil cases when the amount in controversy does not exceed \$200. RCW 2.06.030. This Court lacks jurisdiction over this matter.

Therefore, it is

ORDERED that this case is dismissed.

Sincerely,



Richard D. Johnson
Court Administrator/Clerk

jh

THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION ONE

CITY OF AUBURN,

Respondent,

v.

KEITH L. ARNOLD,

Petitioner.

No. 80246-1-I

ORDER DENYING MOTION
TO MODIFY

Petitioner Keith Arnold has filed a motion to modify the commissioner's October 10, 2019 ruling denying his motion for discretionary review. The City of Auburn has filed a response. We have considered the motion under RAP 17.7 and have determined that it should be denied. Now, therefore, it is hereby

ORDERED that the motion to modify is denied.

Chun, J.

Merrill, ACT

Appelback CJ

IN THE KING COUNTY SUPERIOR COURT
STATE OF WASHINGTON

CITY OF AUBURN,

Plaintiff/Respondent,

v.

KEITH L. ARNOLD,

Defendant/Appellant.

CAUSE NO. 18-2-55775-5 SEA

ORDER ON RALJ APPEAL

THIS MATTER came regularly ^{on 6/28/2019} before the undersigned judge of the above-entitled court.

The Appellant/Defendant, Keith Arnold, appeared pro se. The Plaintiff/Respondent, City of Auburn, was represented by Kendra Comeau. The Court has reviewed the file, and pleadings therein, and has heard oral argument from both parties. It is now hereby ORDERED, ADJUDGED AND DECREED as follows:

1. The trial court's finding of committed issued in King County District Court Case parking infraction case # 98182 is affirmed. *The court incorporates its oral ruling herein.*

2. The appeal is denied and the case is dismissed with prejudice.

//

//

ORDER RE RALJ APPEAL
Page 1 of 2

CITY OF AUBURN
Legal Department
25 West Main Street
Auburn Washington 98001-4998
(253) 931-3030 FAX (253) 931-4007

3.

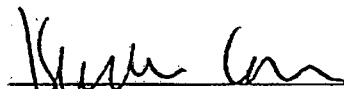
DONE IN OPEN COURT this 28th day of June, 2019.



JUDGE RUHL

Presented By:

Approved as to Form:



Kendra Comeau, WSBA 44581
Attorney for Plaintiff/Respondent

Keith L. Arnold, Pro Se
Defendant/Appellant

WMA 12/3/18

A-4.

FILED
2018 NOV 21
KING COUNTY
SUPERIOR COURT CLERK

CASE #: 18-2-55775-5 SEA

E960

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

CITY OF AUBURN

NO. 18-2-55775-5 SEA

Petitioner(s)

ORDER SETTING RALJ CIVIL APPEAL CASE
SCHEDULE

VS

ASSIGNED JUDGE: Ruhl, Dept. 08

KEITH ARNOLD

FILED DATE: 11/21/2018

Respondent(s)

ORAL ARGUMENT: 05/03/2019

W#206
477-1373

A notice of appeal of a Limited Jurisdiction Court decision has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the Presiding Judge.

I. NOTICES

THE PERSON (APPELLANT) APPEALING A DECISION OF A LIMITED JURISDICTION
COURT MUST:

1. Read and be familiar with the Court Rules for Appeal of Decisions of Courts of Limited Jurisdiction (RALJ). These rules are available in the Law Library located at both the King County Courthouse and the Maleng Regional Justice Center.

2. Comply promptly with the Case Schedule deadlines. FAILURE TO COMPLY MAY RESULT IN THE DISMISSAL OF YOUR APPEAL.

3. File a *Notice of Appeal* in the Court of Limited Jurisdiction where the original trial occurred within the time provided by RALJ 2.5. The Court of Limited Jurisdiction will forward the *Notice of Appeal* to the Superior Court, prepare and transmit its record of the case upon receipt of payment by the appellant, unless the appellant has been excused from paying the court.

4. Pay the statutory filing fee to the Clerk of the Court of Limited Jurisdiction in which the *Notice of Appeal* is filed, unless the party filing the *Notice* first secures an "Order of *In Forma Pauperis*" from the Court of Limited Jurisdiction, or is exempt by statute.

You are required to give a copy of these documents to all parties in this case, and you are responsible for arranging for transcripts, records, and briefs.

WA Court Rules
Vol 1 - State
2019
pp. 677-685

Title 7 Briefs
7.3 Format of Briefs

I. NOTICES (continued)

5. All parties to this action must keep the court informed of their addresses. Notices of Appearance, Notices of Withdrawal, and Notices of Change of Address must be filed with the Superior Court Clerk's Office, the Clerk of the Court of Limited Jurisdiction and the opposing party.

6. Immediately serve a copy of the Notice of Appeal and the Order Setting Case Schedule (RALJ Appeal - Civil) on all other parties to this action. You, as the person who started this appeal, must make sure the other person or agency is notified of your action and gets a copy of the Schedule. You may choose certified mail, personal delivery by someone other than you, or a "process serving service" (see telephone directory).

7. As the appealing party, you must arrange to have a transcript made, at your expense, of relevant portions of the electronic record of proceedings as described in *RALJ 6.3.1*. File the transcript and your brief with the Superior Court Clerk and serve a copy of the transcript and your brief on the opposing side. Please read *RALJ 6.3.1* for instructions on how to obtain and prepare the transcript.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE APPEAL: When a decision, judgment, or order of dismissal of the appeal is filed with the Superior Court Clerk's Office, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Hearing Date. It is the responsibility of the parties to file such dispositive documents within 45 days of the resolution of the case.

If you miss your scheduled Hearing Date the Superior Court Clerk is authorized by KCLR 41(b)(2)(A) to present an *Order of Dismissal and Remand*, without further notice, for failure to appear at the scheduled Hearing Date. The appeal will be remanded to the Court of Limited Jurisdiction for enforcement of the original ruling.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4A.630.020 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Rule 41.

King County Local Rules are available for viewing at
www.kingcounty.gov/courts/Clerk/Rules/

II. CASE SCHEDULE

	CASE EVENT	EVENT DATE
*	Filing of Notice of Appeal from Court of Limited Jurisdiction [See RALJ 2.4; RALJ 2.5; RALJ 2.6, KCRALJ 3.1(c)].	11/21/2018
*	Prepare and Serve Designation of Record [See RALJ 6.2(a) and Notices].	12/05/2018
	Court of Limited Jurisdiction prepares record and notifies parties that record is ready to transmit [See RALJ 6.2(a)].	01/02/2019
	Appellant to have paid Court of Limited Jurisdiction for copies of records and tape, unless waived [See RALJ 6.2(a)].	01/02/2019
	Court of Limited Jurisdiction to transmit copy of documents and provide copy of tape to appellant [See RALJ 6.2(a); RALJ 6.3].	01/02/2019
*	Filing DEADLINE for Setting hearing on Loss or Damage of Electronic Record [See RALJ 5.4]	01/16/2019
*	Filing DEADLINE for transcript and Brief of Appellant [RALJ 6.3.1; RALJ 7.2(a)]	03/06/2019
*	Filing DEADLINE for Brief of Respondent [See RALJ 7.2(b)]	04/03/2019
*	Filing DEADLINE for Reply Brief [See RALJ 7.2(c)]	04/17/2019
	Oral Argument before Assigned Judge at 8:30 a.m.**	05/03/2019

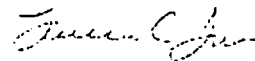
The * indicates a document that must be filed with the Superior Court Clerk's Office by the date shown.

** The assigned judge may re-set the hearing date and time to accommodate other court obligations. The parties may also waive oral argument, or the court may decide the matter on the briefs without oral argument. [See RALJ 8.4]

III. ORDER

The King County Superior Court issues an *Order Setting Case Schedule (RALJ Appeal - Civil)* when a decision of a Court of Limited Jurisdiction matter is appealed to the King County Superior Court. It is ORDERED that all parties involved in this action shall comply with the schedule listed above and that failure to meet the listed event dates will result in the dismissal of the appeal. It is FURTHER ORDERED that the party filing this action must serve this *Order Setting Case Schedule (RALJ Appeal - Civil)* on all other parties.

DATED: 11/21/2018



PRESIDING JUDGE

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

CITY OF AUBURN

NO. 18-2-55775-5 SEA

Petitioner(s)

BRIEF OF APPELLANT (with parts of
transcript)

vs

KEITH ARNOLD

Respondent(s)

This is harassment under the cover of abuse of a position of authority. Judge admits something is wrong here using the word "hassle" saying, "he's lived there 14 years and never had a hassle" [hearing disc time 3:04:07p]. Thereby using the word "hassle" in place of "harassment" but both are abusive and therefore the same here.

The repealed city codes in Appendix A indicate the difficulty in writing codes that include enough options to cover every situation in every part of the city. Since it is impossible to write (or formulate) a law (state or city code) long enough that covers every possibility, discretion is necessary in the enforcement (implementation) of laws. Those (city and state legislatures here) formulating guidelines (laws or codes here) can't detail every situation that will be encountered

by those (cops here) implementing them. That is why cops should have and do display discretion by not citing every time a law could be ticketed. This is easier than writing every possible exception which no legislature (state or city) could do.

I've used public transit to go to work since April 2010, so my car has always been parked in front of my apartment then. I don't drive my car much, so it has usually been parked in front of my 404 22nd St SE apartment for the over 14 years I've lived there.

Common sense should be applied, but it was ignored by the district court in this case. Here there is a stop sign at my corner, so cross traffic doesn't need 30 feet of clearance because cars have to stop before entering the intersection and yield to D St traffic which has no stop sign. I was clear of the modifications and crosswalk leaving plenty of room to turn onto my street. Additional room beyond the crosswalk is just unnecessarily wasting needed parking which is why cops have not cited me (nor anyone else to my knowledge) for 14 years. This is good discretion viewing codes as guidelines but not perfection and makes the cops (and usually including the parking enforcement officers) good partners in implementing codes that can't be perfectly written for all situations by state or city legislatures. Public servants are meant to serve the public not be served by the public. Codes are meant to provide good public service not be served by the public just because they exist and haven't been improved. Wasting needed parking spaces does not provide good public service.

Conner said she's worked for Auburn parking enforcement "4 years and 11 almost 10 and a half months" [2:36:10p]. By not giving me a ticket for those more than 4 ½ years Conner has agreed

with the police discretion that a ticket in this situation is inappropriate and the poorly written state and city codes shouldn't be applied here.

Conner said "And that you're also, I must add that where that little dip in the sidewalk is that is a disabled, that's for handicapped that is actually a wheelchair ramp and I did not cite for that which I could have." [2:50:10p] Therefore, Conner uses discretion when she chooses to. Conner only needed one excuse to give me a harassing ticket then could try to use the issues she didn't cite for as cover to falsely claim she was being nice or lenient but that was only trying to cover up her abuse.

I believe I was given this ticket the day before I received the Primary voters' Pamphlet with me as a candidate for the 8th Congressional district of Washington on 7-18-18 to harass and try to intimidate me for running for Congress. Appendix B city employee Hannah Cottle email and Appendix C my email response to Cottle before Conner gave me this ticket show the City of Auburn knew I was running for Congress in 2018. Also, Appendix D is about a suspicious phone message on my answering machine on 9-27-18 stating it was from "Hannah" of the City of Auburn.

Since receiving this 2018 ticket, I've noticed F and 22nd streets at the other end of my block have been marked with yellow paint at the corners as an apparent cover up for harassing me by trying to look like they are enforcing 30 foot parking codes near the corner elsewhere in my neighborhood, too. The paint on 22nd St at F St is only about 5 feet long but on F St it may be 30 feet long. Nevertheless, there is still usually a vehicle parked by the yellow paint on F St.

A 72 hour ticket (Appendix E) was given to me in 2008 after the first time I was on the ballot for the 8th Congressional district (the first time I ran was as a write-in in the 2006 election) as a harassment message to me for running. I'd lived there then for over 4 years without what 2018 ticket district judge refers to as "and never had a hassle" [3:04:07p]. When I got the 72 hour ticket I called the police department and spoke to the supervisor (sergeant, I think) and said I've parked here for over four years sometimes a month or more at a time without ever having a problem and asked the supervisor why did the cop give me a ticket now. The supervisor in a frustrated sounding voice told me (as exactly as I recall now), "I don't know, trying to impress his boss or something, I don't know". So that supervisor apparently thought that 72 hour ticket was an abuse of a position of authority as much as I did.

The 72 hour parking ticket tried to hide how obviously it was targeting me by using a general address "400" instead of my actual address "404" to try to hide that I was just parked in front of my home. That cop knew it was my home the same as Conner showed when she said, "I issued a citation. Actually first of all what I did is because the car is registered nearby I actually tried to make contact with the owner of the vehicle I walked over to the the door and I knocked on the door just to see if I could get a hold of the person to see if they could possibly move the vehicle forward a few feet to avoid the to the infraction." [2:42:55p] When she knocked on my door, I believe Conner guessed or more likely knew from patrolling over the years that I was probably at work like she was, so she could use going to my door to falsely claim she was trying not to give me a ticket. In 2008, on the day I got the 72 hour ticket, I had gone out my front (and only) apartment door to the laundry room in the rear of my building and when I returned the 72 hour

ticket was on my car. In that case it looked like parking enforcement was hiding somewhere near watching me to shock me with a 72 hour ticket when I returned. That officer may have watched me leave then “knocked on my door” while I was at the laundry room.

On SA 9/15/18 at 7:51p I parked on D St because 2 cars were parked in front of my apt when I returned home. At 8:45p a White female Auburn cop (short height, medium-size, tied-back tan hair, no glasses, I think her name tag said “A Slate”) came and told me they got a complaint about cars too close to the corner and she wasn't going to cite me but parking enforcement might and she recommended I look around in about half an hour for another parking spot. I told her I was watching for one of the cars in front of my apt to leave so I could move. That cop responded “awesome” and left. She wasn't in parking enforcement. Some or most Auburn cops aren't abusing parking code discretion and it seems only Auburn parking enforcement is.

After I asked about where was the other car in violation, Conner says “it was across the street from where your car was if you took the right onto D St. SE the 2200 block of D St SE that's where that vehicle was. That vehicle also was cited.”[2:52:30p]

Then I ask do you know what color it was and Thompson objects and Judge asks me what's the relevance and I say I think it's part of harassment then judge says “I understand you're upset about it but I disagree from a legal basis so objection sustained.”[2:52:50p]

Second car cited was a decoy to provide cover for trying to target and harass me. My Defendant's response to Plaintiff's City of Auburn Discovery Response and Demand for

Discovery, Appendix F, included another car with what looked like a ticket on its windshield.

That response, also, included an audio tape that the Plaintiff was to “COPY AND RETURN TO DEFENDANT” but I never got it back. When I got 72 hour ticket I remember days before that seeing an old RV relatively new to the area parked in the middle of my block with a 72 hour citation sticker on it which, apparently, was setting up cover for the premeditated citing of me later.

In response to my asking if I can't ask about the other car judge says “no it's not relevant” and “The only issue here is she determined that you were parked within 30 feet of an intersection that's what the notice of infraction is and that's the only issue that's before the court.” then adds “I'm sorry if someone's harassing you there that might be another issue that can be resolved in a different context but not in the context of this contested hearing.” [2:53:15p]

Judge asks me if I wanted to call any witnesses and I said I never got a response to my request for a subpoena and judge asks if I arranged for subpoena of William Pierson. Referring to the Order Re Prehearing Conference under Subpoena Request [Appendix G] first sentence, “I am hereby requesting that the court issue a subpoena for the following witnesses” I said I thought I had to wait until the court gave me permission to serve a subpoena. The phrase “requesting that the court issue a subpoena” indicates that a subpoena comes from or is issued by the court then is served on the witness. Judge says “it's your responsibility to have the subpoena served that's what the order says.” [2:57:10p] I said I thought I had to wait for the court's permission to serve it. Then the judge asks what do I think that witness would testify to. I mention 72 hour ticket 9 years ago and I spoke to Pierson about getting this ticket voided because I believe they were

targeting me. Judge says "it doesn't sound, based on that offer of proof that the witness would have offered relevant evidence." [2:58:00p] Judge never answers if I had to wait for court approval to serve a subpoena. Judge tried to cover up auburn district court's failure to respond to my subpoena request to obstruct the harassment issue.

Judge interrupted me 3 times without prosecutor Thompson first objecting or saying anything. Judge without prosecutor objecting interrupts me first time and says "I didn't say anything about arguing with the witness did I?" [2:47:50p]. Judge without prosecutor objecting interrupts me second time and says "Let her finish and then you can ask her some question" [2:48:40p]. Judge without prosecutor objecting interrupts me third time and says to me "Sir, if you ans, argue with her again, I'm going to cut off your cross examination" [2:49:00p]. So judge was doing prosecutor's job for him. Judge was secondary if not primary Prosecutor.

Judge asks Thompson if Auburn adopts a RCW by reference. Thompson pauses, seems lost, stunned, and clueless and responds "just one second" [3:00:00p] and has to look up the judges reference. While Thompson looks up reference judge just gave him, judge explains to me modification of the corner is what Conner is referring to. Then Thompson rambles a citing in agreement with the judge. Then judge has to tell Thompson another part of the city code to look at, subsection 3 of his city code and Thompson pauses again then reads again. This last reading is about parking within 30 feet of an intersection. Then judge thanks Thompson for reviewing them for him, but in his closing statement Thompson says he relies on officer's testimony.

So judge is telling prosecutor the answers the judge recommends and prosecutor is simply

repeating those answers. This put RCW in Conner's mouth though she never said it. Conner cited an Auburn not state code on the ticket so judge was biasedly trying to bolster Conner's cover for her.

Judge says, "But your complaint is with the auburn city council" [3:03:17p] and "so your complaint's not with officer uh officer Conner, your complaint's with the uh legislative bodies"[3:04:40p]. However, by Appendices H and I, I spoke to city legislature, mayor, and police chief Pierson when I got this ticket before coming to court. Judge says go to the city legislature, but city legislature and mayor and police chief say go to court (judge), so they are trying to give me the runaround by playing against and blaming each other. Pierson would not put a response in writing [Appendix I] but in our phone conversation (Appendix H, page 5, #5) Pierson said he voids tickets that were what he called "written in error". After I asked him several times if he has ever voided a ticket that wasn't "written in error", Pierson finally angrily said, "I'm not going to void this one" (Appendix H, page 5, #6). Pierson never **admitted nor denied** voiding other tickets that weren't "written in error".


To sadistically make the situation worst (or set up a more permanent harassment of me) judge inappropriately said "it's too bad that uh the city can't paint those curbs or something just but, but it's the state law you can't park within 30 feet of the controlled intersection" [3:04:29p]. With this statement the judge gave the harassers a way to harass me when other cops wouldn't which was by taking away my parking spots with paint.

As a note, the appeal rules say the district court will provide a tape (or CD) of the hearing. This

would be simple, but instead of giving me a simple tape (or CD) that could be put in a player, the district court added unnecessary complications and obstructions by giving me a CD that encoded the audio into several files that then had to be decoded by a special player provided by a company, apparently, based in Australia. As an additional obstacle that Australian company wouldn't simply provide a transcription of the audio and I had to ask them twice before they answered (giving a Denver, Co address) but denied my email request for one. [Appendices J, K, and L]. The CD format, apparently because it was from a foreign country, wasn't readable by any other online company I tried to upload it to for automated transcription. This format for the hearing audio was such a hassle, I finally had to simply transcribe the relevant parts of the audio myself.

Therefore, the district court decision should be reversed and I should prevail in this case and should never be cited for parking my licensed vehicle clear of the crosswalk area in front of (nor on the side of) my 404 22nd St address and the harassment should end.


DATE: March 4, 2019

signed: 
 Keith L. Arnold
 404 22nd St. SE, Apt. A
 Auburn, WA 98002-6838
 253-931-5183
 KLA@bus.illinois.edu

CERTIFICATE OF SERVICE

I certify that on March 4, 2019 a copy of this BRIEF OF APPELLANT (with parts of transcript) was mailed to: City of Auburn, Auburn Prosecutor's Office, 25 W. Main St., Auburn, WA 98001, Phone 253-931-3030 Ext. 2.

DATE: March 4, 2019

signed: 
 Keith L. Arnold
 404 22nd St. SE, Apt. A
 Auburn, WA 98002-6838
 253-931-5183
 KLA@bus.illinois.edu

15. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
16. At any place where official traffic signs have been erected at the direction of the city engineer prohibiting parking and/or angle parking, either at all times or at such times as are indicated upon signage giving notice thereof;
17. Outside of the limits of the individual parking spaces (stalls) designated for vehicular on-street parking;
18. Within 30 feet of the nearest rail of a railroad crossing;
19. At any place where all official signs prohibit stopping;
20. Within traffic lanes that are less than 18 feet wide on arterial and collector roadways, as designated in the comprehensive transportation plan, except when authorized by sign;
21. Within median lanes in the traveled way;
22. Within roadway shoulders that are less than eight feet wide;
23. Within marked bicycle lanes;
24. Upon any street or public way for the principal purposes of displaying the vehicles for sale or for advertising services for vehicles;
25. Upon any street or public way for the purpose of doing any work on, maintaining or repairing any vehicle except for repairs necessitated by an emergency;
26. Within any street-side drainage ditch or drainage swale;
27. Where prohibited by signage;
28. Adjacent to a traffic island; or
29. Any overtime parking or other parking restrictions designated in accordance with ACC 10.36.060.

B. No person shall move a vehicle not owned by him into any such prohibited area or away from a curb such distance as is unlawful.

C. If any person wishes a different parking restriction sign placement or a different time parameter for any parking restrictions under this section, said person may forward such request to the city engineer. For review, the city engineer shall consult with community development and police.

D. Violation – Penalty. Any person who violates this section has committed an infraction and, except for those subsections set forth in Table 270-1, shall pay a fine of \$30.00 within 15 days from the date of issuance of a notice of violation or of \$40.00 if paid after the fifteenth day from issuance of the notice.

Any person who violates any of the subsections listed in Table 270-1 shall pay a fine as set forth in that table.

Table 270-1

Subsection	If paid within 15 days	If paid after 15th day
<u>10.36.270(A)(1)</u>	\$40.00	\$50.00
<u>10.36.270(A)(2)</u>	\$40.00	\$50.00
<u>10.36.270(A)(3)</u>	\$40.00	\$50.00
<u>10.36.270(A)(7)</u>	\$50.00	\$60.00
<u>10.36.270(A)(8)</u>	\$50.00	\$60.00
<u>10.36.270(A)(10)</u>	\$40.00	\$50.00
<u>10.36.270(A)(16)</u>	\$50.00	\$60.00
<u>10.36.270(A)(17)</u>	\$50.00	\$60.00

(Ord. 6543 § 1, 2014; Ord. 6535 § 2, 2014; Ord. 6275 § 2, 2010; Ord. 6247 § 9, 2009; Ord. 6211 § 6, 2008; Ord. 6129 § 4, 2007; Ord. 6082 § 1, 2007; Ord. 5684 § 1, 2002; Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.140.)

10.36.275 Prohibited parking of semitrailers and trailers.

Repealed by Ord. 5492. (Ord. 5212 § 1 (Exh. F), 1999; Ord. 4607 § 2, 1993.)

10.36.276 Authority to impound.

Repealed by Ord. 5492. (Ord. 5212 § 1 (Exh. F), 1999; Ord. 4607 § 2, 1993.)

10.36.277 Violation – Penalty.

Repealed by Ord. 5492. (Ord. 5212 § 1 (Exh. F), 1999; Ord. 5110 § 2, 1998; Ord. 4607 § 2, 1993.)

10.36.280 Prohibited parking areas – Generally.

Repealed by Ord. 6082. (Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.130.)

10.36.290 Prohibited parking areas – Northeast Auburn.

Repealed by Ord. 6082. (Ord. 5946 § 1, 2005; Ord. 5559 § 1, 2001; Ord. 5228 § 1, 1999; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5017 § 2, 1997; Ord. 4977 § 1, 1997; Ord. 4468 § 1, 1990; Ord. 4236 § 1, 1987; Ord. 4144 § 2, 1986; Ord. 4118 § 4, 1986; Ord. 4098 § 1, 1985; Ord. 3977 § 1, 1985.)

Ord. 4090 § 1, 1985; Ord. 4013 §§ 1, 2, 1984; Ord. 3902 § 1, 1983; Ord. 3854 § 1, 1983; Ord. 3736 § 1, 1982; Ord. 3508 §§ 1, 2, 1980; Ord. 3404 §§ 1, 2, 1979; Ord. 3332 § 2, 1979; Ord. 2997 § 2, 1976; Ord. 2891 § 1, 1975; 1957 code § 9.22.131.)

10.36.300 Prohibited parking areas – Northwest Auburn.

Repealed by Ord. 6082. (Ord. 5947 § 1, 2005; Ord. 5812 § 1, 2003; Ord. 5758 § 1, 2003; Ord. 5724 § 5, 2002; Ord. 5660 § 1, 2002; Ord. 5559 § 1, 2001; Ord. 5485 § 1, 2000; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5110 § 2, 1998; Ord. 4977 § 1, 1997; Ord. 4882 § 1, 1996; Ord. 4144 § 3, 1986; Ord. 4118 § 5, 1986; Ord. 4098 § 2, 1985; Ord. 4013 § 3, 1984; Ord. 3881 § 1, 1983; Ord. 3841 § 1, 1983; Ord. 3736 §§ 2, 3, 4, 1982; Ord. 3362 § 1, 1979; Ord. 2996 § 2, 1976; 1957 code § 9.22.132.)

10.36.310 Prohibited parking areas – Southeast Auburn.

Repealed by Ord. 6082. (Ord. 5830 § 2, 2004; Ord. 5748 § 1, 2003; Ord. 5710 § 1, 2002; Ord. 5559 § 1, 2001; Ord. 5228 § 1, 1999; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5077 § 1, 1998; Ord. 4977 § 1, 1997; Ord. 4973 § 1, 1997; Ord. 4942 § 1, 1997; Ord. 4940 § 1, 1997; Ord. 4801 § 1, 1995; Ord. 4800 § 1, 1995; Ord. 4622 § 2, 1993; Ord. 4196 § 1, 1987; Ord. 4167 § 1, 1987; Ord. 4144 § 4, 1986; Ord. 4095 § 1, 1985; Ord. 4051 § 1, 1985; Ord. 4013 § 6, 1984; Ord. 3881 §§ 2, 3, 1983; Ord. 3359 § 1, 1979; Ord. 3332 §§ 3, 4, 6, 1979; Ord. 3011 § 1, 1975; Ord. 2995 § 2, 1976; 1957 code § 9.22.133.)

10.36.320 Prohibited parking areas – Southwest Auburn.

Repealed by Ord. 6082. (Ord. 5559 § 1, 2001; Ord. 5485 § 1, 2000; Ord. 5212 § 1 (Exh. F), 1999; Ord. 4977 § 1, 1997; Ord. 3723 § 1, 1982; Ord. 2994 § 2, 1976; 1957 code § 9.22.134.)

10.36.330 No parking between 4:00 a.m. and 6:00 a.m. on Mondays and Wednesdays.

Repealed by Ord. 6082. (Ord. 5396 § 1, 2000.)

10.36.340 No parking between 7:00 a.m. and 4:00 p.m.

Repealed by Ord. 6082. (Ord. 5685 § 1, 2002; Ord. 5212 § 1 (Exh. F), 1999; Ord. 4497 § 1, 1991; 1957 code § 9.22.150(b).)

10.36.343 No parking between 4:30 a.m. and 7:30 a.m.

Repealed by Ord. 6082. (Ord. 5652 § 1, 2002.)

10.36.345 No parking between 8:00 p.m. and 6:00 a.m.

Repealed by Ord. 6082. (Ord. 5212 § 1 (Exh. F), 1999; Ord. 4513 § 2, 1991.)

10.36.346 No parking between 9:00 a.m. and 4:00 p.m.

Repealed by Ord. 6082. (Ord. 5917 § 1, 2005.)

10.36.347 No parking between 10:00 p.m. and 6:00 a.m.⁴

Repealed by Ord. 6082. (Ord. 5967 § 1, 2005.)

10.36.350 No parking areas – Identification.

The city engineer may paint the curb adjoining all no parking and prohibited parking areas yellow or may post signs prohibiting parking on the curb adjoining no parking and prohibited parking areas in order to identify such restricted zones. It is unlawful for any other person to paint the curbs or post no parking signs in such restricted zones unless the person is given authority to do so by the city council. (Ord. 6247 § 10, 2009; Ord. 5212 § 1 (Exh. F), 1999; 1957 code § 9.22.160.)

10.36.360 Violation – Penalty.

Any vehicle parked in violation of ACC ~~10.36.190~~ through ~~10.36.520~~ may be impounded by the chief of police or designee, and the cost of such impounding shall be paid by the owner or operator of such vehicle before the same is released. Any motor vehicle owner or operator who violates any of the terms of ACC ~~10.36.250~~ through ~~10.36.350~~, except ACC ~~10.36.205~~ and ~~10.36.265~~, has committed an infraction and shall pay a fine of \$30.00 within 15 days from the date of issuance of such notice, or in the sum of \$40.00 if paid after the fifteenth day from the issuance of such notice. Fines shall be paid directly to the Auburn municipal court. (Ord. 6364 § 3, 2011; Ord. 6129 § 5, 2007; Ord. 5841 § 3, 2004; Ord. 5768 § 2, 2003; Ord. 5740 § 1, 2003; Ord. 5724 § 6, 2002; Ord. 5493 § 1, 2001; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5110 § 2, 1998; Ord. 3012 § 1, 1975; 1957 code § 9.22.170.)

IV. Restricted Parking Zones

10.36.370 Fifteen-minute parking zones.

Repealed by Ord. 6535. (Ord. 5758 § 1, 2003; Ord. 5720 § 1, 2002; Ord. 5559 § 1, 2001; Ord. 5485 § 1, 2000; Ord. 5212 § 1 (Exh. F), 1999; Ord. 4021 § 1, 1984; Ord. 3736 § 5, 1982; Ord. 3352 §§ 1, 2, 3, 1979; Ord. 2993 § 2, 1976; 1957 code § 9.22.180.)

10.36.380 One-hour parking zones.

Repealed by Ord. 6535. (Ord. 6136 § 1, 2008; Ord. 5752 § 1, 2003; Ord. 5660 § 1, 2002; Ord. 5559 § 1, 2001; Ord. 5485 § 1, 2000; Ord. 5228 § 1, 1999; Ord. 5212 § 1 (Exh. F), 1999; Ord. 5017 § 2, 1997; Ord. 4977 § 1, 1997; Ord. 4858 § 1, 1996; Ord. 4603 § 1, 1993; Ord. 4497 § 2, 1991; Ord. 4236 § 2, 1987; Ord. 4004 §§ 1, 2, 1984; Ord. 3984 §§ 1, 3, 1984; Ord. 3736 §§ 6, 7, 1982; Ord. 3508 § 3, 1980; Ord. 3352 §§ 4, 5, 1979; Ord. 3329 § 2, 1978; Ord. 3327 § 3, 1978; Ord. 3205 § 1, 1977; Ord. 3149 § 4, 1976; Ord. 2999 § 2, 1976; 1957 code § 9.22.190.)

10.36.390 Two-hour parking zones.

Repealed by Ord. 6535. (Ord. 6208 § 1, 2008; Ord. 6136 § 2, 2008; Ord. 6173 § 1, 2008; Ord. 6113 § 1, 2007; Ord. 5720 § 1, 2002; Ord. 5559 § 1, 2001; Ord. 5246 § 1 (Exh. C), 1999; Ord. 5212 § 1 (Exh. F), 1999; Ord. 4977 § 1, 1997; Ord. 4858 § 1, 1996; Ord. 4603 § 1, 1993; Ord. 4013 §§ 4, 5, 1984; Ord. 3467 §§ 1, 2, 1979; Ord. 3359 § 2, 1979; Ord. 3332 §§ 7, 8, 1979; Ord. 3327 § 2, 1978; Ord. 3205 § 2, 1977; Ord. 3184 § 1, 1977; Ord. 3149 § 3, 1976; Ord. 3139 §§ 1, 2, 1976; Ord. 2998 § 2, 1976; 1957 code § 9.22.200.)

RE: Auburn Civic Engagement Video

A-18.

Hannah Cottle <hcottle@auburnwa.gov>

Thu 7/12/2018 2:14 PM

To: 'email@votekeitharnold.com' <email@votekeitharnold.com>;

Hello!

Due to the primary season being busy for all candidates, we have added additional dates and times for those interested in filming a civic engagement video in Auburn. If interested in signing up, follow [this](#) link for the additional times and dates (all day Tuesday the 17th; and from 9:00-12:00 on Wednesday the 18th).

Have a great day!
Hannah Cottle

From: Hannah Cottle
Sent: Wednesday, June 20, 2018 1:12 PM
To: 'email@votekeitharnold.com' <email@votekeitharnold.com>
Subject: Auburn Civic Engagement Video

Hello!

To help civically engage our citizens before the coming primary, the City of Auburn is hoping to get two-minute long videos from each of the candidates, to be shown on the City's TV network. These videos, we find, can help candidates communicate how they can best serve those who live in Auburn, and in the eighth district overall.

We are hoping that Keith would be able to come to Auburn's City Hall to film this video during specified hours in the second and third weeks of July. If interested, use the sign up form located [here](#). If you have any questions, let me know through email (hcottle@auburnwa.gov) or phone (253-804-3105) and I'll promptly reply.

Thank you,
Hannah Cottle

The information contained in this electronic communication is personal, privileged and/or confidential information intended only for the use of the individual(s) or entity(ies) to which it has been addressed. If you read this communication and are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication, other than delivery to the intended recipient is strictly prohibited. If you have received this communication in error, please immediately notify the sender by reply e-mail. Thank you.

Fw: Auburn Civic Engagement Video

A-19

Keith Arnold

Sat 6/23/2018 4:36 PM

Sent Items

To: Hannah Cottle <hcottle@auburnwa.gov>;

Hi,

Since I work weekdays, can your video be made on a weekend or after 7 pm on a weekday?

Thank you,
Keith

From: Hannah Cottle <hcottle@auburnwa.gov>

Sent: Wednesday, June 20, 2018 1:12 PM

To: 'email@votekeitharnold.com'

Subject: Auburn Civic Engagement Video

Hello!

To help civically engage our citizens before the coming primary, the City of Auburn is hoping to get two-minute long videos from each of the candidates, to be shown on the City's TV network. These videos, we find, can help candidates communicate how they can best serve those who live in Auburn, and in the eighth district overall.

We are hoping that Keith would be able to come to Auburn's City Hall to film this video during specified hours in the second and third weeks of July. If interested, use the sign up form located [here](#). If you have any questions, let me know through email (hcottle@auburnwa.gov) or phone (253-804-3105) and I'll promptly reply.

Thank you,
Hannah Cottle

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Case No. 98182, King County District Court, Auburn Courthouse

A-20.

Keith Arnold

Sat 9/29/2018 3:53 PM

To: Hannah Cottle <hcottle@auburnwa.gov>;

On Thursday, September 27, 2018 at 1:34 pm I received a message on my answering machine stating it was from Hannah of the City of Auburn at phone number 253-931-3007 and regarding my:

Records request

Case No. 98182

King County District Court, State of Washington

South Division, Auburn Courthouse.

Since that phone message requested my email address, I am sending this email to say my email address is kla@bus.illinois.edu, so that phone message can be emailed to me.

-Keith Arnold

APPENDIX E

A-21

Arnold, Keith

NAME

600178

CASE NO.

Violation Date 12/5/08

Vehicle License Number 017SVJ

CHARGE #1

Judgement

Amount Due

72 HRS

C NC D

\$15.00

CHARGE #2

C NC D

\$

CHARGE #3

C NC D

\$

DISMISS UPON PAYMENT

PAY FULL AMOUNT TODAY

RESET FOR

I promise to pay \$ 15.00 imposed in this action on or before 4-2-09
or \$ per month beginning on until paid in full.

I understand that if I fail to pay on the date specified, the above amount will be due IMMEDIATELY, A penalty of \$52.00 will be added and the Court will notify that department of Licensing which will SUSPEND MY PRIVILEGE TO DRIVE and the balance will be REFERRED TO COLLECTIONS (with added costs). I understand that I must pay this ticket in full before the Department of Licensing will renew my driver's license.

**In the event the Court dismissed this ticket upon payment of costs and I fail to pay as required, the Court will reverse the dismissal and notify the Department of Licensing which will place this ticket on my driving record.

Keith Arnold 3-2-09

DEFENDANT

DATE

Robert E. Shaw

JUDGE/COMMISSIONER CLERK

AUBURN MUNICIPAL COURT
340 E Main Street, Suite 101
Auburn WA 98002-5548
253-931-3076

AUBURN MUNICIPAL COURT
340 East Main Street, Suite 101
Auburn WA 98002-5548
253-931-3076

DATE: 10/12/08

No. 600178
NOTICE OF HEARING

This is notification of the date for your Mitigation hearing. CRT 2
YOU MUST APPEAR ON Mon 2 Mar 09 at 3:15 (am/pm).
Day of Week Date Time

FAILURE TO APPEAR ON THE ABOVE DATE WILL RESULT
IN THE SUSPENSION OF YOUR DRIVER'S LICENSE UNTIL
THE ORIGINAL PENALTY PLUS \$52 AND APPLICABLE
COLLECTION FEES HAVE BEEN PAID.

SIGNED: Keith Arnold

SEE REVERSE SIDE FOR INSTRUCTIONS.

AUBURN POLICE DEPARTMENT
Notification of Abandoned Vehicle

A-25

Date 12/05/08 Time 14:05

License No. 017SVJ Make CHEV Color GRN

Location 400 22 ST SE

The above-listed vehicle must be removed within the next 24 hours, or it will be impounded and stored at the owner's expense.

Officer A. Bond # 7118
(PLEASE PRINT NAME)

Auburn Police Department
340 E. Main St. - Suite 201
Auburn, WA 98002-5548
253/931-3080

forms (06/04)

60178

Auburn Police Department

NOTICE OF PARKING INFRACTION

Date	12/05/08	Time	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	14:04	Location of Infraction	400 22 ST SE	
Color	GRN	Make	CHEV	Model	CAV	State	WA
License	017SVJ			Employee No.	7118		

Your vehicle is in violation of:

1. Violation/City Code	1036.260	Fine	30.
PARKED OVER 72 HOURS			
2. Violation/City Code		Fine	
3. Violation/City Code		Fine	

The total amount of your fine is \$ 30.00

Under the laws of the State of Washington, I certify under penalty of perjury that I have issued this citation on the date and at the location above and that the information given on this document is true and correct.

Officer [Signature]
Vehicle License Number Must
Accompany Correspondence
and/or Payment
TRAFFIC INFRACTION UNIT
340 E. Main St. - Suite 101
Auburn, WA 98002-5548
253/931-3076

VIOLATOR'S COPY

NPI (7/98)

60178

INFRACTION

This is a notice of infraction. An infraction is not a crime. The penalty for an infraction DOES NOT include a jail sentence but can include a monetary penalty. This notice represents a determination that you have committed this infraction and owe the appropriate penalty, unless you check Box #3 below.

YOU MUST RESPOND TO THIS NOTICE IN ONE OF THE WAYS LISTED BELOW WITHIN FIFTEEN (15) DAYS OF THE DATE OF INFRACTION. FAILURE TO RESPOND IS A CRIME (MISDEMEANOR). Failure to respond will carry an additional monetary penalty and/or jail time.

PLEASE CHECK ONE, AND ONLY ONE, OF THE BOXES BELOW AND RETURN TO THE TRAFFIC INFRACTION UNIT IN PERSON OR BY MAIL WITHIN FIFTEEN (15) DAYS.

☐ 1. I CHOOSE TO PAY THE MONETARY PENALTY AND HAVE
ENCLOSED FULL PAYMENT.

☐ 2. I REQUEST A HEARING TO EXPLAIN THE CIRCUMSTANCES.
If you agree that you committed the infraction but would like to explain the circumstances, the court will notify you in writing of the hearing date. You may not require witnesses to appear at the hearing but they may attend voluntarily.

I PROMISE TO APPEAR _____
(Your Signature)

Print Name _____

Address _____

City _____ State _____ Zip _____

Home Phone _____ Work Phone _____ Date of Birth _____

☐ 3. I REQUEST A HEARING TO CONTEST THIS INFRACTION
NOTICE. If you believe you did not commit the infraction, you may request a hearing. At the hearing the state must prove by a preponderance (more likely than not) of the evidence that you committed the infraction. You may require witnesses, including the officer who issued the notice, to appear at this hearing. The court will notify you in writing of the hearing date and how to request that witnesses be present.

I PROMISE TO APPEAR _____
(Your Signature)

Print Name _____

Address _____

City _____ State _____ Zip _____

Home Phone _____ Work Phone _____ Date of Birth _____

FAILURE TO RESPOND TO THIS NOTICE OR FAILURE TO APPEAR AT ANY COURT HEARING YOU REQUESTED OR PAY FOR PARKING INFRACTIONS MAY RESULT IN THE NON-RENEWAL OF YOUR MOTOR VEHICLE LICENSE.

ENCLOSE THIS COPY WITH PAYMENT

Auburn Police Department
NOTICE OF PARKING INFRACTION

4:03 PM 12/5/08

60178

Date 12/05/08	Time 14 04	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Location of Infraction 400 22 ST SE	
Color GRN	Make CHEV	Model CAV	License 017SVJ	State WA
Officer BOND			Employee No. 7118	

Your vehicle is in violation of:

1. Violation/City Code 10.36.260		Fine 30. ⁰⁰
PARKED OVER 72 HOURS		
2. Violation/City Code		Fine
3. Violation/City Code		Fine

The total amount of your fine is \$ 30.⁰⁰

Under the laws of the State of Washington, I certify under penalty of perjury that I have issued this citation on the date and at the location above and that the information given on this document is true and correct.

Officer [Signature]

Vehicle License Number Must
Accompany Correspondence
and/or Payment

TRAFFIC INFRACTION UNIT
340 E. Main St. - Suite 101
Auburn, WA 98002-5548
253/931-3076

VIOLATOR'S COPY

NPI (7/98)

60178

INFRACTION

A-28.

This is a notice of infraction. An infraction is not a crime. The penalty for an infraction DOES NOT include a jail sentence but can include a monetary penalty. This notice represents a determination that you have committed this infraction and owe the appropriate penalty, unless you check Box #3 below.

YOU MUST RESPOND TO THIS NOTICE IN ONE OF THE WAYS LISTED BELOW WITHIN FIFTEEN (15) DAYS OF THE DATE OF INFRACTION. FAILURE TO RESPOND IS A CRIME (MISDEMEANOR). Failure to respond will carry an additional monetary penalty and/or jail time.

PLEASE CHECK ONE, AND ONLY ONE, OF THE BOXES BELOW AND RETURN TO THE TRAFFIC INFRACTION UNIT IN PERSON OR BY MAIL WITHIN FIFTEEN (15) DAYS.

☐ 1. I CHOOSE TO PAY THE MONETARY PENALTY AND HAVE ENCLOSED FULL PAYMENT.

☒ 2. I REQUEST A HEARING TO EXPLAIN THE CIRCUMSTANCES. If you agree that you committed the infraction but would like to explain the circumstances, the court will notify you in writing of the hearing date. You may not require witnesses to appear at the hearing but they may attend voluntarily.

I PROMISE TO APPEAR

Keith Arnold
(Your Signature)

Print Name

Keith Arnold

Address

404 22nd St. SE, Apt. A

City

Auburn

State

WA

Zip

98002

Home Phone

253 931-5183

Work Phone

Date of Birth

5/9/62

☐ 3. I REQUEST A HEARING TO CONTEST THIS INFRACTION NOTICE. If you believe you did not commit the infraction, you may request a hearing. At the hearing the state must prove by a preponderance (more likely than not) of the evidence that you committed the infraction. You may require witnesses, including the officer who issued the notice, to appear at this hearing. The court will notify you in writing of the hearing date and how to request that witnesses be present.

I PROMISE TO APPEAR

(Your Signature)

Print Name

Address

City

State

Zip

Home Phone

Work Phone

Date of Birth

FAILURE TO RESPOND TO THIS NOTICE OR FAILURE TO APPEAR AT ANY COURT HEARING YOU REQUESTED OR PAY FOR PARKING INFRACTIONS MAY RESULT IN THE NON-RENEWAL OF YOUR MOTOR VEHICLE LICENSE.

ENCLOSE THIS COPY WITH PAYMENT

King County District Court, State of Washington
South Division, Auburn Courthouse

City of Auburn,)	Case No. 98182
Plaintiff,)	
)	Defendant's response to Plaintiff's
vs.,)	City of Auburn Discovery Response and
)	Demand for Discovery
ARNOLD, KEITH)	
)	
Defendant.)	
)	

Plaintiff previously was served with Defendant's: 1. The Order Re Prehearing Conference form with the Discovery Request and Subpoena Request boxes checked; 2. My Records Request. Additionally, 2008 was Defendant's first appearance on the Primary ballot for WA 8th District U.S. Representative, see WA Secretary of State website. Defendant was on 2018 Primary ballot for WA 8th District U.S. Representative, see WA Secretary of State website and City of Auburn, Hannah Cottle hcottle@auburnwa.gov emails. Auburn ticketing of WA plate BBY5475 on 7-17-18. Also, made available here is an audio tape for Plaintiff to **COPY AND RETURN TO DEFENDANT.**

Signed: Keith Arnold Date: October 9, 2018

Keith L. Arnold
404 22nd St SE, Apt. A
Auburn, WA 98002
253-931-5183
Email: KLA@bus.illinois.edu

Certificate of Service

I certify that on October 9, 2018 copies of this document and audio cassette stated above were mailed to: City of Auburn, Auburn Prosecutor's Office, 25 W. Main St., Auburn, WA 98001, Phone 253-931-3030 Ext:2.

Signed: Keith Arnold Date: October 9, 2018

Keith L. Arnold
404 22nd St SE, Apt. A
Auburn, WA 98002
253-931-5183
Email: KLA@bus.illinois.edu

King County District Court, State of Washington
South Division, Auburn Courthouse

City of Auburn,)	Case No. 98182
Plaintiff,)	
vs.)	Order Re Prehearing Conference
<u>ARNOLD, KEITH</u>)	
Defendant.)	

 WAIVER OF PRE-HEARING CONFERENCE: Pursuant to IRLJ 2.6(1)(ii) and LIRJ 2.6, I hereby waive my presence at the pre-hearing conference. I understand that this will mean that my case will be set for a contested hearing not more than 90 days from the date of the pre-hearing conference.

Discovery Request

☒ I am hereby requesting that the City of Auburn provide discovery to me pursuant to IRLJ 3.1(b) and that it be sent to the address listed below. (The City of Auburn waives its right to have the discovery request be on a separate pleading if the above box is checked.) (A copy of IRLJ 3.1 is provided on the back of this Order.)

Defendant's Witnesses

I would like to (but do not have to) provide the following list of witnesses (Please provide the name, address and phone number of each witness.)

Subpoena Request

☒ I am hereby requesting that the court issue a subpoena for the following witnesses: (Please provide the name, address and phone number for each witness. A subpoena will not be issued for a witness unless you have provided a legible and accurate address and it is your responsibility to serve the subpoena and provide proof of service to the court.)

① Officer Conner (Ticketing officer, ticket 98182) ② A. Bond (#7118, issued ticket #60178) ③ William Pierson, All 3 at: 340 East Main Street, Ste. 201, Auburn, WA 98002, phone: 253-931-3080

Hearing Notice

Contested hearing is set for Oct. 19 at 1:30 am/pm in Courtroom 2.

Ordered this 6th day of September, 2018.



Judge Pro Tem Zuanich

Keith Arnold

Defendant's Signature

Defendant's Address:

404 22nd St SE
Apt. A
Auburn, WA 98002-6838

RULE IRLJ 3.1

CONTESTED HEARINGS--PRELIMINARY PROCEEDINGS

(a) Subpoena. The defendant and the prosecuting attorney may subpoena witnesses necessary for the presentation of their respective cases. Witnesses should be served at least 7 days before the hearing. The subpoena may be issued by a judge, court commissioner, or clerk of the court or by a party's lawyer. If a party's lawyer issues a subpoena, a copy shall be filed with the court and with the office of the prosecuting authority assigned to the court in which the infraction is filed on the same day it is sent out for service. A request that an officer appear at a contested hearing pursuant to rule 3.3(c) shall be filed on a separate pleading. A subpoena may be directed for service within their jurisdiction to the sheriff of any county or any peace officer of any municipality in the state in which the witness may be or it may be served as provided in CR 45(c), or it may be served by first-class mail, postage prepaid, sent to the witnesses' last known address. Service by mail shall be deemed complete upon the third day following the day upon which the subpoena was placed in the mail. If the subpoena is for a witness outside the county, a judge must approve of the subpoena.

(b) Discovery. Upon written demand of the defendant at least 14 days before a contested hearing, filed with the court and served on the office of the prosecuting authority assigned to the court in which the infraction is filed, the prosecuting attorney shall at least 7 days before the hearing provide the defendant or the defendant's lawyer with (1) a copy of the citing officer's sworn statement (2) a copy of video or photographic evidence the prosecutor proposes to introduce at trial, unless in reply to the discovery request the prosecutor provides the address to a website where such evidence is accessible to the defendant; and (3) the names of any witnesses not identified in the citing officer's sworn statement. No other discovery shall be required. If the prosecuting authority provides any portion of the discovery less than 7 days before the hearing, such untimely discovery shall be suppressed only upon a showing of prejudice in the presentation of the defendant's case. If the prosecuting authority, without reasonable excuse or justification, fails to provide any portion of the discovery prior to the day of the hearing, the portion of discovery not provided shall be suppressed. Neither party is precluded from investigating the case, and neither party shall impede another party's investigation. A request for discovery pursuant to this section shall be filed on a separate pleading.

(c) Amendment of Notice. The court may permit a notice of infraction to be amended at any time before judgment if no additional or different infraction is charged, and if substantial rights of the defendant are not thereby prejudiced. A continuance shall be granted if the defendant satisfies the court that the additional time is needed to defend against the amended notice of infraction.

(d) Sufficiency. No notice of infraction shall be deemed insufficient for failure to contain a definite statement of the essential facts constituting the specific infraction which the defendant is alleged to have committed, nor by reason of defects, imperfections or omissions which do not tend to prejudice substantial rights of the defendant.

Adopted as JTIR effective January 1, 1981. Changed from JTIR to IRLJ effective September 1, 1992; amended effective January 2, 1997; amended effective January 3, 2006; January 2, 2007; amended effective September 1, 2010.]

Re: Complaint: Parking ticket 7-17-18

A-32.

John Holman <jholman@auburnwa.gov>

Mon 7/30/2018 8:29 PM

To: Keith Arnold <kla@bus.illinois.edu>;

Cc: Nancy Backus <nbackus@auburnwa.gov>; Dana Hinman <dhinman@auburnwa.gov>; Steve Gross <sgross@auburnwa.gov>;

Mr. Arnold,

The short answer to your request to have your notice of infraction voided is no. No city Council Member has the ability to void a "ticket" even if we wanted to. That is a behavior, if attempted, would be corrupt and illegal. The city Council and its members are the legislative branch of municipal government. As such, none of us has the legal authority to adjudicate matters that are in the purview and jurisdiction of the judicial branch of government. Paraphrasing an old mentor of mine, Judge Garry Utigard: "Citizens can make mistakes, that is why we have police.

Police officers can error, that is why we have courts. Judges and courts also make mistakes, that is why we have the right to appeal."

Clearly, if you feel you have been issued a ticket unjustly your path forward is in court.

Here is my personal request to you: Do not ask me to do something potentially criminal in nature. I will not.

Respectfully Yours,

John Holman

Sent from my iPhone

On Jul 30, 2018, at 7:08 PM, Keith Arnold <kla@bus.illinois.edu> wrote:

This is to make sure my complaint reaches the City Council. Since you are at-large and I can't find an email address for the council as a whole, I've had to email each of you. As I originally stated below, "I believe it was wrong for me to get the attached parking ticket and request it be voided.". Also, my next door neighbor in 404B and others continue to park (apparently, without getting any tickets) in the space in front of my apartment my car got this ticket for being in, so every one can park there in front of my apartment except me.

-Keith Arnold

From: Nancy Backus <nbackus@auburnwa.gov>

Sent: Thursday, July 26, 2018 9:38 PM

To: Keith Arnold

Cc: William Pierson

Subject: Re: Complaint: Parking ticket 7-17-18

Mr. Arnold,

I am attaching the portion of the Auburn City Code that is applicable to your citation. I understand that you are frustrated, but it does not change that you received a citation for being parked illegally - based on the ACC. Stating that someone called on a car parked illegally, but not about yours does not negate the possibility of citations being written on other vehicles that are found to be in violation. If you believe you received the citation in error, you most certainly have the right to be heard in a court of law. You have the option of requesting a hearing to contest the infraction. If you choose to do so, I wish you well. As far

as your request to have the ticket voided, I want you to know that I have never, nor would I ever ask for a ticket to be voided - that is not my role.

I have known Chief Pierson for quite some time and I find him to follow the highest ethical standards and holds the officers within the Department to those same standards.

10.36.270 Prohibited parking places.

A. Except when necessary to avoid conflict with other traffic or to comply with other provisions of this code or with the direction of a police officer or traffic-control sign or signal, it is unlawful for the operator of a vehicle to stop, stand, park or angle park such vehicle in or on any of the following places:

1. Within an intersection area;
2. Within 20 feet of an uncontrolled intersection;
3. Within 30 feet of an intersection controlled by a stop sign, yield sign, or traffic-control signal;
4. On a crosswalk or within 20 feet of a crosswalk, whether marked or unmarked;
5. In front of or within 50 feet of the driveway entrance to any fire or police station or within any marked area contiguous to such driveway, when properly signed;
6. In front of or within a fire or emergency service access or an area signed for other safety access purposes;
7. In front of or within 15 feet of a fire hydrant;
8. Within any space marked as a fire lane;
9. In front of a public or private driveway, or within five feet of the end of the curb radius leading thereto;
10. On a sidewalk, pedestrian path, or landscape strip. However, parking shall be permitted on landscape strips subject to the maintenance requirements contained in ACC 10.36.215, and where the landscape strip is eight feet or greater in width between the curb and the sidewalk or the edge of right-of-way if there is no sidewalk, the adjacent curb is mountable, and the parked vehicle does not obstruct the use of the traveled way or sidewalk;
11. Alongside or opposite any street excavation or obstruction when such stopping, parking or angle parking would obstruct traffic;

12. In any alley, except that trucks or delivery vehicles may park or angle park in alleys for such time, not in excess of 30 minutes, as may be necessary for the expeditious loading or unloading of such vehicles or the delivery or pickup of articles or materials, unless otherwise restricted by this chapter;
13. Upon any bridge, overpass, underpass, trestle, or approaches thereto;
14. On that portion of any street contiguous to and opposite any outside court, corridor, passage, fire escape, exit or entrance door or any other place adjacent to, or any door opening in any outer wall of any building containing, in whole or in part, any theater, public auditorium, church, dance hall or other place of public assembly through which the public must pass to leave such building, while such building is being utilized for public gatherings; and it shall be incumbent upon and the duty of the owner or agent of the property used for the purpose herein specified to designate such prohibited areas by the placement of stanchions or signs or curb markings of the form and type satisfactory to the city engineer;
15. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
16. At any place where official traffic signs have been erected at the direction of the city engineer prohibiting parking and/or angle parking, either at all times or at such times as are indicated upon signage giving notice thereof;
17. Outside of the limits of the individual parking spaces (stalls) designated for vehicular on-street parking;
18. Within 30 feet of the nearest rail of a railroad crossing;
19. At any place where all official signs prohibit stopping;
20. Within traffic lanes that are less than 18 feet wide on arterial and collector roadways, as designated in the comprehensive transportation plan, except when authorized by sign;
21. Within median lanes in the traveled way;
22. Within roadway shoulders that are less than eight feet wide;
23. Within marked bicycle lanes;
24. Upon any street or public way for the principal purposes of displaying the vehicles for sale or for advertising services for vehicles;

25. Upon any street or public way for the purpose of doing any work on, maintaining or repairing any vehicle except for repairs necessitated by an emergency;
26. Within any street-side drainage ditch or drainage swale;
27. Where prohibited by signage;
28. Adjacent to a traffic island; or
29. Any overtime parking or other parking restrictions designated in accordance with ACC 10.36.060.

B. No person shall move a vehicle not owned by him into any such prohibited area or away from a curb such distance as is unlawful.

C. If any person wishes a different parking restriction sign placement or a different time parameter for any parking restrictions under this section, said person may forward such request to the city engineer. For review, the city engineer shall consult with community development and police.

D. Violation – Penalty. Any person who violates this section has committed an infraction and, except for those subsections set forth in Table 270-1, shall pay a fine of \$30.00 within 15 days from the date of issuance of a notice of violation or of \$40.00 if paid after the fifteenth day from issuance of the notice.

Any person who violates any of the subsections listed in Table 270-1 shall pay a fine as set forth in that table.

Nancy Backus
Mayor, City of Auburn
nbackus@auburnwa.gov
253-931-3041

On Jul 26, 2018, at 6:58 PM, Keith Arnold <kla@bus.illinois.edu> wrote:

Attached is Pierson's email response which requested my phone number. Pierson called me at my apartment, and we talked on the phone at about 7:45 pm Tuesday, 7-24-18. I was completely dissatisfied with Pierson's phone response, and I restate, "I believe it was wrong for me to get the attached parking ticket and request it be voided."

After Pierson called me I think he is a PATHETIC, PITIFUL excuse for a chief or cop. When Pierson called me he ranted and raved like an arrogant lunatic who

thought he could fast talk a resident he thought was inferior to him.

A-36.

To highlight (not in order) some of Pierson's ranting, raving phone LOWLIGHTS:

1. Pierson wanted a chance to arrogantly lie to my face and thought lying on the phone was a good enough way to lie to my face
2. Pierson said he's not going to do something like void my ticket to be "Politically correct". I never said anything before his statement nor after it about politics.
3. Pierson said his officers cover hundreds of miles of intersections and don't know me or others from Adam.
4. Pierson complained saying somebody like me complains to the mayor.
5. I asked Pierson if he has ever voided a ticket repeatedly before he finally stopped ranting and answered saying "yes" if it was "written in error"
6. Then I repeatedly asked him if he has ever voided a ticket "written in error". When he finally stopped ranting this time and answered he hesitated saying "uhh" and paused then finally said no which sounded like a lie he thought would give him cover. I didn't believe him so I pressed the question repeatedly asking in disbelief of his denial if he has ever voided a ticket that wasn't written in error. Pierson finally just said "I'm not going to void this one".
7. Pierson tried to end the call saying "we can agree to disagree". I said "no, we don't agree to disagree" because he was just wrong.
8. Pierson said the officer came because someone complained about cars being "illegally parked" and it wasn't my car they complained about.
9. Pierson said the officer had a choice to give me a ticket or not.
10. Pierson said he is calling me from his home as a favor because I asked him to. I said no I didn't ask him to call me and that I gave him my number only because he asked for it and he could have just emailed me back.
11. Pierson said now I have to go to court and I can say in court what's in my email. Pierson said that's how the system has worked for "200 years".
12. Pierson repeatedly said he has no idea who I am.
13. Pierson said he spoke to the officer who gave me the ticket today.
14. Bottom line Auburn Police Parking Enforcement gave me a ticket now because they chose to. Why now?

I think Pierson's dangerous, arrogant, attitude means he should not be a chief or a cop. I think he and 'cops' like him are accident waiting and trying to happen. Too often nothing gets done about Pierson's type (which are time bombs waiting to go off) until after they do something extreme which is too late. Actually Pierson does something wrong by letting subordinate officers like this one be abusive then he covers up for them by playing the supportive chief which was probably pre-planned here (like Pierson saying they got a complaint about illegal parking here). I've had enough interactions with enough Auburn cops in my 13+ years here to know all of them aren't bad, but Pierson and this officer are bad. This proves the Auburn Police Department (especially in Parking Enforcement and, probably, planted there) has more than one dangerous cop and one is chief. This, also, is a red flag (and bright red light) of a problem to nip in the bud before it gets worse, but Pierson is trying to block correction to make sure it and he get worse.

-Keith Arnold

A-37

From: Nancy Backus <nbackus@auburnwa.gov>

Sent: Monday, July 23, 2018 7:53 PM

To: Keith Arnold

Subject: Re: Complaint: Parking ticket 7-17-18

Mr. Arnold,

Thank you for taking the time to share your concerns. I have forwarded your e-mail to Chief Bill Pierson, and he will follow up.

Nancy Backus

Mayor, City of Auburn

nbackus@auburnwa.gov

253-931-3041

On Jul 23, 2018, at 7:43 PM, Keith Arnold <kla@bus.illinois.edu> wrote:

Hello Mayor Backus,

I believe it was wrong for me to get the attached parking ticket and request it be voided. I couldn't find an email address to include the chief of police here.

I was given the attached parking ticket for parking in the space by the corner in front of my home at 404 22nd St SE, Apt A on 7-17-18.

The apartments in the front like mine have 2 unmarked spaces on the street in front of each apartment. My apartment is on the corner, so the 2 spaces in front of my apartment are the space by the corner and the space next to it. I have lived there since 9-10-04. Of course, I have alternated parking my one car in both these spaces for 13+ years without ever getting a ticket for parking too close to the intersection or having a cop or anyone else say I couldn't park there. Many others have, also, of course, parked in that corner space for days and even weeks since I've lived there but I've never seen another car get a ticket. Years ago closer to when I first moved in, I even asked an officer about a car that was parked near the corner (I'm sure well within 30 feet of the intersection although that was not my question to him) on 22nd St or D St (I don't remember which street for sure) by my apartment, possibly, to harass me, but the officer just said the car was legally parked. Many (if not all or most) such intersections in Auburn including my neighborhood and both ends of my block usually have cars parked within "30 feet" of the intersection. I live on a side street not a main street.

When I parked there this time on Saturday 7-14-18 about 11:30 pm, I made sure my car was outside the stop line (the intersection being on

the "inside" of the stop line) on the opposite side of the street because I thought that was, at least, 10 feet from the intersection and I have heard of not parking within 10 feet of an intersection (although I don't know of a code for that either) and my car was even parked not only outside the corner concrete ramp but, also, outside the street light in front of my apartment.

When I got home Tuesday, 7-17-18 coming from F St at the opposite end of my block, after I left the mailboxes, then passed 412 22nd St SE (the building next to mine), Greg my neighbor in 412 22nd St Apt B (who wasn't outside where I could see him when I just walked by) started calling me, but I saw the ticket on my car and got it before I went to see what Greg wanted. Greg met me on the sidewalk in front of my building. Greg told me, the officer who gave me the ticket was a woman and she knocked on 404 Apt B next to me and asked them if it was their car before she put the ticket on my car. After this ticket, I moved my car to the next space after the corner space but my next door neighbors in 404 Apt. B of my building have been parking their green pickup and gray car in that corner slot since then, apparently, without getting a ticket. At the other end of my block there are still always cars parked at or over the stop line, apparently, without getting tickets, too. At my intersection which is a T-intersection, 2215 D St SE (the house at the top of the intersection) always has cars actually in the intersection and still does, apparently, without ever getting a ticket. There have never been any no parking signs at my intersection. A 15 min parking sign was placed on D St on the side on my apt about a year ago and there are "no parking" signs by the mailboxes in the middle of my block but that's it.

The city code this ticket uses as a basis to cite me, obviously, is not applied everywhere and should not be because all streets are not the same. It, also, doesn't seem to be applied to everyone. Despite this code's wording it is, probably, only meant to be applied where no parking signs are actually placed which is what the city has, apparently, done for the 13+ years I've lived here and before and now. This ticket is the rare (if not, only) and wrong exception and should be voided and not repeated.

Thank you,
Keith Arnold
404 22nd St. SE
Apt A
Auburn, WA 98002

<7-17-18 apt parking ticket.pdf>

The information contained in this electronic communication is personal, privileged and/or confidential information intended only for the use of the individual(s) or entity(ies) to which it has been addressed. If you read this communication and

are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication, other than delivery to the intended recipient is strictly prohibited. If you have received this communication in error, please immediately notify the sender by reply e-mail. Thank you.

<Pierson response.pdf>

<7-17-18 apt parking ticket.pdf>

This message is private and privileged. If you are not the person meant to receive this message, please let the sender know, then delete it. Please do not copy or send it to anyone else.

<7-17-18 TICKET.pdf>

<Pierson response.pdf>

This message is private and privileged. If you are not the person meant to receive this message, please let the sender know, then delete it. Please do not copy or send it to anyone else.

Re: Parking complaint

A-40

Keith Arnold

Tue 7/24/2018 6:21 PM

Sent Items

To: William Pierson <wpierson@auburnwa.gov>;

No privacy at work. But I will make it home by 7 pm tonight and maybe 6:45 pm.

From: William Pierson <wpierson@auburnwa.gov>**Sent:** Tuesday, July 24, 2018 3:19:27 PM**To:** Keith Arnold**Subject:** RE: Parking complaint

OK, is there a way to talk with you during business hours?

From: Keith Arnold <kla@bus.illinois.edu>**Sent:** Tuesday, July 24, 2018 2:48 PM**To:** William Pierson <wpierson@auburnwa.gov>**Subject:** Fw: Parking complaint

My home phone # is 253-931-5183 but I don't get home until about 8:00 pm for now.

From: William Pierson <wpierson@auburnwa.gov>**Sent:** Tuesday, July 24, 2018 1:26 PM**To:** Keith Arnold**Subject:** Parking complaint

Mr. Arnold, when you get a chance, could you provide me a phone number for me to contact you. I wanted to discuss your email to Mayor Backus and our enforcement of parking ordinances. Thanks.

William T. Pierson

Chief of Police

Auburn Police Department

Office: 253-876-1996



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A-41

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Fw: Transcript inquiry

Keith Arnold

Tue 1/8/2019 4:43 PM

Sent Items

To: info@fortherecord.com <info@fortherecord.com>;

I haven't received a response to my question.

How do I get a transcript of my court hearing. I've already uploaded the CD to your website.

Thank you,
Keith Arnold
home phone: 253-931-5183 (leave voice message)

From: Keith Arnold

Sent: Friday, January 4, 2019 5:30 PM

To: info@fortherecord.com

Subject: Transcript inquiry

Hello,

How do I get a transcript of my court hearing. I've already uploaded the CD to your website.

Thank you,
Keith Arnold
home phone: 253-931-5183
work phone: 206-526-6007

CS0005703 - [INC][US] Fwd: Fw: Transcript inquiry

A-43

IT Service Desk <ftrgroup@service-now.com>

Wed 1/9/2019 5:01 AM

To: Keith Arnold <kla@bus.illinois.edu>;

Mr. Arnold,

We do not provide written transcriptions here at FTR, we only provide the platform for a courthouse to upload audio online and for users to request the audio but do not have authority to approve/deny transcript requests.

Which website did you upload the audio to? We do have a website (app.fortherecord.com) in which we allow users to upload audio for playback but not for transcription services.

Please let me know if you have any further questions

Regards,

Alfonso Herrera

Support Technician

For The Record

E: aherrera@fortherecord.com

T: 877 650 0958

1875 Lawrence St. Suite 620Denver, CO 80202[Website](#) [Support](#) [Linkedin](#) [Twitter](#)[Email Disclaimer](#)

CS0005703 - [INC][US] Fwd: Fw: Transcript inquiry

IT Service Desk <ftrgroup@service-now.com>

Thu 1/10/2019 9:19 AM

To: Keith Arnold <kla@bus.illinois.edu>;

Mr. Arnold,

We do not provide written transcriptions here at FTR, we only provide the platform for a courthouse to upload audio online and for users to request the audio but do not have authority to approve/deny transcript requests.

Which website did you upload the audio to? We do have a website (app.fortherecord.com) in which we allow users to upload audio for playback but not for transcription services.

Please let me know if you have any further questions

Regards,

Alfonso Herrera

Support Technician

For The Record

E: aherrera@fortherecord.com

T: 877 650 0958

1875 Lawrence St. Suite 620

Denver, CO 80202

Website Support Linkedin Twitter

Email Disclaimer

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

CITY OF AUBURN

NO. 18-2-55775-5 SEA

of

Petitioner(s)

REPLY BRIEF OF APPELLANT (with parts

transcript)

vs

KEITH ARNOLD

Respondent(s)

This is harassment under the cover of abuse of a position of authority. I have never received the appellee's brief.

My appellant's brief on page 8 states. "To sadistically make the situation worst (or set up a more permanent harassment of me) judge inappropriately said "it's too bad that uh the city can't paint those curbs or something just but, but it's the state law you can't park within 30 feet of the controlled intersection" [3:04:29p]. With this

statement the judge gave the harassers a way to harass me when other cops wouldn't which was by taking away my parking spots with paint."

In blatant defiance and abuse both curbs at my 404 22nd St. corner had yellow paint on them for the first time in the 14 years I've lived there when I returned home at 6:25 pm, Tuesday, April 2, 2019. I was parked in the second slot from D St and the paint went from the handicapped depression at D St to just behind my car and was about a car length and a half long. The yellow paint on 22nd St SE at F St (the opposite end of my block) is only about 5 feet long. I live on the east side of the D St and 22nd St SE intersection and on the south side of 22nd St SE. The D St and 23rd St intersection behind me looks the same as mine. Both have fourplexes and form a T-intersection with residences instead of street on the west side of the intersection. The only difference is D St is about half as wide at 23rd St as at my street. As of Saturday, 4-13-19, there is no yellow (nor any other color) paint on the curbs on 23rd St SE at D St and cars still park in the slot next to the D St corner on the south side of 23rd St. Therefore, the City of Auburn painted my corner but not others to show off they were blatantly targeting and harassing me.

Since receiving the 72 hour parking ticket in 2008, I've had to drive my car 2 blocks every 3 days. This wastes gas, adds pollution, and harasses me. I asked if I could at least leave my car on the street when on vacation but the city said no [Addendum A].

Previous mayor Pete Lewis didn't answer my email about the 72 hour parking ticket [Addendum B]. Notable, previously I complained about an officer saying I can't complain about loud music [Addendum C]. Then I submitted a set of questions directly to the then chief [Addendum D]. That chief then responded to those letters by supporting the cop and thereby opposing me [Addendum E]. Then mayor Pete Lewis responded to my complaint to him about this at that time by supporting the cops and opposing me.

As further extremely blatant defiance, yellow paint was put on my corner the day before the deadline for the appellee's brief. I have never received the appellee's brief. The district court judge referring to the officer's report indicates citizens sometimes say or think they've seen prosecutor items but they haven't [hearing disc time 2:32:21]. Therefore, Judges are aware prosecutor's don't always serve or provide information or items to the other side and this time the prosecutor went to the extreme of intentionally not providing the appellee's brief to me.


There is a section with 15 minute only parking signs on D St. along the side of my building about from end to end of my building which has only been there about the last 4 years or so but long after I moved in. After it was put there a handicapped sign was added to the opposite end from my apartment but that sign is gone now. There were parking spaces in the rear of my building when I first moved there but that has

long been converted into a food bank with parking for the manager only. When the city allows a single residence address to be built with no off street parking, it can and should paint at least one parking space on the curb in front of it (for example green) that may only be used by vehicles registered at that address which in my case would include the apartment number.

Therefore, the district court decision should be reversed and I should prevail in this case and should never be cited for parking my licensed vehicle clear of the crosswalk area in front of (nor on the side of) my 404 22nd St address, the harassment should end, a parking space painted for vehicles registered at the address only should be put in front of my apartment, and the yellow paint at my corner should be removed.

DATE: April 16, 2019

signed:



Keith L. Arnold
404 22nd St. SE, Apt. A
Auburn, WA 98002-6838
253-931-5183
KLA@bus.illinois.edu

CERTIFICATE OF SERVICE

I certify that on April 16, 2019 a copy of this REPLY BRIEF OF APPELLANT (with parts of transcript) was mailed to: City of Auburn, Auburn Prosecutor's Office, 25 W. Main St., Auburn, WA 98001, Phone 253-931-3030 Ext. 2.

DATE: April 16, 2019

signed:



Keith L. Arnold
404 22nd St. SE, Apt. A
Auburn, WA 98002-6838
253-931-5183
KLA@bus.illinois.edu

RE: Parking question

Bob Young <byoung@auburnwa.gov>

Mon 6/27/2011 3:13 PM

to: Keith Arnold <kla@bus.illinois.edu>

Mr. Arnold:

In response to your Parking question: can you leave your car parked on the street for a couple of weeks while you are out of town?

Unfortunately the answer is no. Auburn Municipal Code 10.36. 260, mandates that no motor vehicle shall be allowed to stand or be parked on any street within the city limits of Auburn for more than 72 hours consecutively.

R.E. Young
Parking Enforcement Officer
Auburn Police Dept.

From: Rhonda Thompson
Sent: Monday, June 27, 2011 7:57 AM
To: Andrew Bond; Bob Young
Subject: FW: Parking question

See below.

Thank you.

Rhonda L. Thompson
Auburn Police Department
Records Manager
253 931 3046
253 931 5108 Fax
340 East Main St. Suite 201
Auburn, WA 98002

From: Keith Arnold [mailto:kla@bus.illinois.edu]
Sent: Saturday, June 25, 2011 2:56 PM
To: PD_Coplogic
Subject: Parking question

When I go out of town for a couple of weeks and put in a House Watch Request, can I leave my car parked on the public street in front of my apartment while I'm away?

[I'm using this email address from the response I received below because I couldn't find an email address on the Auburn website.

This question is not related to the email below.]

-Keith Arnold

> Date: Thu, 31 Dec 2009 14:57:31 -0800
> From: WaAuburnPd@coplogic.com
> To: kla@bus.illinois.edu
> Subject: Your Online Police Report 09-E00965 Has Been Approved
>
> Your online supplemental report has been approved and the permanent case
> number is 09-E00965.
>
> Please note in the attached report that sensitive information has
> been replaced with *** in order to maintain privacy in emails.
>
> Thank you for using our online reporting system and please e-mail
> us with any suggestions you have for improving our system.
>
>
> Online Officer
> Auburn Police Department

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Car registration should be checked before and to stop 72 hour parking ticket

plewis@auburnwa.gov <kla@bus.illinois.edu>

Mon 10/5/2009 5:49 PM

To: plewis@auburnwa.gov <plewis@auburnwa.gov>;

In the Monday March 2, 2009 city council meeting I told you about a parking ticket the Auburn police gave me for parking in front of my own apt. for more than 72 hours. Public Works director Dennis Dowdy later called me and I told him the police should check the registrations of cars parked more than 72 hours and if they are registered at the address at which they are parked for more than 72 hours then they should not get a ticket. I haven't heard from anyone since March 2009. Requiring residents to burn gas, add to pollution, and waste money by driving 2 blocks every 72 hours is a disservice to the citizens. No one has more or as much right to park on a public street at an address than the resident of that address. I solved the problem by telling you to just check the car registration before issuing a ticket.

In a world that is trying to become more environmentally friendly, needlessly requiring even 2 blocks of unnecessary pollution is wrong.

I still request the code be corrected to at least prevent cars parked on public streets from being required to move every 72 hours if they are registered at the address at which they are parked.

Sincerely,
Keith Arnold
253-931-5182
kla@bus.illinois.edu

Addendum C

To: City of Auburn Police Dept.
 From: Keith Arnold, 404 22nd St SE Apt. A
 Auburn, WA 9800-6838 253-931065183
 RECEIVED
 AUBURN POLICE DEPT
 JUL 16 PM 5:16
 Subject: Police Harassment and Intimidation by
 Officer Cameron on Sun. 7/2/06 and Fri. 7/7/06

Complaint About Officer Misconduct

I often call 911 and complain about loud music and other things I see in my neighborhood to help with neighborhood watch.

I made a loud music complaint call to 911 on Sun. July 2, 2006 at 7:03 p.m. At 7:19 p.m. Officer Cameron called me and tried to falsely accuse me of making false complaints. She said she has responded to 10 of my calls, at least, and has never found loud music. I told her I don't know how they do it but they often turn the music down right after a call. Cameron said she was calling to make sure they weren't false reports which is a shy attempt to accuse me of making false reports. On Friday, July 7, 2006 at 6:56 p.m. I called 911 and complained about loud music and asked what Cameron was talking about. 911 said they'd have the officer call me and explain. At 7:18 p.m. that day Cameron called me. She tried to shyly tell me not to call 911 (about loud music only?) by saying don't call unless it's been loud for hours, ask my neighbors if they hear it first, and have a neighbor call instead of me. I disputed all these "suggestions" and kept asking her if she was saying don't call. She tried to be evasive for awhile then she finally said "No, don't call."

A cop's inability to catch a lawbreaker does not justify the cop's trying to blame or setup the citizen trying to help maintain law and order in his neighborhood.

Cameron wrongly used her position as a police officer to harass me for trying to get involved and help with law and order, and she attempted to intimidate me into not continuing to participate in neighborhood watch.

Date: Sun. July 16, 2006

Signed by: Keith Arnold

To: Jim Kelly
Chief of Public Safety
City of Auburn, MA

From: Keith Arnold
404 22nd St. S.E. Apt A
Auburn, MA 98002-6838
253-931-5183

RECEIVED
AUBURN POLICE DEPT
06 JUL 32 PM 4:29
06 AUG 01

Subject: Police Harassment and Intimidation and False Alarms

Questions

1. Do hackers setting off your home alarm system a false alarm by the citizen? The City Clerk has sent me the false alarm code and it looks to me that the answer to this question is "no".
2. Do a cop telling a citizen not to make loud music complaints valid?

Background

I've made many loud music complaints about my neighbors. The 911 dispatcher often tells me to call them back if the music comes back up after the officer leaves. I rarely call back because I don't know when the officer leaves or comes. I made a loud music complaint about 401 22nd St SE Apt A, Auburn to 911 on Sun. July 2, 2006 at 7:03 PM. At 7:19 p.m. Officer Cameron called me. She said she has responded to, at least, 10 of my calls and has never found loud music. I told her I don't know how they do it, but they often turn the music down right after I call. Cameron said she was calling to make sure they weren't false reports which is a sly attempt to accuse me of making false reports.

When I got home on Wed. July, 5, 2006, my home alarm showed my living room motion detector had been hacked (because the door and window sensors had not been triggered and I had one apartment door and two windows and all three

have alarm sensors). When my home alarm is triggered, it calls 911 and plays a recorded message giving my name, address, and phone number and asking for police. I called 911 and they said they got this call at about 4:30.

On Friday, July 7, 2006 at 6:56 p.m. I called 911 and complained about loud music from 2215 P St SE, Auburn and asked what Cameron was talking about. 911 said they'd have the officer call me and explain. At 7:18 p.m. that day, Cameron called me. She tried to slyly tell me not to call 911 (about loud music only?) by saying, don't call unless it's been loud for hours, ask my neighbors if they hear it first, and have a neighbor call instead of me. I disputed all these "suggestions" and kept asking her if she was saying don't call. She tried to be evasive for awhile, then she finally said, "No, don't call." She said it's a 2 cops call.

On Thursday, July 13, 2006 at 2:27 P.M. I called the Auburn Police Dept. and spoke to a female but didn't get her name. I asked her to mail me a police complaint form. She said she'd put it in the mail that day, but I still haven't received it. I asked if I could, also, write the complaint on regular paper and bring it there anytime. She said yes to both. She said the complaint form is on their website, but I looked for it there on Wednesday, July 12, 2006 and Wed, July 19, 2006 and wouldn't find it.

On Sunday, July 16, 2006 at 5:10 p.m. I use the 911 red phone in the police dept. lobby, because the reception window is closed. At 5:20 P. Sandy comes out to help someone else and I get her to take my complaint on regular paper about Cameron and she gives me a file stamped copy. I then call 911 on the lobby red phone and cancel my request for an officer to come take my complaint (or anyone to take it). At 5:25 p.m. as I start to back out my space in the front visitor lot of the justice center, Auburn police car #210 driven by a white male comes at me from the rear of the lot. Their cops car had

been marked by the police dept. soon while I was in the lobby. The rear of the front section has signs saying DO NOT ENTER and Wrong Way, but he enters there anyway and come at me with neither his lights flashing, nor siren on, and didn't even blow his horn. I remark and go back in the police dept and use the 911 red phone to complain about this cop coming at me. 911 says they'll send an officer to the police dept. lobby to talk to me. About 5:38 p.m. Sgt. D. N. Colyuzier comes out the back, apparently, to help a wildlife officer, then I tell him about car 210 coming the wrong way at me in the lot. He says cops can go the wrong way if they're on a call and I'll talk to the officer and it will probably end there. I asked what will happen if I write it up. He says then it'll usually go to command, so I write it up in the lobby. 5:45 P. Sandy comes and takes this second complaint and gives me a file stamped copy. I ask her if an officer saying to a citizen that make loud music complaints is valid. She said I'll have to ask an officer. I ask for Sgt. Colyuzier again. She says he's gone and offers me a pen and pen to write my question on. I decline and leave.

On Tuesday, July 18, 2006 in my mail is a false alarm notice from the Auburn police dept. postmarked JUL 17'06 Auburn, MA. It says they received a false alarm from my address on July 5, 2006 and if they receive another one this calendar year I'll be fined. It says if I have questions contact Sandra Allrich at 253-931-3080.

On Friday, July 21, 2006 at 2:22 p.m. I call Auburn Police Dept. and speak to Carey. I ask for Sandy Allrich. She says she's off and this is her weekend. I ask when will she be back. Carey pauses then says Thursday. I ask Carey if she knows anything about false alarms. Carey says she has no idea. I ask her if a cop saying I can't

make loud music complaints to 911 is valid. Carey says if I have a loud music complaint to call 911. I say I've been doing that and was told not to by an Auburn cop and want to know if that's valid. She says she'll have the city contact me. I say I need him to say Auburn police if he calls because I screen my calls and sometimes they don't say Auburn Police. Carey says she'll tell him that.

On Monday July 24, 2006 at 2:48 PM. I call Auburn Police Dept and speak to Jonel. I ask for Sandra Ullrich. Jonel says she's in a meeting, and she'll transfer me to her voicemail and transfers me. I leave a message on her voicemail. At 2:54 p.m. I call the Auburn Police Dept again and speak to Jonel again. I tell her I asked last week if a cop telling me not to make loud music complaints is valid and no one has called me back. Jonel transfers me to Commander Greg Wood's voicemail, and I leave a message.

On Tuesday July 25, 2006 at 2:20 p.m. approximately, Sandra Ullrich calls me and says she's with the Auburn Police, so I answer the phone. Sandra says I got the false alarm notice because they got an alarm call for "401" (she actually said "401" not "404") then caught herself and said it was at 4:33 p.m. on July 5, 2006. I tell her this happened last year and I wasn't fined. (When I called in, they last year I was told I wasn't in the system and shouldn't have gotten the notice. A female told me that last year.) Sandra says she doesn't know why I wasn't fined last year but that's the rule she must follow and if they get another "false alarm" from any alarm by Dec. 31 this year I'll be fined. She said her hands are tied and no one else in the city has an alarm like mine and she doesn't know what I can do to prevent it. I ask if I can appeal. She says yes, she can transfer me to the city clerk and she'll give me their number first.

I ask if she's the Sandy who took my complaints on July 16, 2006. She pauses then gleefully says yes. She gives me the Clerk's number then transfers me.

Cathy at the Clerk's office takes the transfer. I tell her about the hushers and ask if I can get an exception because the police will fine me if it's hushed again. Cathy takes my name and number and said she'll check the statute then call me right back. At 2:35 pm Cathy calls back and says she's with the city, so I answer it. She says I should write a complaint to the chief of public safety, Jim Kelly. She says she wants to send me a copy of the statute, so I give her my address. I tell her about my loud music complaints, Cameron calling me, my alarm being hushed next, my cops complaints, then the alarm notice, and my asking for a cop to tell me if a cop saying don't call about loud music complaints is valid but still not getting a response. Cathy says she'd put all that in the letter. In my mail on Thursday, July 27, 2006 is the false alarm code from Auburn City Hall postmarked Auburn, MA JUL 26 '06.

Additional Question

Does a loud music complaint take two officers like Cameron told me on Friday, July 7, 2006?

Additional Background

On Tues. Aug 1, 2006 at 3:24 PM I used the red phone at Auburn Police Dept. Sgt. Turri came out at 4:20 PM and said I can make loud music complaints but, I will be fined if alarm calls police again and they call it a false alarm. He said make alarm audible only, and I said it is. He said Cameron not here, so he can't ask her what she meant.

Date: August 1, 2006

By: Keith Arnold



Police

WASHINGTON 340 East Main Street, Suite 201 • Auburn, WA 98002-5548 • www.ci.auburn.wa.us • 253-931-3080

August 7, 2006

Keith Arnold
404 22nd Street SE #A
Auburn, WA 98002

Dear Mr. Arnold:

An investigation of a complaint regarding allegations of an officer being rude and telling you not to call 911 has been completed. A supervisory review has determined there was no misconduct by the officer. In fact, it is clear that the officer told you she would respond to legitimate complaints and gave you alternatives to handle your particular situation.

It is my sincere hope and desire that every contact made by an employee of the Auburn Police Department is a positive experience for all concerned parties. Unfortunately human nature and emotions occasionally make that difficult to achieve. Thank you for bringing your concerns to our attention. Our service to the public is of utmost importance and inquiries such as yours provide us the opportunity to continually re-examine our relationship with our community members.

Sincerely,

A handwritten signature in cursive script that reads "James Kelly".

James Kelly
Chief of Police
Auburn Police Department

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

CITY OF AUBURN

NO. 18-2-55775-5 SEA

Petitioner(s)

APPELLANT OBJECTION TO
BRIEF OF RESPONDENT

vs

KEITH ARNOLD

Respondent(s)

Appellant objects to the Appellee filing its Brief of Respondent after 4-3-19 without giving justification.


This case's ORER SETTING RALJ CIVIL APPEAL CASE SCHEDULE page 3 states "Filing **DEADLINE** for Brief of Respondent [*See RALJ 7.2(b)*]" is "04/03/2019". My Reply Brief was filed and served 4-16-19 and states twice (on pages 1 and 3), "I have never received the appellee's brief". Then appellee submitted its Brief of Respondent stating it was submitted April 19, 2019 which is extremely late without giving a valid reason for being late. I just received the Brief of Respondent on 4-22-19. On 4-19-19 when I got home there was a message stating an unintelligible topic on my answering machine from "Megan" (a person I had not heard of before

then) of the City of Auburn attorney's office. The declaration of service for the 4-19-19 Brief of Respondent is signed by Megan B Stockdale, apparently, the "Megan" who left me the phone message. The City of Auburn painting the curb in front of my apartment yellow on 4-2-19 [REPLY BRIEF OF APPELLANT (with parts of transcript), page 2] showed they knew the due date of their brief then blatantly, intentionally, and defiantly didn't file it by 4-3-19 per the order.

Though the City of Auburn should lose for harassment under the cover of abuse of a position of authority, it should now first lose by default of the deadline to file its brief.

Therefore, the district court decision should be reversed and I should prevail in this case and should never be cited for parking my licensed vehicle clear of the crosswalk area in front of (nor on the side of) my 404 22nd St address. the harassment should end, a parking space painted for vehicles registered at the address only should be put in front of my apartment, and the yellow paint at my corner should be removed.

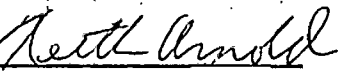
DATE: April 24, 2019

signed: 
 Keith L. Arnold
 404 22nd St. SE, Apt. A
 Auburn, WA 98002-6838
 253-931-5183
 KLA@bus.illinois.edu

CERTIFICATE OF SERVICE

I certify that on April 24, 2019 a copy of this APPELLANT OBJECTION TO BRIEF OF RESPONDENT was mailed to: City of Auburn, Auburn Prosecutor's Office, 25 W. Main St., Auburn, WA 98001, Phone 253-931-3030 Ext. 2.

DATE: April 24, 2019

signed: 
 Keith L. Arnold
 404 22nd St. SE, Apt. A
 Auburn, WA 98002-6838
 253-931-5183
 KLA@bus.illinois.edu

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

CITY OF AUBURN

NO. 18-2-55775-5 SEA

Petitioner(s)

Post-Deadlines Misbehavior by Appellee

vs

KEITH ARNOLD

Respondent(s)

On April 30, 2019 about 3:45p I went to my building manager Jim Brass's yard in the rear of our corner building to get the weed cutter. While I was getting the weed cutter, Jim Brass. came out of his apartment (404C/D) and showed me where to get batteries for the cutter and where to put used batteries. Jim Brass has a lot of restrictive signs at his office and is not always so willing to be this informative towards me. I took the weed cutter to my front yard and checked it and put a battery in it. Then at 3:55 pm when I started to cutter the weeds in the side corner of my yard by D St., there was an Auburn Police Parking Enforcement white SUV with WA plates 513450 driven by a short white female with no passenger in the 15 minute parking space right behind a white Acura MDX SUV (which was empty) with WA plates BLB4559 which was parked on D St at the 22nd St SE corner in the space in front of the 15 minute parking space. I'd seen a vehicle in that spot several times over the last few days but didn't pay much attention to it and don't

remember for sure if it was an SUV. I stayed in my yard inside my fence and wrote down the license plates and other information of the police and Acura SUV's. As I wrote their information the female cop yelled at me (no one else was around) "your apartment manager sent me this, Jim Brass". I never said anything to the female cop. I saw the cop walk to the Acura at least once. As I cut the weeds at the fence, this female cop leaves from behind the Acura at about 4:05p and drives nonstop to 21st St. and turns (right turn, I think). Though I have only seen Conner (who ticketed me in this case) once and may not recognize her. I think, this is Conner because in this case's hearing Conner said there are only 2 parking enforcement officers and Conner referred to the other one as "he". There is a small red car on D St about 6-7 feet (less than a full car length) from 22nd St and on the opposite side of 22nd from the Acura, but this cop did not put any ticket on that red car. The Acura had an orange sticker on it's driver's door window but no other ticket on the Acura. Appendix E of my BRIEF OF APPELLANT (with parts of transcript) shows when an orange sticker was placed on my car in 2008 for being parked longer than 72 hours a separate ticket was included. Why wasn't a 2nd separate ticket put on the Acura on 4-30-19? In this case Conner said she came to my area in 2018 for a call about another car then saw my car and cited me, too. Then on April 30, 2019 why wasn't the red car across the intersection cited, too? At the hearing the district judge, saying it didn't matter, sustained an objection to my asking who made the original complaint in 2018 [hearing disc time 2:51:25p]. If who made the original complaint doesn't matter, then why did this cop on 4-30-19 voluntarily say my building manager Jim Brass made the complaint?

On 5-2-19 at 9:41 am, I was at me car in front of my 404 22nd St SE Apt A, Auburn address with my hood up having trouble getting my car started (to drive it for the 72 hour limit), when an Auburn Police Parking Enforcement white SUV came from D St (behind me) and went towards F St. I think, this is Auburn Police Parking Enforcement showing off they are targeting me by watching my car.

I think, the cop coming by when I started cutting my weeds on 4-30-19 shows the appellee continues to target me and had been planting a vehicle on D St at the corner by my apartment for days so when I came out into my yard they could send a cop from around the corner to show they were watching and targeting my area and me. Appellee probably even thought (and hoped) ticketing the Acura might even have the opposite effect of making me think they were watching my area to protect me. I think Jim Brass probably took part in this knowingly. I normally do yard work on Sunday's as Jim Brass has indicated to me he has noticed but I've had leave scheduled this week for about a month (which a computer hacker might know) so I waited until Tuesday to do my yard work. I think appellee and Brass have been waiting since Sunday 4-28-19 to show their 4-30-19 targeting of me. I think on 5-2-19 the parking enforcement car drove by me working on my car to show they were anxious for an excuse to give me another 72 hour ticket (or any other ticket).

I believe this is appellee's continuing harassment under the cover of abuse of a position of authority.

Therefore, the district court decision should be reversed and I should prevail in this case and should never be cited for parking my licensed vehicle clear of the crosswalk area in front of (nor on the side of) my 404 22nd St address, the harassment should end, a parking space painted for vehicles registered at the address only should be put in front of my apartment, and the yellow paint at my corner should be removed.

When I returned home from writing and printing the above at KCLS Auburn Library about 9:40p TH 5/2/19 there was yellow paint on D St curb at 22nd St next to my apt that I saw for 1st time (where Acura was ticketed). There was still no yellow paint on D St curb across intersection at 22nd St where the other car was Conner said she, also, cited when she cited my car in 2018 [hearing disc time 2:52:08p]. Conner said she was dispatched to D St (other car) then saw my car as additional violation when she got there [2:39:20]. This is blatant harassment of me

and defiance by appellee at last minute before "5-3-19" hearing.

As of Wednesday, 6/12/19 about 7:44p, there is no paint (yellow nor any other color) on 23rd St 400 block corner at D St (match of my apt. location) nor at other end of 23rd St at F St, and a car is parked in slot by corner in front of apartment building fourplex on south side of 23rd St at D St corner (match of my apt. location). Also, as of Wednesday, 6/12/19 about 7:44p, there is still no paint (yellow nor any other color) on D St at 22nd St corner by 401 (across street from me).

DATE: June 14, 2019

signed:

Keith L. Arnold

Keith L. Arnold
404 22nd St. SE. Apt. A
Auburn, WA 98002-6838
253-931-5183
KLA@bus.illinois.edu

CERTIFICATE OF SERVICE

I certify that on June 14, 2019 a copy of this Post-Deadlines Misbehavior by Appellee was mailed to: City of Auburn, Auburn Prosecutor's Office, 25 W. Main St., Auburn, WA 98001, Phone 253-931-3030 Ext. 2.

DATE: ~~March 4, 2019~~

signed:

Keith L. Arnold

Keith L. Arnold
404 22nd St. SE. Apt. A
Auburn, WA 98002-6838
253-931-5183
KLA@bus.illinois.edu

June 14, 2019

ACA 6/14/19

IN THE KING COUNTY SUPERIOR COURT
STATE OF WASHINGTON

CITY OF AUBURN,

Plaintiff/Respondent,

v.

KEITH L. ARNOLD,

Defendant/Appellant.

CAUSE NO. 18-2-55775-5 SEA

BRIEF OF RESPONDENT

COMES NOW the Plaintiff/Respondent, City of Auburn ("City"), by and through
Prosecutor Greg Thomsen, and submits the following Brief of Respondent. For the reasons set
forth, the City asks this Court to affirm the trial court's finding of committed.

A. FACTS

1. On July 17, 201, the Defendant was cited for parking less than 30' from a
controlled intersection pursuant to 10.36.270.3. CP 27. Exhibit A.¹
2. On July 31, 2018, the Defendant requested a contested hearing. CP 26.
3. A contested hearing was scheduled for October 19, 2018. CP 17.

¹ Exhibit A is listed on the City's Supplemental Designation of Record.

4. After hearing testimony from the citing officer, and hearing arguments from both parties, the trial court found that the Defendant committed the parking infraction.

B. ISSUES PRESENTED

Should this Court affirm the King County District Court's ruling that City of Auburn Parking Infraction 98182 was committed?

C. ARGUMENT

This Court should affirm the King County District Court's ruling that City of Auburn Parking Infraction 98182 was committed.

The Court should affirm the King County District Court's ruling that City of Auburn Parking Infraction 98182 was committed because the Defendant has failed to provide any legal argument or factual basis that would support reversal. *See Brief of Appellant.* The burden to provide authorities is clearly upon the Defendant, since an Appellate Court need not decide a contention that is unsupported by citation to authority. State v. Lord, 117 Wn.2d 829, 853, 822 P.2d 177 (1991); State v. Dennison, 115 Wn.2d 609, 629, 801 P.2d 193 (1990). As the Defendant has not raised any appealable issues (such as insufficient evidence, misapplication of the law, or judicial abuse of discretion) and has provided no legal authorities in support of his appeal, his appeal should be dismissed.

Also, the City objects to this Court considering any of the statements quoted in the Defendant's brief because the Defendant did not provide a transcript of the relevant portions of the contested hearing proceedings as required by RALJ 6.3.1. Specifically, the Appellant failed to provide the City with all testimony relevant to the disputed finding per RALJ 6.3.1 (a) and

RALJ 6.3.1 (c). The Appellant also failed to properly certify the transcript per RALJ 6.3.1(d)(2).

D. CONCLUSION

For all of the reasons set forth herein above, the City respectfully requests that this Court deny the Defendant's appeal, affirm the King County District Court finding that Auburn Parking Infraction 98182 was committed.

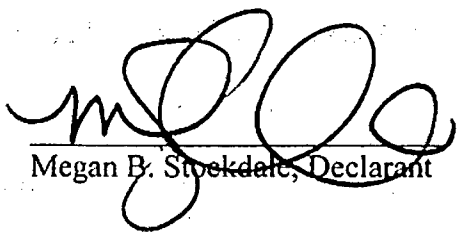
RESPECTFULLY SUBMITTED: April 19, 2019.

s / Gregory G. Thomsen
Gregory G. Thomsen, WSBA # 47415
Attorney for City of Auburn

DECLARATION OF MAILING

I, Megan B. Stockdale, declare under penalty of perjury under the laws of the State of Washington that on the date set forth below, I mailed a copy of the foregoing to Keith L. Arnold via first class mail, postage paid, to the following address:

SIGNED: 4/19/19


Megan B. Stockdale, Declarant

~ F 5/3/19

IN THE KING COUNTY SUPERIOR COURT
STATE OF WASHINGTON

CITY OF AUBURN,

Plaintiff/Respondent,

v.

KEITH L. ARNOLD,

Defendant/Appellant.

CAUSE NO. 18-2-55775-5 SEA

RESPONSE TO OBJECTION

COMES NOW the Plaintiff/Respondent, City of Auburn ("City"), by and through Prosecutor Greg Thomsen, and responds to Appellant's Objection to Brief of Respondent as follows:

On November 21, 2018, this Court issued an Order Setting Case Schedule setting forth a number of deadlines. The deadlines in the case schedule are calculated based on the date of filing and/or the trial date, or in the case of an appeal, the date of oral argument. *See generally* KCLCR 4. In this case, one of the deadlines was the Brief of Respondent, which, according to the original case schedule was due April 3, 2019, or 30 days before oral argument. However, prior to the Brief of Respondent coming due, the Court continued oral argument sua sponte from May 3 to June 28, 2019. *See* Exhibit A. The continuance of oral argument should have then shifted the due dates for the Brief of Respondent and Reply Brief of Appellant to June 5, 2019, and June 19, 2019, respectively. Although the City does not believe its Brief of Respondent is due until June 5, 2019, it has since

COPY

been filed with the Court and served on the Appellant. See King County Superior Court Sub No. 16 and Appellant Objection to Brief of Respondent, page 1.

Regarding the Appellant's argument that the City "should now...lose by default of the deadlines to file its brief" the City would argue that dismissal is an extreme remedy and it "is the general policy of Washington courts not to resort to dismissal or default lightly." *Rivers v. Wash. State Conference of Mason Contractors*, 145 Wash.2d 674, 686, 41 P.3d 1175 (2002). When considering whether to impose a dismissal in a proceeding as a sanction for violating a court order or court rule, the court will consider 1) whether the refusal to obey was willful or deliberate; 2) whether the party's action substantially prejudiced the opponent's ability to prepare for trial; and 3) whether a lesser sanction would suffice. *Id.* Here, the City did not file its Brief of Respondent on April 3, 2019, because it believed the due date was extended when the court continued oral argument from May 3 to June 28. Second, even if the due date was not extended by virtue of the continuance, the Appellant has failed to show any prejudice. Finally, even if the Appellant could show prejudice, the remedy would be to continue oral argument to allow the Appellant additional time to file his Reply Brief; not dismiss the appeal.

RESPECTFULLY SUBMITTED: April 30, 2019.

s / Gregory G. Thomsen
 Gregory G. Thomsen, WSBA # 47415
 Attorney for City of Auburn

DECLARATION OF MAILING

I, Megan B. Stockdale, declare under penalty of perjury under the laws of the State of Washington that on the date set forth below, I mailed a copy of the foregoing to Keith L. Arnold via first class mail, postage paid, to the following address: 404 22nd St SE; Apt A, Auburn, WA 98002-6838.

SIGNED: April 30, 2019.

Megan B. Stockdale, Declarant

RESPONSE TO OBJECTION
 Page 2 of 2

CITY OF AUBURN
 Legal Department
 25 West Main Street
 Auburn Washington 98001-4998
 (253) 931-3030 FAX (253) 931-4007

Megan Stockdale

From: Court, Ruhl <Ruhl.Court@kingcounty.gov>
Sent: Thursday, March 28, 2019 1:52 PM
To: Greg Thomsen; KLA@bus.illinois.edu
Cc: Megan Stockdale
Subject: RE: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

CAUTION: The following message originated from outside the City of Auburn. Be careful opening links and attachments

Great, thank you.
Apparently Mr. Arnold's email address is no longer valid.
Thank you,

Laurie Watson
Bailiff to Judge John R. Ruhl
King County Superior Court
516 Third Avenue – Room C-203
Seattle, Washington 98104-2381
Ruhl.Court@kingcounty.gov

Please visit Judge Ruhl's webpage at:
<http://www.kingcounty.gov/courts/Superior Court/judges/ruhl.aspx>

Please note: Effective 1/7/19 our courtroom is E-847

From: Greg Thomsen [mailto:gthomsen@auburnwa.gov]
Sent: Thursday, March 28, 2019 1:47 PM
To: Court, Ruhl ; KLA@bus.illinois.edu
Cc: Megan Stockdale
Subject: RE: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

6/28 at 10:00 am will work fine.

Thanks,

AUBURN
MORE THAN JUST A CITY

Greg Thomsen
Prosecuting Attorney, City of Auburn
25 West Main Street
Auburn, WA 98001-4998
Phone: (253) 931-3030 ext. 2
Fax: (253) 931-4007

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From: Court, Ruhl <Ruhl.Court@kingcounty.gov>
Sent: Thursday, March 28, 2019 1:45 PM
To: Greg Thomsen <gthomsen@auburnwa.gov>; KLA@bus.illinois.edu
Cc: Megan Stockdale <mstockdale@auburnwa.gov>
Subject: RE: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

CAUTION: The following message originated from outside the City of Auburn. Be careful opening links and attachments

We have 6/28 at 10:00 or 7/12 at 10:00 or 11:00. Will either of those work?

From: Greg Thomsen [<mailto:gthomsen@auburnwa.gov>]
Sent: Thursday, March 28, 2019 1:30 PM
To: Court, Ruhl <Ruhl.Court@kingcounty.gov>; KLA@bus.illinois.edu
Cc: Megan Stockdale <mstockdale@auburnwa.gov>
Subject: RE: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

Ms. Ruhl,

Sorry to take so long to respond. I am sorry, but neither June 7 nor June 21 work for me. Please let me know what other possible dates you may have available.

Thanks,

AUBURN
MORE THAN YOU THINK

Greg Thomsen
Prosecuting Attorney, City of Auburn
25 West Main Street
Auburn, WA 98001-4998
Phone: (253) 931-3030 ext. 2
Fax: (253) 931-4007
gthomsen@auburnwa.gov
<http://www.auburnwa.gov/>

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A-72

From: Court, Ruhl <Ruhl.Court@kingcounty.gov>
Sent: Wednesday, March 27, 2019 2:43 PM
To: Greg Thomsen <gthomsen@auburnwa.gov>; KLA@bus.illinois.edu
Subject: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

CAUTION: The following message originated from outside the City of Auburn. Be careful opening links and attachments

Hello,
Argument on your RAJ appeal is scheduled for Friday, 5/3 at 8:30.
Unfortunately, this court did not get notification of that date, and that Friday has been filled. I need to reschedule your hearing.
We have availability on Friday, June 7 at 10:00 a.m., or June 21 at 11:00 a.m.
Please let me know if either of those dates work for both of you.
I apologize for the inconvenience.
Thank you,

Laurie Watson
Bailiff to Judge John R. Ruhl
King County Superior Court
516 Third Avenue – Room C-203
Seattle, Washington 98104-2381
Ruhl.Court@kingcounty.gov

Please visit Judge Ruhl's webpage at:
<http://www.kingcounty.gov/courts/Superior Court/judges/ruhl.aspx>

Please note: Effective 1/7/19 our courtroom is E-847

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FW: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

Court, Ruhl <Ruhl.Court@kingcounty.gov>

Fri 5/3/2019 10:44 AM

To: Keith Arnold <kla@bus.illinois.edu>; gthomsen@auburnwa.gov <gthomsen@auburnwa.gov>; Megan Stockdale <mstockdale@auburnwa.gov>;

Hello Mr. Arnold,

As agreed, I'm forwarding to you the emails that I sent back in March, changing the hearing date for your matter.

Counsel, Mr. Arnold appeared for hearing this morning. You may recall I thought his email was inactive. Actually, the Court misspelled his email in their case management system.

We will see you all on June 28 at 10:00 a.m.

Thank you,

Laurie Watson
Bailiff to Judge John R. Ruhl
King County Superior Court
516 Third Avenue – Room C-203
Seattle, Washington 98104-2381
Ruhl.Court@kingcounty.gov

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Please note: Effective 1/7/19 our courtroom is E-847

From: Court, Ruhl

Sent: Thursday, March 28, 2019 1:52 PM

To: Greg Thomsen <gthomsen@auburnwa.gov>; KLA@bus.illinois.edu

Cc: Megan Stockdale <mstockdale@auburnwa.gov>

Subject: RE: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

Great, thank you.

Apparently Mr. Arnold's email address is no longer valid.

Thank you,

Laurie Watson
Bailiff to Judge John R. Ruhl

King County Superior Court
516 Third Avenue – Room C-203
Seattle, Washington 98104-2381
Ruhl.Court@kingcounty.gov

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Please note: Effective 1/7/19 our courtroom is E-847

From: Greg Thomsen [<mailto:gthomsen@auburnwa.gov>]
Sent: Thursday, March 28, 2019 1:47 PM
To: Court, Ruhl <Ruhl.Court@kingcounty.gov>; KLA@bus.illinois.edu
Cc: Megan Stockdale <mstockdale@auburnwa.gov>
Subject: RE: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

6/28 at 10:00 am will work fine.

Thanks,



Greg Thomsen

Prosecuting Attorney, City of Auburn
25 West Main Street
Auburn, WA 98001-4998
Phone: (253) 931-3030 ext. 2
Fax: (253) 931-4007
gthomsen@auburnwa.gov
<http://www.auburnwa.gov/>

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From: Court, Ruhl <Ruhl.Court@kingcounty.gov>
Sent: Thursday, March 28, 2019 1:45 PM
To: Greg Thomsen <gthomsen@auburnwa.gov>; KLA@bus.illinois.edu
Cc: Megan Stockdale <mstockdale@auburnwa.gov>
Subject: RE: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

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We have 6/28 at 10:00 or 7/12 at 10:00 or 11:00. Will either of those work?

From: Greg Thomsen [mailto:gthomsen@auburnwa.gov]
Sent: Thursday, March 28, 2019 1:30 PM
To: Court, Ruhl <Ruhl.Court@kingcounty.gov>; KLA@bus.illinois.edu
Cc: Megan Stockdale <mstockdale@auburnwa.gov>
Subject: RE: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

Ms. Ruhl,

Sorry to take so long to respond. I am sorry, but neither June 7 nor June 21 work for me. Please let me know what other possible dates you may have available.

Thanks,



Greg Thomsen

Prosecuting Attorney, City of Auburn
 25 West Main Street
 Auburn, WA 98001-4998
Phone: (253) 931-3030 ext. 2
Fax: (253) 931-4007
gthomsen@auburnwa.gov
<http://www.auburnwa.gov/>

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Subject: City of Auburn v Arnold 18-2-55775-5 Appeal hearing

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Hello,

Argument on your RALJ appeal is scheduled for Friday, 5/3 at 8:30.

Unfortunately, this court did not get notification of that date, and that Friday has been filled. I need to reschedule your hearing.

We have availability on Friday, June 7 at 10:00 a.m., or June 21 at 11:00 a.m.

Please let me know if either of those dates work for both of you.

I apologize for the inconvenience.

Thank you,

Laurie Watson
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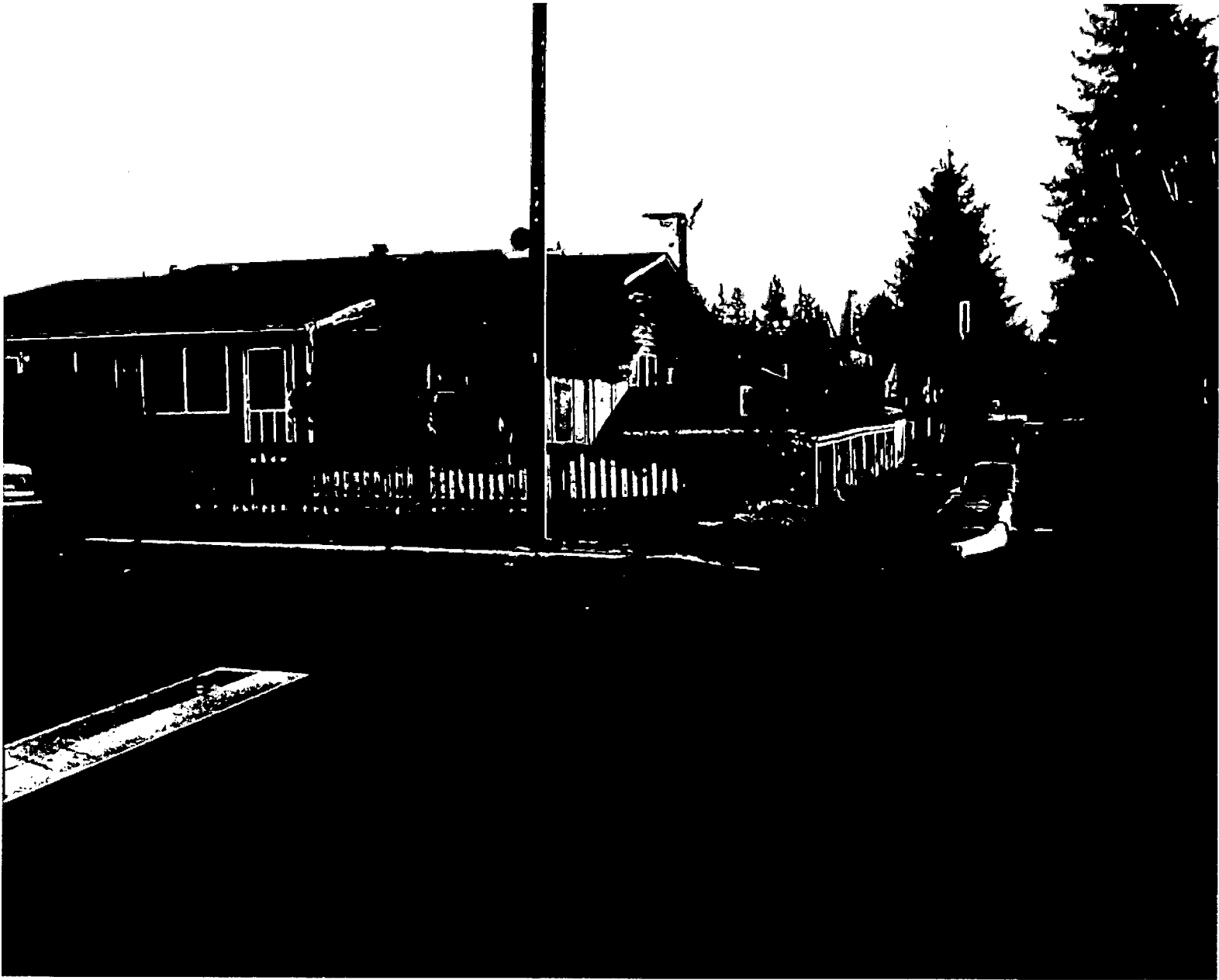
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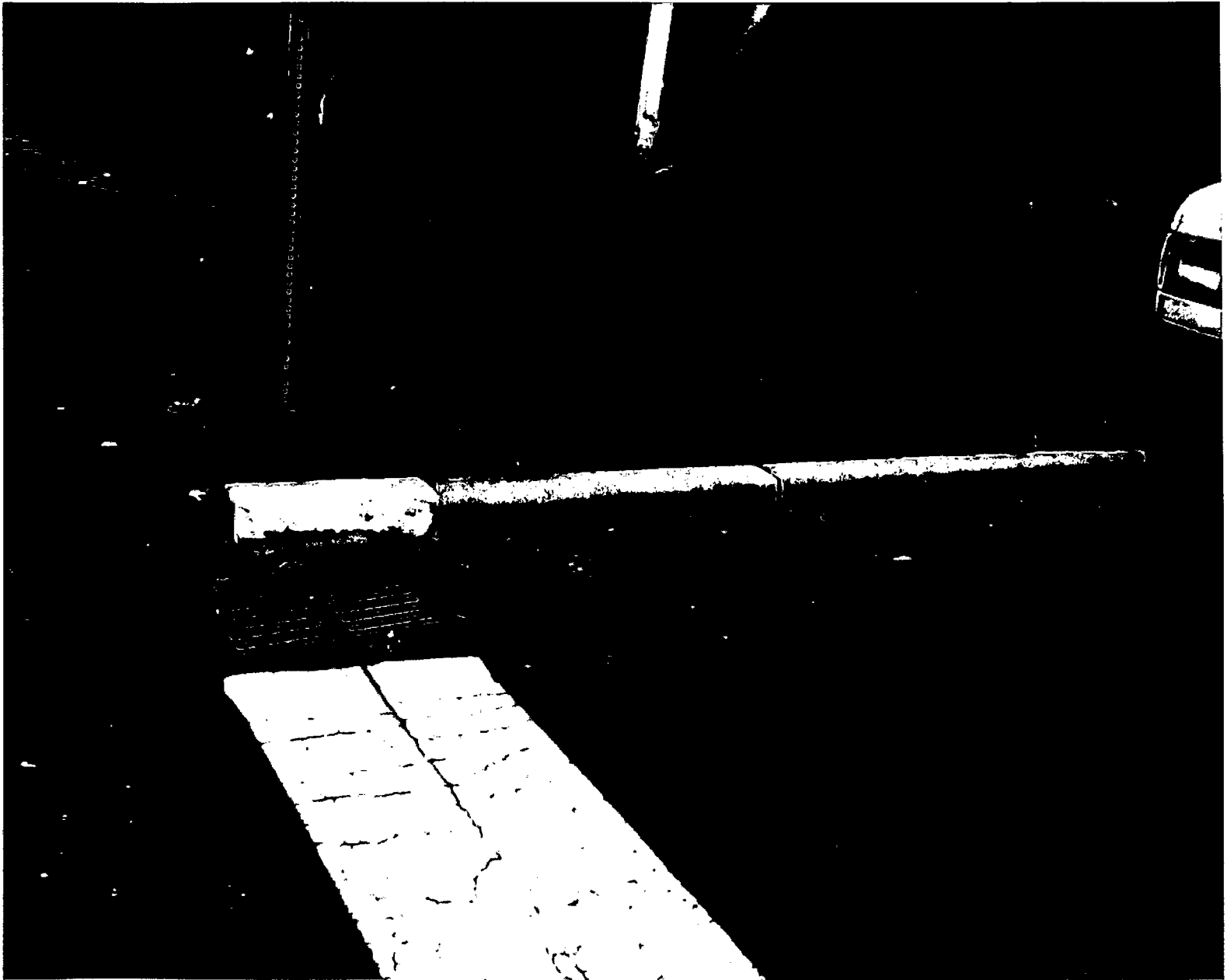
2 slots at corner on 22nd St SE in front of my apt in this case



D St by my address 404 22nd viewing across 22nd St.pdf



23 and D st south east corner (comparable my 22 and D st southeast corner).pdf



best gray over yellow on 22 at F other end my block but my
side of street.pdf



22 at F St view from north east corner.pdf



23 and F St view from east of F St on 23 St.pdf



