

In the Supreme Court of the State of Alaska

Lamar Williams,
Appellant,
v.

Alyeska Seafoods, Inc.,
Appellee.

Trial Court Case No. 3AN-22-04472CI

Supreme Court No. S-18895

Order

Dismiss Appeal for Want of Prosecution

Date of Order: 2/7/2024

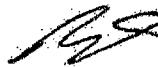
The appellant's opening brief was not filed by 2/2/2024 as required by this court's 1/24/2024 order.

Accordingly, **IT IS ORDERED, SUA SPONTE:**

This appeal is **DISMISSED** for want of prosecution.

Entered under Appellate Rule 511.5(a).

Clerk of the Appellate Courts



Ryan Montgomery-Sythe,
Chief Deputy Clerk

cc: Supreme Court Justices
Judge Matthews
Trial Court Clerk – Anchorage

Distribution:

Email:
Williams, Lamar
Smith, Selena

In the Supreme Court of the State of Alaska

Lamar Williams,
Appellant,

v.

Alyeska Seafoods, Inc.,
Appellee.

Supreme Court No. **S-18895**

Order

Motion for Appeals Judge Order to Dismiss on the Grounds of Failing to Respond to Court Order

Date of Order: **1/24/2024**

Trial Court Case No. **3AN-22-04472CI**

On consideration of the Motion for Appeals Judge Order to Dismiss on the Grounds of Failing to Respond to Court Order filed by Lamar Williams on 1/16/2024, and the response filed by Alyeska Seafoods, Inc. on 1/23/2024,

IT IS ORDERED:

The motion is **DENIED**. Mr. Williams is advised that if he elects to not file a brief in this matter, the court will not be able to rule in his favor. Instead, the case will be dismissed for want of prosecution and the superior court's judgment will remain in place.

The opening brief due date of 1/22/2024 has lapsed and Mr. Williams is directed to file his brief, or a motion to dismiss indicating that no brief will be filed, on or before **2/2/2024**.

Entered at the direction of an individual justice.

Clerk of the Appellate Courts



Stephanie Crone, Deputy Clerk

Distribution:

Email:
Williams, Lamar
Smith, Selena

In the Supreme Court of the State of Alaska

Lamar Williams,
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Trial Court Case No. 3AN-22-04472CI

Supreme Court No. S-18895

Order

Date of Order: 11/15/2023

On consideration of the motion for waiver of fees and costs and the motion for expedited consideration, filed by Lamar Williams on 10/17/2023, and the oppositions to each motion filed by Alyeska Seafoods, Inc. on 11/3/2023,

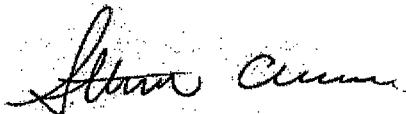
IT IS ORDERED:

The motion for waiver of fees and costs is **GRANTED**. The filing fee and cost bond requirements are **WAIVED**. The court will provide the following services: printing of Appellant's briefs and excerpts of record, if required. A separate opening notice of appeal will be issued.

The motion for expedited consideration is **DENIED**.

Entered at the direction of an individual justice.

Clerk of the Appellate Courts



Stephanie Crone, Deputy Clerk

Distribution:

Email:
Williams, Lamar
Smith, Selena

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT ANCHORAGE

LAMAR WILLIAMS, an individual

Plaintiff,

v.

ALYESKA SEAFOODS, INC., an Alaska corporation registered as a foreign corporation in Washington.

Defendant.

NO. 3AN-22-04472CI

**PROPOSED ORDER GRANTING
DEFENDANT'S MOTION TO
DISMISS PURSUANT TO RULE 12(b)**

This matter having come on regularly for hearing before the Court upon defendant Alyeska Seafoods, Inc. ("Defendant" or ASI") motion to dismiss pursuant to Rule 12(b). The Court, being duly and sufficiently advised, and good cause and valid grounds appearing therein, and the Court having considered the following:

- A. Defendant's Motion to Dismiss Pursuant to Rule 12(b);
- B. Notice Advising the Plaintiff of the Right to File a Written Opposition to Defendant's Motion to Dismiss;
- C. Plaintiff's Response to our Motion to Dismiss Pursuant to Rule 12(b), if any;
- D. Defendant's Reply;
- E. Plaintiff's Reply to provide proof of service via
a Defendant's Court Order dated April 16, 2023

PROPOSED ORDER GRANTING DEFENDANT'S
MOTION TO DISMISS PURSUANT TO RULE 12(b) –
Lamar v. ASI – 3AN-22-04472CI –

DAVIS GRIMM PAYNE & MARRA
701 Fifth Avenue, Suite 3500
Seattle, WA 98104-7055
(206) 447-0182

1 Based on the pleadings filed by Lamar Williams (Plaintiff) in this matter, the Court

2 finds:

3 1. Plaintiff's Complaint should be dismissed for insufficiency of process.
4 2. Plaintiff failed to properly serve process on Defendant.
5 3. Plaintiff has failed to state a claim for workers' compensation upon which
6 relief can be granted.

7 4. Plaintiff has failed to state a claim for breach of contract upon which relief can
8 be granted.

9 5. Plaintiff has failed to state a claim for debt collection upon which relief can be
10 granted.

11 Based on the above findings, IT IS HEREBY ORDERED:

12 1. Plaintiff's motion to dismiss claims pursuant CR 12(b)(4), (5), and (6) is granted.
13 2. Defendant may submit a separate motion for fees and costs.
14 3.

15 DATED this 26²⁰²¹ day of September, 2022.



16
17 Judge Thomas A. Matthews

18 Presented by:

19 /s/
20 Christopher L. Hilgenfeld, ASBA #1509077
21 DAVIS GRIMM PAYNE & MARRA
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Ph. (206) 447-0182 | Fax: (206) 622-9927
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23 Attorneys for Defendants

24 PROPOSED ORDER GRANTING DEFENDANT'S
MOTION TO DISMISS PURSUANT TO RULE 12(b) -
Lamar v. ASI - 3AN-22-04472CI -

DAVIS GRIMM PAYNE & MARRA
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Seattle, WA 98104-7055
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I certify that on 9/26/23 W copy
of the following was mailed/faxed/hand delivered
to each of the following at their addresses of record.

mailed to
Lamar Williams
Selicia Smith

**Additional material
from this filing is
available in the
Clerk's Office.**