

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

**SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN THE COUNTY OF SNOHOMISH**

**CHRISTOPHER J. HUPY, an individual, and THOMAS
BRET HAGGERTY, an individual**

Plaintiffs,

v.

**The Actors of KING COUNTY SUPERIOR COURT; The
FOLOWING King County Superior Court Judges in their
professional capacity; SUSAN CRAIGHEAD, PALMER
ROBINSON, MARIANE SPEARMAN, JIM RODGES, J.
WESLEY SAINT CLAIR, PATRICK H. OISHI, RICHARD
MCDERMOTT, MICHAEL TRICKEY, SUSAN AMINI,
BETH ANDRUS, MONICA BENTON, ELIZABETH
BERNS, BILL BOWMAN, TIMOTHY BRADSHAW,
REGINA CAHAN, GREG CANOVA, CHERYL CAREY,
JAMES CAYCE, JOHN H. CHUN, ANDREA DARVAS,
WILLIAM DOWNING, THERESA DOYLE, JOAN
DUBUQUE, RICHARD D. EADIE, BRIAN GAIN, JULIA
GARRATT, HELEN HALPERT, BRUCE HELLER,
HOLLIS HILL, LAURA INVEEN, RONALD KESSLER,
BARBARA LINDE, DEAN LUM, BARBARA MACK,
LEROY MCCULLOUGH, LAURA GENE MIDDGAUGH,
DOUGLASS NORTH, SEAN O'DONNELL, SUZANNE
PARISIEN, KIMBERLY PROCHNAU, JEFFREY
RAMSDELL, JUDITH RAMSEYER, JEAN RIETCHEL,
MARY E. ROBERTS, ROGER ROGOFF, JOHN R. RUHL,
CAROL SHAPIRA, KEN SCHUBERT, CHATHERINE
SHAFFER, LORI-KAY SMITH, JULIE SPECTOR, MARY
YU and up to 30 additional JOHN AND/OR JANE DOE(S).
HEREAFTER COLLECTIVELY REFERRED TO AS
"JUDICIAL ACTORS"**

Defendant(s).

NO. 14-2-03819-2

**STRICT REPLY TO
DEFENDANTS
RESPONSE TO
PLAINTIFFS
MOTION FOR
ADMINISTRATIVE
PRETRIAL
JUDICIAL
ASSIGNMENT**

STRICT REPLY TO DEFENDANTS RESPONSE- 1

1 Comes now the Plaintiff's, Christopher J. Hupy and T. Bret Haggerty, without malice or
2 contempt for the Court, do hereby request the following administrative relief:

3 **I. RELIEF REQUESTED**

4 The Defendants argue a lack of "compelling reason" for preassignment of this case,
5 but then state the plain fact the case involves all King County Superior Court Judges, the
6 expectation that this is or will be anything but a complex issue of law or will not involve
7 significant pretrial discovery and likely opposition to any such discovery would be naïve and
8 juvenile, given the experience of this Court neither applies. One small example of this would
9 be in the issuance of subpoenas, as neither the plaintiffs are lawyers a Judges' signature will
10 be required to issue them, and there are at present 54 defendants whom are now spread from
11 the Division I of Court of Appeals (Michael Trickey) to the Supreme Court (Mary Yu to be
12 sworn in on the 20th of this month).

13 All parties agree it is well within the sound discretion of this court to grant the
14 requested and appropriate relief.

15 Contrary to defendant's assertion the Appearance of Fairness is applied post judgment
16 case law does not support this. "Due process, the appearance of fairness doctrine and Canon
17 3(d)1 of the Code of Judicial Conduct (CJC) require a Judge to disqualify himself if he is
18 biased against a party or his impartiality may be reasonably questioned In re Murchison, 349
19 U.S. 133, 136, 75 S.Ct. 623, 625, 99 L.Ed. 942 (1955); State v. Madry, 8 Wash.App. 61, 68-
20 70, 504 P.2d 1156 (1972). A party claiming bias or prejudice must, however, support the
21 claim; prejudice is not presumed as it is under RCW 4.12.050. Evidence of a judge's actual or
potential bias is required before the appearance of fairness doctrine will be applied. State v.
Post, 118 Wash.2d 596, 618-19 & n. 9, 826 P.2d 172 (1992); State v. Carter, 77 Wash.App.
8, 11-12, 888 P.2d 1230, review denied, 126 Wash.2d 1026, 896 P.2d 64 (1995); State v.
Bilal, 77 Wash.App. 720, 722, 893 P.2d 674, review denied, 127 Wash.2d 1013, 902 P.2d 163

STRICT REPLY TO DEFENDANTS RESPONSE- 2

1 (1995). The Court ruled "Membership in community and civic organizations is so desirable
2 and common among persons with active community roles, it is suggested, that such
3 membership should as a matter of law be insufficient grounds for finding a violation of
4 the appearance of fairness. We disagree." Save v. Bothell, 576 P.2d 401 Washington
5 Supreme Court 1978.

6 Most importantly the requirement set forth in Swift v. Island County 552 P.2d 175
7 Washington Supreme Court 1976 "*Would a disinterested person, having been apprised of*
8 *the totality of a board member's personal interest in a matter being acted upon, be*
9 *reasonably justified in thinking that partiality may exist?"* At the present time (prior to
10 pretrial discovery being completed) this Court is in a more informed position as to the totality
11 of the interest in question, this Court is a member along with the defendants in a "secret
12 society" of Association of Judges (whether known by the authorized legal name The
13 Association of the Superior Court Judges of the State of Washington or the illegal use of the
14 Conflict name Superior Court Judges Association) this group has a structure involving at least
15 a Office of President which reasonable inference indicates a position of authority over the
16 other members. At various times this entity has claimed to be a "non profit private entity" and
17 other times it has claimed "State agency" status. What is known is this group engages in
18 lobbying activities which would not be allowed by a state agency and has and currently does
19 engage in the diversion of public resources in a similar manner to that which relief is being
20 sought.

21 The plaintiffs are not seeking to challenge and/or disqualify any specific Judge and/or
lawyer/law firm at present, rather are seeking proper and appropriate pretrial discretion be
used to minimize potential conflicts of interest. Plaintiffs believe if sound judicial discretion
is employed at this very early stage it will prevent this trial from becoming a "dog and pony
show" with waves of procedural based motions and oppositional replies.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

Plaintiffs rely on this Courts adherence to Canon 3(d)1 in determining impartiality of ruling in this motion can be sustained, we do not waive any right to this and/or future rulings to seek redress based on lack of concern for the law.

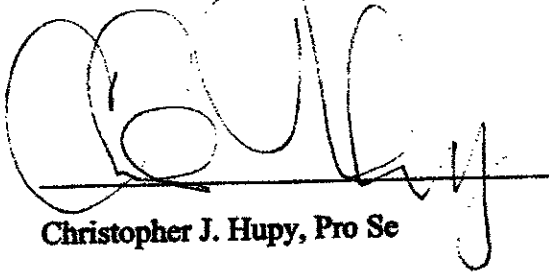
This court should pre assign a Judge or empanel an En Banc panel of three Judges to preside over this matter involving complex issues of fact and law in order to further the administration of justice.

II. CONCLUSION-

Plaintiffs have a clear legal and equitable right to have this matter heard by an unbiased and impartial Judicial Officer and to be governed by the Constitution of the State of Washington, the Laws of the State of Washington and applicable Court rules of the State of Washington. In furtherance of the swift and efficient administration of justice the plaintiffs pray for administrative relief from this court.

Co-plaintiff T. Bret Haggerty's missing signature on Motion for Preassignment of Judicial Officer or Appointment of En Banc Panel was an unintentional oversight, please consider my signature on this strict reply to be as such as original.

1 RESPECTFULLY SUBMITTED this 16TH day of May, 2014.

2 

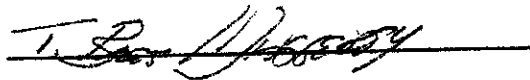
3
4 Christopher J. Hupy, Pro Se

5 13222 29th Avenue SE

6 Mill Creek, WA 98012

7 amakirkland@hotmail.com

8 (503) 931-4991

9
10
11 

12 Thomas Bret Haggerty, Pro Se

13 13222 29th Avenue SE

14 Mill Creek, WA 98012

15 bhaggerty85@gmail.com

16 (425) 385-3459

17
18
19
20
21

STRICT REPLY TO DEFENDANTS RESPONSE- 5

1 **Declaration of Filing and Service**

2 I hereby certify that on May 16th, 2014 I personally filed the foregoing document with
3 the clerk of Snohomish County Superior Court.

4 I also cause a copy of the foregoing document on the following individual(s) via
5 previously agreed upon service method of electronic delivery (email)-

6 Counsel for the Defendants-

7 King County Prosecuting Attorney Daniel Satterberg in and through his Senior

8 Deputy Thomas Kuffel WSBA #20118

9 500 4th Avenue, Suite 900

10 Seattle, WA 98104

11 Phone (206) 296-0430

12 Thomas.Kuffel@kingcounty.gov

13 I swear under penalty of perjury under the laws of the State of Washington the foregoing is
14 true and correct.

15 Dated this 16th day of May, 2014 at Mill Creek Washington.

16 
17 Christopher J. Hupy, Pro Se

18 13222 29th Avenue SE

19 Mill Creek, WA 98012

20 amakirkland@hotmail.com

21 (503) 931-4991

STRICT REPLY TO DEFENDANTS RESPONSE- 6