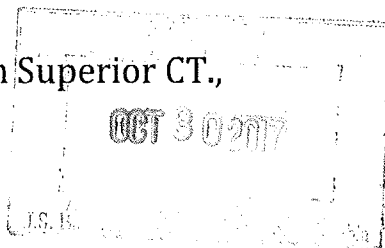


# VIKARA-Howell's APPENDIX

APPENDIX	DOCUMENT	NUMBER of PAGES
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1	Summary Of Demands <sup>1</sup> , Dated May 18, 2017	27
2	Notice to Exclude, Cross & Counter-Claim, Case No. 8:16-CV-00278-DOC-DFM (U.S. Dist. CT., Cent. Cali, South, September 21, 2017)	48
3	Subpoena(s) No. 16-6-01190-0 (Pierce County, Washington, Superior CT., Nov. 17, 2016)	8
4	Letter(s) of CANCELLED Proceedings, No. 16-6-01190-0 (WASH. ATTORNEY GENERAL)	2
5	Order to Examine No. 16-1-00311-7 (Clark County, Washington, Superior CT., Feb. 9, 2016)	4
6	Order to Commit (90 day) No. 16-1-00311-7 (Clark County, Washington Superior CT., Feb. 26, 2016)	2



<sup>1</sup> See, e.g., RCW 48.31.151, and RCW 48.31B.060, and RCW 48.30.015(2), citing 28 U.S.C. §1330; and §1332, and 18 U.S.C. §1964(c) (quoting FRCP 50(a)(1)(B), and 28 U.S.C. §1651) (quoting, FRCP 60(b), and FRCP 6(b)(2)).

7	Order to Transport (90 day) No. 16-1-00311-7 (Clark County, Washington, Superior CT., Feb. 26, 2016)	2
8	Order To Rescind "No Contact" No. 16-1-00311-7 (Clark County, Washington, Superior CT., Oct. 26, 2016)	1
9	Order of Dismissal No. 16-1-00311-7 (Clark County, Washington, Superior CT., Oct. 26, 2016)	2
10	Order of Dismissal, Detainment & Transport No. 16-1-00311-7 (Clark County, Washington, Superior CT., Nov. 2, 2016)	2
11	Notice of Release, Discharge, or Death <sup>2</sup> No. 16-1-00311-7 No. 16-6-01190-0 (STATE OF WASHINGTON, June 30, 2017)	1
12	Judgment No. 16-316C (U.S. Court Of Federal Claims, Aug. 15, 2016)	1
13	Order No. 16-316C (U.S. Court Of Federal Claims, Aug. 15, 2016)	1
14	Opinion No. 16-316C (U.S. Court Of Federal Claims, Aug. 15, 2016)	20

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<sup>2</sup> See, e.g. 28 U.S.C. §2252 (citing 28 U.S.C. §§2253-54 w/ §2243).

15	Order of Dismissal No. 16-316C (U.S. Court Of Federal Claims, Sept. 13, 2016)	1
16	Certificate Of Finality No. 43759-7-II C/A No. 01-2-02693-7 (Wash. State Appeals CT., Jan. 28, 2013)	1
17	Order Dismissing Personal Restraint Petition, No. 43759-7-II C/A No. G08-0084; and No. 01-2-02693-7; and No. 10-1-00150-6 (Wash. State Appeals CT., Oct. 30, 2012)	2
18	Comm.'s Ruling Dismissing Action, and Denying Motions, No. 87757-2 C/A No. 85145-0; and No. 85347-9; and No. 85973-6 (Wash. State Supreme CT., Oct. 8, 2012)	4
19	Order Denying Motion to Modify the Court Comm.'s Ruling, No. 87757-2 (Wash. State Supreme CT., Jan. 8, 2013)	1
20	Certificate Of Finality No. 87757-2 (Wash. State Supreme CT., Jan. 11, 2013)	1
21	Mandate No. 42537-8-II C/A No. 10-1-00150-6 (Wash. Appeals CT., dated Sept. 24, 2012)	2

22	Order No. 85973-6 C/A No. 39670-0-II and 40004-9-II (consol) (Wash. State Supreme CT., Sept. 27, 2011)	1
23	Ruling Denying Review No. 85973-6 C/A No. 01-2-02693-7 (Wash. State Supreme CT., July 1, 2011)	2
24	Order Denying Motion To Recall Mandate No. 39670-0-II (Wash. Appeals CT., Div. II, April 11, 2011)	1
25	Mandate No. 39670-0-II consol. w/40004-9-II C/A No. 01-2-02693-7 (Wash. Appeals CT., Div. II, Feb. 24, 2011)	2
26	Certificate of Finality No. 85347-9 (Wash. Supreme CT., February 9, 2011)	1
27	Order Denying Motion for Reconsideration No. 85347-9 (Wash. Supreme CT., Feb. 2, 2011)	1
28	Order Denying Accelerate, and Writ No. 85347-9 (Wash. Supreme CT., Jan. 5, 2011)	1
29	Order No. 85145-0 C/A No. 39670-0-II, consol w/40004-9-II (Wash. Supreme CT., Jan. 5, 2011)	1
30	Order Denying Motion For Reconsideration No. 39670-0-II C/A No. 01-2-02693-7 (Wash. Appeals CT., Sept. 7, 2010)	1

31	Opinion No. 39670-0-II, consol w/40004-9-II C/A No. 01-2-02693-7 (Wash. Appeals CT., Aug. 5, 2010)	5
32	Clerks Decision No. 83875-5 C/A No. 39670-0-II; and No. 01-2-02693-7 (Wash. Supreme CT., Nov. 18, 2009)	2
33	Order of Forfeiture <sup>3</sup> , Judgment, and Sentence No. 10-1-00150-6 (Clark County, Wash., Superior CT., July 28, 2011)	12
34	Findings of Fact & Conclusions of Law <sup>4</sup> ,	5

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<sup>3</sup> It's ""not"" Petitioner that is required to FORFEIT under the LAW; but rather, the HOLDERS and TAKERS, *citing* RCW 48.31.151, and RCW 48.31B.060, *quoting* FRCP 50(a)(1)(B), and 28 U.S.C. §1651.

<sup>4</sup> **Total Fabrication of Clark County, et al. Imagination** (emphasis added) as nothing stated actually occurred, *citing* FRCP 60(b)(3).....noting **FACTS: No. 1**, Clark County had issued a "No Contact Restraining Order" *in effect* (*see*, APP. No. 2, at pg. 3)); (*i.e.*, habitual aid).....;

No. 2, never occurred (fictional), and wouldn't have been permitted (private property).....;

No. 3, no warrant was served, although *a person dressed* in Clark County Sherriff uniform did *force entry* into the petitioner's HOME, at 9504 NE 5th Street (*see*, APP. No. 35, and 38), then proceeded to *force himself throughout the residence* (in a dangerous forceful manner), and literally *compelled the petitioner out of the residence* without serving "any" warrant, *no utterance was made* (FACT: the Ford F-350 parked in the driveway, *was purchased with earned income and a loan*" (*i.e.*, Advantis Credit Union ""LOAN""), paid-off in 2014), although *a lawsuit is appropriate* (the games are immature and create damages, they're also extremely malicious and *not becoming anyone responsible under or to the law*).....;

on Order of Forfeiture, Judgment, and Sentence  
 No. 10-1-00150-6  
 (Clark County, Wash., Superior CT.,  
 July 28, 2011)

35	Amended Information <sup>5</sup> No. 10-1-00150-6 (Clark County, Wash., Superior CT., July 19, 2011)	1
36	Findings Of Fact & Conclusions Of Law, on Defendant's Motion to Dismiss <sup>6</sup>	4

No. 4, the private property was TAKEN (*quoting* the "Takings Clause" of the U.S. 5th and 6th Amendment's) from a locked cabinet, *without a warrant or just cause* (*citing* U.S. 4th Amendment; and Art. I, §7, Wash. Const.), and *still remains* "retained" unlawfully in custody.....;

No. 5, Miranda ""did apply"" the County had issued a "No Contact Restraining Order" and the residence is petitioner's private PAID-FOR property (emphasis on "paid-for") (*e.g.*, fraud of no doubt of numerous Courts, *citing* FRCP 60(a), (b)(3,4,6), (d)(3)); *and the court should not that:*

The results of this Judgment (APP. No. 22) has bestowed upon Clark County Crime Ring, ""et al."" BILLIONS more of "unauthorized" distribution(s) (APP. No.'s 44, 46-48) (*i.e.*, from property records alone; and Trust Deed allocations have tripled since 2011), *citing* RCW 48.30.230, triggering 9A.20 RCW, and TITLE 18 U.S.C., *see* No. G08-0084) (APP. No. 2, at pgs. 37-43, n. 54-58).

<sup>5</sup> **9508 N.E. 5th St.** ""is"" the HOME address of **DENNIS & JULIE WOODS** (*See*, APP. No. 38), not the Petitioner's (emphasis added to "not").

<sup>6</sup> Petitioner's MOTION to DISMISS (ECF 14) was filed *almost a year before it was ever heard* (*quoting* 18 U.S.C. §3161) and AFTER *defamatory lies* were entered into the public records system (emphasis added to "LIES"); *LIES that have life-long damages* (emphasis added) (ECF 15, 16, 17, 20, 21, 25, 27, 28, 98-103, *see at, dw.court.wa.gov*).....;

**FACT(s):**

- (1) Petitioner was never "at" "or admitted to" or "transferred to" any Wash. State Facility (as stated) nor, ""any other"" (emphasis added).....;
- (2) Petitioner was locked in Clark County Jail *consecutively* and *the entire time stated and for time that was omitted*.....;

No. 10-1-00150-6  
(Clark County, Wash., Superior CT.,  
Feb. 15, 2011)

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(3) Clark County, ""et al."" knew it was **JULIE & DENNIS WOODS** (APP. No. 35, and APP. No. 38 *in re*: ECF 86), that committed the **FELONY THEFT(s)** with the "unauthorized" use of Petitioner's Identity and Personal Identifiable Information, *which could only have been ascertained* from CLARK COUNTY EVERGREEN SCHOOL DIST. RECORDS of Ex-Rel's, No. 3-7, other than the county or state itself;

BECAUSE:

- (A) Clark County kept sending Petitioner's mail to 9508 NE 5th Street (APP. No. 35, and 38) even though Petitioner notified the Prosecutor on the record that that was "not" Petitioner's Home Address.....;
- (B) Clark County **STORMED and Busted in the DOOR at 9504 NE 5th Street** on March 29, 2010, not 9508 NE 5th Street (APP. No. 35) because *they knew it was* where they would find the petitioner at **HOME**.....;
- (C) The Information of Feb. 8, 2010 (ECF 1), is issued *the same day* the Wash. CT of Appeals, Div. II, No. 39670-0-II, entered an Order and Ruling on Petitioner's Motions, without action, although Petitioner's Motion For Judgment As A Matter Of Law was filed post-judgment, and has been deferred since July 2009.....;
- (D) During the 15 minutes of jury deliberation **pre-determined by JUDGE DIANE WOOLARD** it was **DENNIS & JULIE WOODS adult son TIMOTHY WOODS** that was in the Courthouse and likely profited quite handsomely by aiding in the Fraudulent **WRONGFUL** Judgment (APP. No. 33), *quoting* RCW 48.30.230, and RCW 9A.28, and RCW 9A.56, and RCW 9A.60.....and;
- (E) That Judgment (APP. No. 33) since 2011 has flushed Clark County Treasurer **additional wrongfully distributing BILLIONS** (APP. No.'s 44, 46-48) into the hands of the Clark County Public, ""et al."" (e.g., records) *not legally belonging thereto and without an agreement whatsoever, quoting* RCW 48.31.151, and RCW 48.31B.060. None of which has ever made it to the Petitioner (emphasis added to the "intent") (See, APP. No. 33, 38, 39-42, 44-48, 52-61).

37	Memorandum of Disposition No. 10-1-00150-6 (Clark County, Washington, Superior CT., dated March 30, 2010)	1
38	Clark County Property Records No. 111019018, <b>WOODS, DENNIS &amp; JULIE, Of</b> <b>9508 N.E. 5th Street<sup>7</sup>,</b> Vancouver, WA 98664	4
39	Order For Disbursement Of Funds <sup>8</sup> No. 01-2-02693-7 (Clark County, Washington, Superior CT., Oct. 20, 2009)	3
40	Order On Post-Judgment Motions No. 01-2-02693-7 C/A No. 09-9-05376-5 (Clark County, Washington, Superior CT., Aug. 07, 2009)	3
41	Judgment No. 01-2-02693-7 C/A No. 09-9-05376-5 (Clark County, Washington, Superior CT., July 17, 2009)	3

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<sup>7</sup> See APP. No. 35. Petitioner's MOTION To DISMISS (ECF 14) should've been granted and damages awarded BEFORE the LIFE-LONG damages of defamatory LIES were entered into the public records system (APP. No. 2, at pgs. 37-43, n. 54-58).

<sup>8</sup> LMHC, ""et al."" sought to pay off their attorneys who are/have been assisting them to commit FRUADS (emphasis added). Petitioner's expenses didn't seem to be of concern nor, was restitution for the "acts" of KEITH and ARLIS PLOTNER, ""et al."" whose attorney sat on SW Wash, Medical Ctr. Board (e.g., ""4"" LIENS (APP. No. 46) fraudulently filed and SATISFIED in 2001 (APP. No. 46); 2001, is when SW Wash. Med. Ctr. began building its empire).



42	Order On Defendant's Motion For Summary Judgment No. 01-2-02693-7 (Clark County, Washington, Superior CT., April 10, 2009)	2
43	Order Denying Plaintiff's Motion For Default No. 01-2-02693-7 (Clark County, Washington, Superior CT., April 11, 2008)	2
44	Affidavit Regarding Creditors Claims <sup>9</sup> No. 05-4-00421-6 (Clark County, Washington, Superior CT., Oct. 28, 2005)	2
45	Final Order Approving Acquisition Of Control <sup>10</sup>	23

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<sup>9</sup> See APP. No. 1, at pg. 19 ("CHANGE").

<sup>10</sup> The GOVERNMENT CONTROL:

- (1) TRIGGERED TITLE 48 RCW.....(APP. No.'s 11, 45, 49-51);
- (2) is/was "unauthorized".....(RCW 48.31.151);
- (3) is/was un-notified, *quoting* FRCP 60(d)(2), (d)(3).....;
- (4) ended with Petitioner's Grandmother (PAULINE CAMERON (nee' HILL) FLEMING) demise on Sept. 21, 2008, Gladstone OREGON (*e.g.*, Clackamus & Multnomah County(s)), subsequent to "5" other(s).....(28 U.S.C. §2674¶2);
- (5) was in concert with Petitioner's court actions and motions, *that were denied*.....(APP. No.'s 12-15, 16-37, 39-43);
- (6) distributed further of Petitioner's Estate Assets to the public, ""et al."" *without any agreement whatsoever, quoting* RCW 48.31.151, and RCW 48.31B.060.....(APP. No's 44, 46-48, 53-61);
- (7) was conducted in the public arena (5 U.S.C. §552a) with HILARY CLINTON, ""et al."" *further funding acts of malice aforethought* (FRCP 60(b)(2)).....(APP. No. 45);

No. G08-0084  
(State Of Washington, Office Of The  
Insurance Commissioner, Sept. 18, 2008)

46	Liens & Lien Satisfactions, HOWELL, ROSE A. <b>Lien No.'s:</b> 3136433, Aug. 2, 1999; 3141076, Aug. 16, 1999; 3151858, Sept. 17, 1999; 3162673, Oct. 25, 1999; <b>Lien Satisfaction No.'s:</b> 3332686, June 15, 2001; 3333384, June 18, 2001; 3333853, June 18, 2001; 3334240, June 18, 2001 <sup>11</sup> (Clark County Auditor's Office)	8
47	Judgment HOWELL, ROSEMARIE Doc No. 5077613, June 5, 2014 (Clark County Auditor's Office)	1
48	Judgment HOWELL BRIAN P., HOWELL ROSE A. Doc No. 4578420, June 30, 2009 (Clark County Auditor's Office)	1

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- (8) deprived the Petitioner *another DECADE* of her LIFE, LIBERTIES, PROPERTIES, and PURSUIT Of HAPPINESS, XIV Amendment, §I, "Due Process Clause".....(APP. No. 45);
  - (9) caused the unlawful restraints (persons and property).....(APP. No.'s 1-64); and
  - (10) many more issues (emphasis added).

<sup>11</sup> The recorded DEEDS OF TRUST (allocation of third party distributions, prox. \$500,000.00 each) correspond with and attach to, these LIEN SATISFACTIONS (APP. No.'s 46-48); and the LIENS are most likely THIRD PARTY "unauthorized" DEMANDS.

49	Final Order Approving Re-domestication No. 11-0261 (State Of Washington Office Of The Insurance Comm., Jan. 12, 2012)	11
50	Order Dismissing Petition No. 12-0143 (State Of Washington Office Of The Insurance Comm., March 16, 2012)	4
51	Order No. 12-0143 (State Of Washington Office Of The Insurance Comm., May 11, 2012)	5
52	Judgment On Court Verdict <sup>12</sup> No. 96-1171-JM-JFS (U.S. Dist. CT., Cali South, Feb. 6, 1998)	3
53	Foreign Judgment w/ Money Award, w/ attached Debt Calculation No. 100608504 (Circuit Court, Multnomah County, Oregon, June 10, 2010)	6
54	Order Of Disposition <sup>13</sup> No. 08-8-00537-8 C/A JUVIS No. 933008-08-R-027795	3

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<sup>12</sup> This Judgment began years earlier in Superior CT., San Diego subsequent to that Fraudulent TRUST INDENTURE, No. BP3019010, and ended in U.S. Dist. CT. South California on Feb. 6, 1998.

<sup>13</sup> Clark County, ""et al."" awarded ""minor"" Ex-Rel, No. 6, Felony Judgment(s); and granted themselves *yet further* ""Taking(s)"" , *citing* FRCP 60(b)(3-4) (e.g., discovery when searching juvenile records (trust is noted w/ no supporting docs, *citing* FRCP 60(d)(3)), *quoting*, RCW 48.30.230, triggering 9A.20 RCW, and TITLE 18 U.S.C.. (APP. No. 2, at pg. 9, n. 7-8; and pgs. 19-20, n. 22; and pgs. 27-28, n. 40).

	(Clark County, Washington, Superior CT., Aug. 8, 2008)	
55	Default Judgment No. 2907195 (Clark County, Washington, District CT., June 23, 2004)	2
56	Judgment Of Dismissal No. 02-2-00265-3 (Clark County, Washington, Superior CT., Sept. 20, 2002).	2
57	Judgment of Dismissal No. 01-176-JE (U.S. Dist. CT., Oregon, March 13, 2002)	1
58	Assignment Of Judgment No. 02-2-03215-3 C/A 02-9-03952-8 (Clark County, Washington, Superior CT., May 14, 2010)	2
59	Judgment No. 02-2-03215-3 (Clark County, Washington, Superior CT., Sept. 19, 2003)	2
60	Default Judgment No. 279966-2 (Clark County, Washington, District CT., June 21, 2002 (signed), recorded June 5, 2002)	4
61	CALIFORNIA STATE UNCLAIMED PROPERTY AFFIDAVITS, <i>notarized</i> VIKARA, JOSEPH J. (Petitioners father) 13115 Pam Lane., Lakeside, CA Property Id No. 964241094 (Calif. State Comptroller,	3

	Nov. 21 <sup>14</sup> , and Dec. 20, 2011	
62	Order of Dismissal <sup>15</sup> No. 12694V ( <i>copy is unclear</i> ) (Clark County, Washington, District CT., February 2, 2008)	2
63	CALIFORNIA STATE DEMAND <sup>16</sup> Account No. 1205987015 (State Of California Franchise Tax Board, August 19, 2017 w/ attachment dated Aug. 8, 2017)	4
64	WASHINGTON STATE DEMAND <sup>17</sup> OREGON STATE DEMAND (consol.) RE: EXIT PLAN No. 16-1-00311-7 No. 16-6-01190-0 (State of Washington, dated October 10, 2017)	5

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<sup>14</sup> Nov. 17 or 18, 2011, Petitioner *discovered this unclaimed property online*, then the following morning phoned the State Of California. Then phoned Prudential who *after several calls* gave the Petitioner some *very false and misleading info* and then eventually gave Petitioner the TRUST No. *over the phone (before that* Petitioner had no knowledge of any such trust). It was Prudential's misleading lies that Petitioner submitted (APP. No. 49), which is totally "incorrect". Later, Petitioner discovered that it was PAUL, SANDRA, and STEVEN HOWELL, et al. who have absolutely "zero" authority then, now, or anytime, *citing RCW 48.31.151*, that produced that Fraudulent TRUST INDENTURE which has RAPED Petitioner's (ALL) of their LIVES, LIBERTIES, PROPERTIES, and PURSUIT Of HAPPINESS Now DECADES[.]

<sup>15</sup> The County stormed the house without a warrant, forced entry, and forced the Defendant out-of the residence (habitual tactic), *quoting* U.S. 4th Amendment; and Wash. Const. Art. I §7).

<sup>16</sup> *See*, APP. No. 52 (dated, Feb. 6, 1998); and APP. No.'s 1, 61, 63.

<sup>17</sup> *See*, App. No. 4-11, 16-43, 44, 45, 46-48, and 57; and APP. No's 1, 53-61, 64 (*quoting*, APP. No. 57).

# APPENDIX 1



[I]t should be noted that there are a couple of "Changes" (and/or "Clarifications") which are marked by:

✓ "CHANGE"

Please be advised the "changes" are mandatory[.]

I.

PLAINTIFF(S)

1. Rosemarie Elizabeth Anne (nee' Vikara) Howell; and
2. Brian Paul Howell; and
3. Jessica L. B. Howell (ex-rel); and
4. Sarah D. (nee' Howell) Steward (ex-rel); and
5. Amanda M. (nee' Howell) Huskisson (ex-rel); and
6. Gary B. Howell (ex-rel); and
7. Kyle M. Howell (ex-rel); and
8. Our bio-logical succeeding family therefrom/thereof[.]

II.

DEFENDANT(S)

DEFENDANT(s) No. 1:

THE UNITED STATES Of AMERICA, and  
[its] AGENCIES, et al.

Service Address:

SOLICITOR GENERAL  
U.S. Dept. Of Justice  
Office Of The Solicitor General  
950 Pennsylvania Ave., N.W.  
Washington, D.C. 20530-0001

And

The EXECUTIVE OFFICE  
Office Of The Legal Adviser  
600 19th Street, N.W.  
Suite 5.600

SUMMARY Of DEMAND(S) -

In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664



Washington, D.C. 20522

Account No's.:

The U.S. DEPARTMENT Of TREASURY,  
et al., and  
The FEDERAL RESERVE BANK, et al.,  
and.....  
*globally by/through....*  
The INTERNATIONAL MONETARY  
FUND, et al., and  
The WORLD BANK, et al., and  
The WORLD BANK GROUP, et al., and  
The WORLD BANK TREASURY, et al.,  
(individually and collectively)

-----  
DEFENDANT No. 2:

The UNITED NATIONS, et al. and  
[its] AGENCIES, et al., and  
[its] ORGANIZATIONS, et al.

Service Address:

THE UNITED NATIONS  
Attn: Stephen Mathias  
Assistant Secretary-General for Legal  
Affairs  
United Nations Headquarters  
Room No. S-3624  
New York, New York 10017

And

FOREIGN CLAIMS SETTLEMENT  
COMMISSION  
U. S. Department Of Justice  
600 E Street, N.W.  
Suite 6002  
Washington, D.C. 20579

And

SUMMARY Of DEMAND(S) -

In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664

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U.S. COURT Of INTERN'L TRADE  
1 Federal Plaza  
New York, New York 10278-0001

Account No.

The WORLD BANK TREASURY, et al.,  
and  
The INTERNATIONAL MONETARY  
FUND, et al. and [its] gold surplus, etc.,  
and  
The WORLD BANK, et al., and  
The WORLD BANK GROUP, et al., and  
"all others" thereof / therefrom.

-----  
DEFENDANT No. 3:

The CATHOLIC CHURCH, et al., and  
[its] AGENCIES, et al., and  
[its] ORGANIZATIONS, et al.

Service Address:

His Holiness, Pope Francis  
Apostolic Palace  
00120 Vatican City  
-----  
C/O ARCHDIOCESE Of NEW YORK  
Legal Affairs  
Attn: James P. McCabe  
1011 First Ave, 11th Floor  
New York, New York 10022

Account No.

Un-disclosed venue(s) / institution(s)  
(e.g., Church Bank); and  
*See also*, the above-stated UN and USA  
institutions, et al. and "all others" thereof  
/ therefrom

SUMMARY Of DEMAND(S) -

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In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664

III.  
INSTRUCTIONS

✓ **"CHANGES"**, as follows:

1.) "4" SS-4 Applications were received by the U.S. TREASURY (IRS) on/abt. May 15, 2017. Of which, *citing* the "4" SS-4 Applications:

The "Demand(s)", and every part thereof, shall be RECONCILED through (1) "B. HOWELL RECONCILIATION ACQUISITION HOLDINGS"; and (2) "R. VIKARA-HOWELL RECONCILIATION ACQUISITION HOLDINGS".....

THEN, once "each" Asset(s), etc. are RECONCILED "each" [will be] TRANSFERRED to: "ALPHA-OMEGA" (Holding Co.) w/ "ALPHA-OMEGA, L.L.C. (a wholly-owned sub [acting as] the Operating Business); and PLAINTIFF No. 1, [will be] the 'ultimate' decision maker.

**IMMEDIATE ACTION REQUIRED:**

2.) ***'Immediately' CEASE & DESIST*** "all" use, attempt to use, distributions, transferences, pay-outs, public funding, Illegal Exaction (U.S. V Amend.), Un-Authorized Use, Un-Just Enrichment (*Quantum Meruit*) and / or Other by/through the use of / out-of that Fraudulent Trust Agreement (BP3019010) and all other Trust Indentures (poss. plurals) that in [any] way whatsoever attach to PLAINTIFF No. 1-8.

3.) ***'Immediately' SHUT DOWN*** the "SLUSH FUND" (*i.e.*, Insurance Trust Fund). DEFUND and DISMANTLE and DISCONTINUE and cease [its] USE (it attaches).

4.) **VACATE** that Fraudulent Trust Agreement (BP3019010) and all other Trust Indentures having [any] attachment whatsoever to PLAINTIFF No. 1-8 - they are *void ab intio*. **PURGE** [them] from "all" use / records / other. PLAINTIFF No. 1, view and review is mandatory.

5.) THERE [must be] a Complete and Full and All-Inclusive **DISCLOSURE**. Absent full disclosure additional liability [will Attach] As A Matter of LAW to "all" surviving unresolved

**SUMMARY Of DEMAND(S) -**

In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

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1 legal issues. Liability "As A Matter Of Law" is/has attached to "all" the Issues presented herein.

2 6.) [I]n EVERY Matter herein "whatever" *pro rata sharing* is deemed necessary of EACH  
3 "Co-Defendant / Co-Conspirator" it [must be] tendered "*immediately*" of/from EACH  
4 party/person. The "time" to play is over[.]

5 7.) There will be "no" Trust Indenture corporate or otherwise. *See*, No. 1 above-stated  
6 Instruction.

7 IV.  
8 DEMAND(S)

9 The Following "Demands" are Independently Cited. *EACH [must be] 'Independently'*  
10 "*Settled*" ("no" commingling). "EACH" (Item No. 1-14) is/are separate and distinct Liability(s)  
11 that attach hereto ""As A Matter of LAW"".

12 NOTING, that throughout Items No. 1-12, there are consistent ""PERSONAL  
13 POSSESSION(s) and PROPERTY(s)"" that are / have been STOLEN (wrongfully and  
14 deliberately TAKEN) which are[mandated] to BE RETURNED (*e.g.*, re-appropriate) and are  
15 [not subject] to settlement - if not for, the convoluted 'global' pandemic scheme exercised to  
16 TAKE [what does not] belong thereto, [they] would be in PLAINTIFF No. 1, possession.

17 THEREFORE:

18 [We] - PLAINTIFF's No. 1-8, with PLAINTIFF No. 1, [being] the Owner and Heir do /  
19 have DEMAND[d] TRANSFERS from the above-stated Defendant's, *as follows*:

20 > **ITEM (Liability) No. 1:**  
21 **Trust Account EIN # 38-7126498 -**

22 *In the Matter of:*

23 The TRUST Account, EIN # 38-7126498 of Rosemarie E. A. (nee' Vikara) Howell - the  
24 DEFENDANT'S are Now, **DEMANDED** to:

25 **SUMMARY Of DEMAND(S) -**

26 In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
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1.) **RE-APPROPRIATE** the Total Amount of Asset's *from the time of [said Trust Account(s)] creation (e.g., commencement), at Treble, interest accrued from [its] creation at 12% per annum [] to be Re-Appropriated and / or paid-out-of the Defendant's "legitimately" owned Asset's.*

2.) Then **TRANSFER** the above-stated (No. 1) **solvent Trust Account** to "ROSE HOWELL" and "ALPHA-OMEGA" as per Instructed (*See, Instructions, at No. 1*).

3.) **RE-APPROPRIATE** then **TRANSFER** to ROSE HOWELL and "ALPHA-OMEGA" (*See, Instructions, at No. 1*) the following [] most of which emanates from the "un-authorized" **ILLEGAL EXACTION(s)** of/from/through/by the ""Trust Account(s) / Estate(s) of Rosemarie E. A. (nee' Vikara) Howell"" , **which includes, but do not limit:**

1.) The "Howell Family 'Trust'" (Co-Trustee's - Paul J. and Sandra L. Howell); and the "Paul J. Howell 'Trust'"; and the "Sandra L. Howell 'Trust'"; and the "Paul J. Howell, 'Estate'"; and the "Sandra L. Howell, 'Estate'"; and "all" Other Trust(s) and Estate(s) thereof / therefrom; and the "Material / Worldly Goods" thereof / therefrom, **which includes, but does not limit:**

**DESCRIPTION:**

LOT 25 of SWEETWATER VILLAGE EAST, in the County of San Diego, State of California, According to MAP Thereof No. 8200, Filed in the Office of the County Recorder of San Diego County on November 12, 1975.

2.) In light of the facts and consequences, "The Brain P. Howell" ("Eldest (living) Heir") 'Birthright / Heritage' Estate Item(s), and "all" Other(s) thereof / therefrom, **which includes, but does not limit:**

**DESCRIPTION:**

HERITAGE / BIRTHRIGHT Item(s) consisting of PERSONAL, REAL PROPERTY, TANGIBLE and INTANGIBLE ITEM(s) including, not

**SUMMARY Of DEMAND(S) -**

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limited to Heritage Item(s), Photograph(s), Memorabilia(s), Collectable(s) and "all" Other(s) thereof / therefrom; and

3.) The Inheritance left Brian P. Howell, by / from his Maternal Grand-Mother (Francis E. (nee' Arnold) Williams-Tulley) - "Absent Transfer".

-----  
➤ **ITEM (Liability) No. 2:**  
**Trust Account EIN # 37-6528070 -**

*In the Matter of:*

The TRUST Account, EIN # 37-6528070 of Rosemarie Elizabeth Anne (nee' Vikara) Howell - DEFENDANT'S are Now, **DEMANDED** to:

1.) **RE-APPROPRIATE** the Total Amount of Asset's *from the time of [said Trust Account(s)] creation (e.g., commencement), at Treble, interest accrued from [its] creation at 12% per annum [] to be RE-Appropriated and / or paid-out-of the Defendant's "legitimately" owned Asset's.*

2.) Then **TRANSFER** the above-stated (No. 1) **solvent Trust Account** to "ROSE HOWELL" and "ALPHA-OMEGA" as per Instructed (*See, Instructions, at No. 1*).

3.) **RE-APPROPRIATE** then **TRANSFER** to ROSE HOWELL and "ALPHA-OMEGA" (*See, Instructions, at No. 1*) the following []most of which emanates from the "un-authorized" **ILLEGAL EXACTION(s)** of/from/through/by the ""Trust Account(s) / Estate(s) of Rosemarie E. A. (nee' Vikara) Howell"", and / or "Retaliation" resulting thereof / therefrom, **which includes, but do not limit:**

1.) The "Joann Vikara "Trust""; and the "Joann Marie Ghianni "Trust""; and the "Ghianni Family "Trust""; and the "Joann M. Willis "Trust"" (Trustee - Joann Vikara Ghianni Willis); and the "Estate(s)" thereof / therefrom; and "all" Other Trust(s) and

**SUMMARY OF DEMAND(S) -**

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Estate(s) thereof / therefrom; and "all" of the ""Material / Worldly Goods"" thereof / therefrom, **which includes, but does not limit:**

**"Stolen" Property** (i.e., 'Irreplaceable' Personal and Family Items) that consist of including, not limited to Personal / Family PROPERTY(s), PERSONAL ITEM(s), HERITAGE ITEM(s), Antique / Family JEWELRY(s), 'Irreplaceable' Family ITEM(s) / Medal(s), PHOTOGRAPH(s), and Other(s) - habitually 'stolen'. .....

2.) The "Joseph J. Vikara, 'Estate'"; and the "Joseph John Vikara, 'Estate'"; and the "Geraldine A. Vikara, 'Estate'"; and the "Geraldine Ann Vikara, 'Estate'"; and the "Joseph J. Vikara 'Living Trust'"; and the "Joseph J. Vikara 'Trust'"; and the "Joseph John Vikara 'Trust'"; and the "Geraldine A. Vikara 'Living Trust'"; and the "Geraldine A. Vikara 'Trust'"; and the "Geraldine Ann Vikara 'Trust'"; and "Vikara Living Trust"; and the "Vicara Living Trust"; and "all" Other Trust(s) and Estate(s) thereof / therefrom; and "all" the "Material / Worldly / ""Ir-Replaceable Goods"" thereof / therefrom **which includes, but does not limit:**

DESCRIPTION:

LOT 27 of LAKESIDE ESTATES UNIT No. 1, in the County of San Diego, State of California, According to MAP Thereof No. 6034, Filed in the Recorder's Office of San Diego County, January 24, 1968. APN: 395-260-27-00.

And:

ESTATE ASSET(S) consisting of PERSONAL, REAL PROPERTY(s), TANGIBLE(s) and INTANGIBLE ITEM(s) that includes, but does not limit Family Jewelry(s), Antique Jewelry(s), Musical Instrument(s)<sup>2</sup>, Valuable(s), Coin Collection(s), Photograph(s), Memorabilia(s),

<sup>2</sup> "Rare Musical Instrument", it cannot be replaced.

SUMMARY Of DEMAND(S) -

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Collectable(s), Automobile(s), Houseware(s), Furniture(s), Hand-Crafted Christmas Manger, and Various Other(s).

4.) **RE-APPROPRIATE** then **TRANSFER** to ROSE HOWELL and "ALPHA-OMEGA"(See, Instructions, at No. 1) []the following that would "not" be MIA, if not for, this convoluted Scheme(s) to Steal "Sovereign Wealth(s)", **which includes, but do not limit:**

1.) The "Payson John Fleming" AND "Pauline Cameron (nee' Hill) Fleming", 'Estate(s)' and Trust(s); and any Other Trust(s) and Estate(s) thereof / therefrom; and "All" the "Material / Worldly / ""Ir-Replaceable Good(s)"" thereof / therefrom [] **which includes, but does not limit:**

ESTATE ASSET(S) / HERITAGE / BIRTHRIGHT ITEM(s) consisting of PERSONAL, REAL PROPERTY, TANGIBLE and INTANGIBLE ITEM(s) that include, but do not limit Family / Antique Jewelry(s), Family Personal Jewelry(s), Family / Antique Photograph(s), Bible(s), Fine Houseware(s) (Fine Dining), Bedroom Accessory(s) (Antique), Furniture (Antique), Memorabilia(s), and Other(s).

AND:

The DUPLEX of Pauline Cameron (nee' Hill) Fleming, at 4807 S.E. Hull Ave., Milwaukie, Oregon 97267-6448 (legal description unavailable).

-----  
**➤ Item (Liability) No. 3:**  
**""Legitimate Heir' Birthright" CLAIM(S)<sup>3</sup> -**

*In the Matter(s) of:*

"Birthright" CLAIM(s) - the DEFENDANT'S are Now, **DEMANDED to:**

-----  
<sup>3</sup> BIRTH RIGHT CLAIM(s) attach hereto As A Matter of LAW.

**SUMMARY Of DEMAND(S) -**

-----  
In Re (Government No's):

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1.) **PRESENT** upon PLAINTIFF No.1, [] a **Complete and Full and All-Inclusive DISCLOSURE** of "all" Trust Document(s), Estate(s), Sovereign(s) / Sovereign Wealth(s), and Matter(s) of "Legitimacy / Birthright / Heritage", etc., and "all" Other that PLAINTIFF No. 1, is [t]he "Heir / Direct Descendant" - as far back in time as necessary!

2.) **MAKE Full / Complete / All-Inclusive REPARATIONS and SETTLE** "all" Estate(s), Estate Asset(s), Trust Document(s), various Sovereign(s) / Sovereign Wealth(s), etc., and "all" Matter(s) of "Legitimacy(s) / Birthright(s) / Heritage(s)".

➤ **CLAIM:**

I, ROSEMARIE ELIZABETH ANNE (nee' VIKARA) HOWELL, are/have made CLAIM to "all" Issue(s) / Matter(s) of Heritage/ Birthright / Inheritance; REGARDLESS of other circumstance or illicit Claim or fraudulent misrepresentation or other.

3.) **RETURN** to [t]his "Legitimate Heir" any / all Estate(s) and Material / Worldly Good(s) of Personal and Real Property(s), Tangible and Intangible Item(s) consisting of including, not limited to Heritage Item(s), Real and Personal Property(s), Family Jewelry(s), Valuable(s), Antique(s), Photograph(s), Houseware(s), Collectable(s), Other(s), etc., etc..

4.) **EACH Matter** of Birthright [must be] **RESOLVED 'Independently'** of each other (as per, No. 1-3, here-stated).

5.) **TENDER** "all" the above-stated (No. 1-4, here-stated) **Satisfied in the capacity** that EACH was established / intended "before" [t]he 'liberal' *Un-Just Enrichment(s)<sup>4</sup>* and *Illegal Exactions* "began"[.]

6.) **THESE MATTER(S)** of "Legitimacy(s) / Birthright(s) / Heritage(s)" have attached hereto As A Matter of LAW and [must be] **RESOLVED in their entirety.**

<sup>4</sup> Quantum Meruit

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7.) PRESENT then RETURN then TRANSFER "all" of the afore-stated (No. 1-6, here-stated) to ROSE HOWELL and "ALPHA-OMEGA" (See, Instructions, at No. 1).

-----  
➤ **ITEM (Liability) No. 4:**  
**December 26, 1984, "HIT" ("Settlement") -**

*In the Matter of:*

the December 26, 1984, "HIT" - the DEFENDANT'S are 'Now' DEMANDED to:

**A. BRIAN PAUL HOWELL, Injured:**

1.) **PAY ""SETTLEMENT""** *out-of the Defendant's "legitimately owned Asset's" in the Amount "Equal to" the TOTAL AMOUNT of DISTRIBUTIONS that began subsequent to December 26, 1984, at Treble, interest accrued at 12% per annum. from the time of commencement (i.e., December 26, 1984).*

2.) Then **TRANSFER** the above-stated (No. 1) "**Settlement**" to "BRAIN P. HOWELL" (ROSE HOWELL - Trustee) and "ALPHA-OMEGA"(See, Instructions, at No. 1).

3.) Then **""EFFECTIVE IMMEDIATELY""** (Emphasis on 'Immediately') the Defendant's are to **FUND "out-of the Defendant's legitimately owned Asset's"** (See, Instructions, at No. 1), *the following as specified:*

1.) **SOCIAL SECURITY DISABILITY** *"Beginning Now.....Indefinitely"* of BRIAN PAUL HOWELL (SSN # XXX-XX-3107) in the Maximum Amount of \$4,022.00 Monthly, cost of living TBD (the Maximum); and

✓ **"CHANGE"** - the Accounts [must be] FIRST RECONCILED and *corrected if necessary (e.g., the SSA "reported" [t]he account(s) prematurely disbursed [in concert] w/ non-beneficiaries "unauthorized" TAKING(s)),*  
the accounts stated as follows:

**SUMMARY Of DEMAND(S) -**

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2.) **GENERAL DYNAMICS PENSION** (Account No's 13-1673581-001 (dist. 1998), and one pension "MIA" (SSA Benefit Info 'un-served'), and 13-1673581-012 (dist. 1993 s/b before [we] took dist. - diluting these accounts has direct effect on the beneficiary's reported amounts / disbursement, and posses a 10 year statutory mandatory prison sentence)), **and therefore;**  
*"Beginning Now....."* in the Amount of \$534.70 Monthly or, corrected amount [subject to change] (hourly & salary pensions); and

3.) **SULZER PUMPS (US) INC. PENSION** (Account No's. 94-3007659-001 (dist. 2004), and 13-3950743-003 (dist. 2004 *i.e.* long-before [we] took dist. - diluting these accounts has effect on the beneficiary, and posses a 10 year statutory mandatory prison sentence)), **and therefore;**  
*"Beginning Now....."* in the Amount of \$201.53 Monthly or, corrected amount [subject to change]; and

4.) The Defendant's are to **'Immediately' PROVIDE "ALPHA-OMEGA" and "ALPHA-OMEGA, L.L.C."** and [any other] entities that [originate] thereof / therefrom and all [their] employees **MEDICAL, PRESCRIPTION Coverage, DENTAL, ORTHODONTIC, VISION and "all" Other Insurances** *"comparable with the Insurances, monthly premiums, and Co-Pay's"* that [we - *i.e.*, the B. HOWELL FAMILY] had through GENERAL DYNAMICS, CONVAIR DIV. [] on December 26, 1984 <sup>5</sup>(*e.g.*, Govern't Employee Benefits); and

4.) **IMMEDIATELY "pay for" out-of the Defendant's "legitimately" owned funds [all] the DENTAL REPAIRS / WORK of BRIAN PAUL HOWELL (*i.e.*, damages 12/26/1984).**

<sup>5</sup> [Our] 'current' insurance is no-where near comparable, it's unacceptable.

**SUMMARY OF DEMAND(S) -**

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**B. ROSEMARIE E. A. VIKARA-HOWELL, and EX-REL's HOWELL(S):**

"In addition" to the "DEMAND(s)", at Items 1-14, and previously served App. No. 1-17 and "all" Other's presented herein and hereto and previously hereof, the Defendant's are **DEMANDED to FULLY RECONVEY** the following Properties to "EACH" as cited below "Free and Clear" of all Encumbrances / Liens / Debts / Other, at *"the Defendant's" expense* (See, Instructions, at No. 1), *as follows:*

1.) 9504 Northeast 5th Street, Vancouver, Washington 98664-3307  
(pay-off amt. \$26,963.33 as of, 05/12/2017)

Trust Deed: Brain P. and Rosemarie A. Howell  
Lender: WELLS FARGO HOME MORTGAGE  
Account Number: 685-0007002328  
LEGAL DESCRIPTION: NORELIUS ORCHARD TRACTS, Location 221 28 SW,  
BRISLAWN LOT 6, BLK 1, According to Book Page C79,  
Filed in the Recorder's Office of CLARK COUNTY,  
State of WASHINGTON, May 02, 1911  
Property Id Number: 111019020

2.) 15019 Northeast 50th Street, Vancouver, Washington 98682

Trust Deed: Jessica L. B. Howell  
Lender: QUICKEN LOANS, INC.  
Account Number: ??  
Title: FIDELITY NATIONAL TITLE (MERS CORP HOLDINGS CO.)  
LEGAL DESCRIPTION: VILLAGE on the RIDGE, PHASE 2, Location 22E 13 NW,  
LOT 88, SUB 95, According to Book Page H962,  
Filed in the Recorder's Office of CLARK COUNTY,  
State of WASHINGTON, March 30, 1994  
Property Id Number: 109581962

✓ **"CHANGE"** - Property 'previously reported/demanded' [] at 17107 Southeast 18th Street, Vancouver, WA 98683, was "EXCHANGED" on / abt. 10/31/2016, for:

**SUMMARY Of DEMAND(S) -**

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3.) 14203 Northeast 102nd Street, Vancouver, WA. 98682-1963  
 Trust Deed: Amanda M. (Howell) Huskisson and Justin Huskisson  
 Lender: LOAN STAR HOME LOANS, L.L.C. d/b/a LOAN STAR HOME  
 LENDING, 9020 SW Washington Square Rd., Suite 350, Portland, OR.  
 97223  
 Account Number: Loan # 100027551; Title/Escrow # 622-81452-JRS  
 Title: CHICAGO TITLE CO. Of WASHINGTON (MERSCORP HOLDINGS  
 CO.)  
 LEGAL DESCRIPTION: LOT 54, FALCON's NEST, According to Plat Thereof, Recorded in  
 Volume 311 of Plats, Page 614, RECORDS Of CLARK COUNTY, State  
 of WASHINGTON (Lots 54, Falcon's Nest, 311/614). APN # 986025-  
 904  
 Property Id Number: 986025904

4.) 935 West 4th Street, Arlington, Oregon 97812  
 Trust Deed: Sarah D. (Howell) Steward and Jason Steward  
 Lender: PENNY MAC  
 Account Number: ??  
 Title: GILLIAM COUNTY TITLE???  
 LEGAL DESCRIPTION: (best given) 935 West 4th Street, ARLINGTON, OREGON,  
 at 3n 21 28bc / 4900, Acct # 881, Filed in the Recorder's  
 Office of GILLIAM COUNTY, State of OREGON  
 Property Id Number: 881

5.) THREE (3) Medium to Large Size Homes of "[my] Choice", at the Defendant's expense - TBD

✓ **"CHANGE" - "ONE" of the (3) three "is", the following:**

**A.) 9117 Burdette Road, Bethesda, MD 20817**

PURCHASER / DEED: Brian Paul Howell and Rosemarie Elizabeth Anne Vikara-Howell  
 LENDER: NONE ("Cash" / Transfer of, Funds) Total: \$4,125,000.00 (1/2 "now"  
 \$2,062,500.00 the other 1/2 at closing)  
 TITLE: DUPONT TITLE

**SUMMARY of DEMAND(S) -**

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1 LISTING AGENT: W. C. & A.N. Miller, Realtors, A Long & Foster  
2 SELLING AGENT: Re/Max 2000  
3 SELLER: 9117 Burdette Development, L.L.C.  
4 LEGAL DESCRIPTION: Lot 20, Block 10, Subdivision "Brady Hills Grove", Montgomery County, Maryland  
5 Account No. 00583082

- 6 B.) TBD - (i.e., Gary Howell 'only' authorized by Plaintiff No. 1)
- 7 C.) TBD - (i.e., Kyle Howell 'only' authorized by Plaintiff No. 1)

8 \*\*\*\*\*Another words, "DO NOT" interfere any further w/ Plaintiff No. 1, children unless  
9 you're choosing further "damages" than you people already own[.]\*\*\*\*\*

10 6.) **RECORD "all" Full RECONVEYANCES and DEEDS** (No. 1-5, here-stated), *at the*  
11 *Defendant's expense* ("each" per party as cited above and county of dwelling); and **THEN**

12 7.) **SEND** (postage pre-paid) "all" the above-stated (No. 6) "Recorded" **PROPERTY**  
13 **DEEDS and FULL RECONVEYANCES**, "at the temporary address", to:

14 ROSE HOWELL (Trustee / Independent Title Co.)  
15 9504 NE 5th Street  
16 Vancouver, Washington 98664-3307

17 8.) **"EFFECTIVE Immediately"** the Defendant's are **DEMANDED to FUND** "*Beginning*  
18 *Now.....Indefinitely*", the *Social Security Disability Payments* Of ROSEMARIE A.  
19 HOWELL (SSN # XXX-XX-9374), Current Amount \$ 911.00 Monthly, cost of living TBD  
20 "*out-of the Defendant's legitimately owned Asset's*"; and

21 9.) The Defendant's are **DEMANDED to RE-IMBURSE** "the Social Security coffer" for  
22 "**all**" **past paid Social Security Disability Payments** made (4/28/1999-present) which [must  
23 be] Funded "*out-of the Defendant's legitimately owned Asset's*".

24 -----  
25 **➤ ITEM (Liability) No. 5:**  
26 **Fraudulent Trust Agreement (BP3019010) -**

**SUMMARY Of DEMAND(S) -**

In Re (Government No's):

No. G08-0084  
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And  
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*In the Matter of:*

the Fraudulent Trust Agreement - the DEFENDANT'S are 'Now DEMANDED' to:

1.) **'Immediately' CEASE & DESIST** "all" use, distributions, transferences, other - by/through/from/by way of [any/all] *Fraudulent Trust Indenture(s) / Agreement(s)* including, not limited to Trust No. BP3019010 that [in any way] attach to PLAINTIFF's No.1-8 - **put an "indefinite" STAY on the Fraudulent Trust Agreement(s).**

2.) **VACATE, REVERSE, DISMISS, QUASH, and SHRED** the *Fraudulent Trust Agreement(s) / Indenture(s)* including, not limited to Trust No. BP3019010 (Plaintiff No. 1, view / review [remains] mandatory) - **PURGE** [them] "all" from "all" use / records / other.

3.) **"SETTLE" and MAKE REPARATIONS and meet the DEMANDS** for ""EVERY Matter(s)"" previously presented, and are presented herein, and that compels disclosure, and that the Defendant's have attached hereto As A Matter of LAW, **in each entirety**, in the manner intended [before] the *Illegal Exaction(s)* and *Un-Just Enrichment(s)* began[.]

4.) Then **TRANSFER** the above-stated (No. 3, here-stated) to ROSE HOWELL and "ALPHA-OMEGA" (*See, Instructions, at No. 1*).

5.) THIS MATTER and anything that is a result of FRAUD and [any such] *Fraudulent Trust Agreement(s) / Indenture(s)* including, not limited to Trust No. BP3019010 known or that compels disclosure [must be] **RESOLVED / SETTLED** separately ("no" commingling).

-----

**> ITEM (Liability) No. 6:  
INSURANCE TRUST FUND (CLINTON(s), et al. "Slush Fund")-**

*In the Matter of:*

the Insurance "Slush Fund" - the DEFENDANT'S are 'Now DEMANDED' to:

**SUMMARY Of DEMAND(S) -**

In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664

1.) DEFUND and DISMANTLE and DISCONTINUE "all" USE of the CLINTON(S), et al. "SLUSH FUND".

2.) VACATE that Fraudulent Trust Agreement(s) / Indenture(s) including, not limited to Trust No. BP3019010 which grant permission to such "SLUSH FUNDS".

3.) "SETTLE" and MAKE REPARATIONS and meet the DEMANDS for ""EVERY Matter"" previously presented, and presented herein, and that compels disclosure, and that the Defendant's have attached hereto As A Matter of LAW, *in each entirety*, in the manner intended [before] the *Illegal Exaction(s)* and *Un-Just Enrichment(s)* began [.]

4.) Then TRANSFER the above-stated (No. 3, here-stated) to ROSE HOWELL and "ALPHA-OMEGA" (See, Instructions, at No. 1).

5.) THIS MATTER and anything that is a result of the CLINTON(S), et al. ""SLUSH FUND"" and [any / all] *Fraudulent Trust Agreement(s) / Indenture(s)* including, not limited to Trust No. BP3019010 known or that compels disclosure [must be] **RESOLVED / SETTLED** separately ("no" commingling)[.]

-----  
➤ **ITEM (Liability) No. 7:**  
**The "HIT" of March 3, 1999 and subsequent "Demand" -**

*In the Matter of:*

the March 3, 1999, "HIT" - the DEFENDANT'S are 'Now DEMANDED' to:

1.) **TENDER the DEMAND(s)** (App. No. 1-4, and 15, previously served May 31, 2016) **SATISFIED, in its entirety, at Treble, Interest Accrued.**

On August 13, 2013, a Notice of Default and Bill in the **Total Amount of \$112,893,809,252.00** (Single Principle Pmt. with Interest Accrued to August 2013) - with absolutely "no" response. **10 days elapsed** *subjecting* that amount to "*Automatic Triple, interest accrued to the date*

**SUMMARY of DEMAND(S) -**

-----  
In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

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9504 NE 5th Street  
Vancouver, WA 98664



of transfers". The Defendant's [must] meet this DEMAND (App. No. 1-4, and 15) **in its entirety** - EVERY Issue / Matter / Monetary Demand.

2.) **TRANSFER the TOTAL AMOUNT** (No. 1, here-stated) **that is PAST Due & Owing at Treble 18 U.S.C. §1964(c), interest accrued 28 U.S.C. §1961**, to ROSE HOWELL and "ALPHA-OMEGA" (See, Instructions, at No. 1).

3.) **TENDER the ISSUES of the DEMAND SATISFIED<sup>6</sup>.**

4.) THIS MATTER [must be] **SETTLED "pro rata"** with the below-stated ""ITEM(s) (Liability) No. 8 and 'in part' No. 9"" ("no" commingling w/ any other Item of Liability);

""AND""

✓ **"CHANGE" -**

- YOU PEOPLE have the following ADDITIONAL REQUIREMENT:  
**"The Estate of PLOTNER, et al." disbursed \$10.5M** to someone using PLAINTIFF No. 1, "Identifiable Personal Information" (abt. 2005, i.e. after third party claims [had already been] disbursed in amounts of \$500,000.00 "each" which demonstrates further negligence(s)); and

**THEREFORE:**

5.) **FIND then RE-APPROPRIATE then TRANSFER** to ROSE HOWELL and "ALPHA-OMEGA" the \$10.5M, *interest accrued (10 days or Treble applies)* that was wrongfully distributed using PLAINTIFF No. 1, Identity; and

6.) **RE-APPROPRIATE** [any/all] disbursements that were made "out-of" PLAINTIFF No. 1, "Estate" by/through SAFECO, et al. [in concert] with the 1999 "HIT(s)".

<sup>6</sup> Revisions to APP. No. 1-4, and 15, at the "Demand(s)" of May 31, 2016, at pgs. 38-39.

**SUMMARY of DEMAND(S) -**

In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

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7.) **THEN TRANSFER** the Re-Appropriated funds (no. 5-6, here-stated), *interest accrued* (10 days or Treble applies)) to ROSE HOWELL and "ALPHA-OMEGA" (*See*, Instructions, at No. 1).

**Why?** Because "PLAINTIFF No. 1, 'Estate'" nor, any part thereof / therefrom<sup>7</sup> [does not] nor, "ever" will fund murder-for-hire (Emphasis added).

-----  
**➤ ITEM (Liability) No. 8:  
The Un-Paid Disability Claim (ERISA CLAIM) of April 28, 1999 -**

*In the Matter of:*

the "Un-Paid" ERISA CLAIM (*i.e.*, w/ Continental Casualty Co.) - the DEFENDANT'S are 'Now DEMANDED' to:

- 1.) **TENDER SATISFIED** the afore-stated ""ITEM No. 7"" (afore-stated), at Treble, interest accrued from commencement. The "*Demand(s)*" incorporates *pro rata* the Disability Claim for the end result of the March 3, 1999 "HIT".
- 2.) **TENDER SATISFIED** this "Issues" presented (*pro rata* responsibility).
- 3.) **TENDER SATISFIED** the "*DEMAND(s)*" (*pro rata* responsibility).
- 4.) THIS MATTER [must be] **SETTLED** "*pro rata*" with the afore-stated ""ITEM (Liability) No. 7"" - not commingled with any other Matter(s) of Liability presented herein ("no" commingling).
- 5.) Make "all" **TRANSFER(s)** (No. 1-4, here-stated) to ROSE HOWELL and "ALPHA-OMEGA" (*See*, Instructions, at No. 1).

-----  
<sup>7</sup> SAFECO, et al. is part thereof, PLAINTIFF No. 1, "Estate".

**SUMMARY OF DEMAND(S) -**

-----  
In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

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9504 NE 5th Street  
Vancouver, WA 98664

1 > **ITEM (Liability) No. 9:**  
2 **FORD MOTOR COMPANY, et al. CLAIM -**

3 *In the Matter of:*

4 the FORD MOTOR COMPANY, et al. CLAIM - the DEFENDANT'S are '**Now DEMANDED**'  
5 **to:**

6 1.) **TENDER SATISFIED** ""forthwith"" the portion of the afore-stated ""ITEM's (Liability)  
7 No. 7-8"" that is / has been FORD MOTOR COMPANY, et al. Responsibility.

8 2.) **REPAIR** to [our] satisfaction the 2008 F-350 (if, the mechanical defects of the 2008 F-  
9 350 cannot be repaired to [our] satisfaction then FORD [must] **REPLACE** that TRUCK with a  
10 **THIRD (3rd) New F-350 (of same) of [our] choice, Free of charge).**

11 3.) If it is deemed that FORD MOTOR COMPANY, et al. pay a *pro rata share* of ""ITEM's  
12 (Liability) No's. 7-8"", herein) then FORD is to do so forthwith.

13 4.) THIS MATTER [must be] **SETTLED** 'in part' "pro rata" with the afore-stated ""ITEM(s)  
14 (Liability) No. 7-8"" - 'in part' "Independently" **SETTLED** ("no" commingling).

15 -----  
16 > **ITEM (Liability) No. 10:**  
17 **Life Insurance Policy(S) and Estate(S) of Joseph John Vikara and Geraldine**  
18 **Ann (Fleming) Vikara -**

19 *In the Matter of:*

20 the above-stated Life Insurance Policies - the DEFENDANT'S are '**Now DEMANDED**' to:

21 1.) **RE-APPROPRIATE** the Total Amount of LIFE INSURANCE POLICY Asset's Paid-  
22 Out wrongly or, retained (?) of/for PLAINTIFF No. 1, parent's": (1) Joseph John Vikara; and (2)  
23 Geraldine Ann (nee' Fleming) Vikara; Policy No. 33096119 and No. 47364989, *at Treble,*  
24 *interest accrued at 12% per annum. from the time of EACH WRONGFUL DEATH.*

25 **SUMMARY OF DEMAND(S) -**

26 In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

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Vancouver, WA 98664

2.) Then **"Immediately"** TRANSFER the TOTAL AMOUNT of both policies as demanded (No. 1, here-stated), to ROSE HOWELL and "ALPHA-OMEGA" (See, Instructions, at No. 1).

3.) DELIVER to ROSE HOWELL copies, of: (1) both Life Insurance Policies; and (2) "all" Records / Disbursements / Pay-Outs that have ""at any time"" been made out-of said Life Insurance Policies No's: 33096119 and No. 47364989 (No. 1, here-stated).

4.) TENDER SATISFIED the ESATE's, ESTATE ASSET's, TRUST's, and Other cited herein (""ITEM(s) (Liability) No. 1-2"", herein) without the absence of anything, specifically ""ITEM (Liability) No. 2"" herein.

5.) PRUDENTIAL BANCORP, Inc., et al. is to PAY whatever is deemed necessary to DELIVER / RESTORE / RE-APPROPRIATE said ESTATE's, ESTATE ASSET's, PROPERTY's, TRUST's, and Other unto PLAINTIFF No. 1 (i.e., [t]he Heir) of, ""ITEM(s) No. 1-2"" (herein).

6.) THEN, TRANSFER the Asset(s) and Material(s) (No. 1-5, here-stated) to Rose Howell and "ALPHA-OMEGA" (See, Instructions, at No. 1).

7.) Whatever pro rata share is deemed necessary [must be] tendered satisfied forthwith.

➤ **ITEM (Liability) No. 11:**  
**PFIZER, INC., et al. CLAIM -**

*In the Matter of:*  
the PFIZER, Inc, et al. CLAIM - the DEFENDANT'S are 'Now DEMANDED' to:

1.) The Stocks that are associated with U.S. Dist CT., No. 04-CV-9866 were purchased out-of EARNED INCOME. **Just and Equitable compensation [must be] made** (i.e., "was" a Retirement Account of, PLAINTIFF No. 2).

**SUMMARY Of DEMAND(S) -**

In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664

2.) CLAIM No. 2013US00272 was Issued for Injuries (*i.e.*, "in 2012" w/ emotional stress and loss of sleep and out-of-pocket expenditures of, Plaintiff No. 1-2) due to 'Retaliation' 18 U.S.C. §1513. DAMAGES and the out-of-pocket costs<sup>8</sup> [must be] PAID / REIMBURSED, interest accrued.

3.) PFIZER, Inc., et al. [must] make comprehensive REPARATION's for (No. 1-2, here-stated).

4.) **TRANSFER** "all" Asset's and Damages and Awards to ROSE HOWELL and "ALPHA-OMEGA" (*See*, Instructions, at No. 1).

-----  
➤ **ITEM (Liability) No. 12:**  
**Fraudulent Case(s) (plural's) -**

*In the Matter of:*

the Fraudulent Case(s) - the DEFENDANT'S are '**Now DEMANDED**' to:

- 1.) **RESTORE** Reputations of, PLAINITFF's No. 1-8 (*i.e.*, Defendant's deceit and lies).
- 2.) **VACATE, REVERSE, and DISMISS** "all" Judgments / Sentences / charges / other [] in "every" Case **AND**.....Then **REFUND** "all" TAKEN and Acquired Funds, *at Treble, interest accrued at 12% per annum. from the time of commencement, including, not limited to:*

- ""App. No. 1, ATTACHED"", at pgs. 33-34, ""A-J"".....and.....  
     ""K."" Clark County, Washington, Case No. 15C1576-2.....and....  
     Any and "all" others

AND

✓ **"CHANGE" - ADDITIONAL:**

- Clark County, Superior Court, Case No. 16-1-00311-7 (*e.g.*, damages)

<sup>8</sup> *I.e.*, Continuous out-of-pocket Pharmaceutical and Medical Expenses.

**SUMMARY Of DEMAND(S) -**

In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664

3.) **MAIL** Postage Pre-Paid 'Individual' CHECK(s) (e.g., stolen income) and 'Individual' AFFIDAVIT(s), for "each" (No. 1-2, here-stated), to ROSE HOWELL.

4.) **DELIVER** and **RETURN** the stolen personal property.

5.) No. 1-4 here-stated [must be] met.

-----  
➤ **ITEM (Liability) No. 13:**  
**Attorney(s) Fees, Costs, Disbursements -**

*In the Matter of:*

Attorney(s) Fees - the DEFENDANT'S "out-of their own resources" **are 'DEMAND'**, to:

- 1.) **PAY** "all" Statutory Attorney's Fees and Costs and Disbursements incurred; and
- 2.) **PAY** "all" Attorney's Fees and Costs and Disbursements, including Awards of Reasonable Attorney's that are deemed Just and Equitable (this includes, but does not limit for the various court proceedings that are associated and are clean-up).

-----  
➤ **ITEM (Liability) No. 14:**  
**Such Other Relief -**

The DEFENDANT'S **are 'Now DEMANDED'** to:

- 1.) **PAY** Such Other RELIEF as "is" deemed Just and Equitable.

V.  
CONCLUSION

This DEMAND [must be] met *in its entirety*.

YOU PEOPLE made 'every' liability and damage that are *past due and owing* [out-of your own accord] with no assistance and/or knowledge and/or consent, of PLAINTIFF No. 1

**SUMMARY Of DEMAND(S) -**

-----  
In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

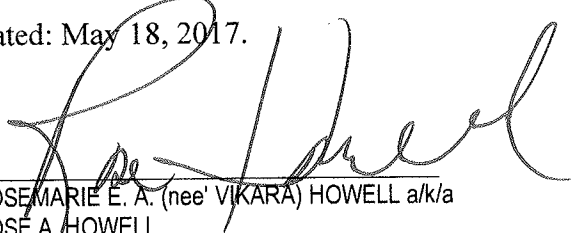
Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664

1 (i.e., the Owner and Heir). IGNORING that failure to disclose and/or disburse (22 U.S.C.  
2 §2668(a))<sup>9</sup> is/was costly to PLAINTIFF's No. 1-8, and the *predeceased immediate family* of,  
3 PLAINTIFF No. 1.

4 If you continue to create further damages it will result in further demand(s) that will be  
5 tendered. Being responsible and cleaning up this mess would be in the interests of everyone. It  
6 certainly shouldn't take another eight long abusive years.

7 I declare under penalty of perjury under the laws of the State of Washington and the  
8 United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: May 18, 2017.



ROSEMARIE E. A. (nee' VIKARA) HOWELL a/k/a  
ROSE A. HOWELL  
9504 NE 5th Street  
Vancouver, WA 98664-3307

12 /////

13 /////

14 ///// Appendix 1, *attached*

15 ///// Certificate Of Service, *attached*

16 /////

17 /////

18 /////

19 \_\_\_\_\_

20 <sup>9</sup> See, e.g., 22 U.S.C. §2668(a) (February 27, 1896). The STATE DEPARTMENT is [mandated] to  
21 determine the amounts and certify the same to the TREASURY SECRETARY who is then  
[mandated] to disclose and disburse to the beneficiary. HOWEVER, that "never" took place[.]

22 **SUMMARY Of DEMAND(S) -**

23 In Re (Government No's):

24 No. G08-0084  
25 And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
26 And  
AGO PRR-2016-00520-B1 through B6 through B.....

Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of May, 2017, I caused a copy of the foregoing to be placed in the United States mail (first-class, postage prepaid), addressed as follows:

- 1.) The EXECUTIVE OFFICE  
Office Of The Legal Advisor  
600 19th Street, N.W.  
Suite 5.600  
Washington, D.C. 20522
- 2.) U.S. SOLICITOR GENERAL  
U.S. Department of Justice  
Office of the Solicitor General  
950 Pennsylvania Ave., N.W.  
Washington, D.C. 20530-0001
- 3.) The UNITED NATIONS  
Attn: Stephen Mathias  
Assistant Secretary-General For Legal Affairs  
United Nations Headquarters  
Room No. S-3624  
New York, New York 10017
- 4.) FOREIGN CLAIMS SETTLEMENT COMMISSION  
U.S. Department Of Justice  
600 "E" Street, N.W.  
Suite 6002  
Washington, D.C. 20579
- 5.) U.S. COURT OF INTERNATIONAL TRADE  
1 Federal Plaza  
New York, New York 10278-0001

SUMMARY OF DEMAND(S) -

In Re (Government No's):

No. G08-0084  
 And  
 APPEAL (OIP) No. 2015-04715  
 And  
 "FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
 And  
 AGO PRR-2016-00520-B1 through B6 through B.....

Rose Howell  
 9504 NE 5th Street  
 Vancouver, WA 98664

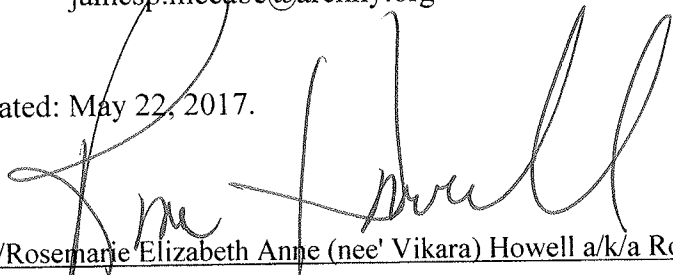


6.) RICHARD QUINLAN, VP / Gen. Counsel  
LIBERTY MUTUAL HOLDING CO., INC.  
175 Berkeley Street  
Boston, MA 02116

7.) His Holiness, POPE FRANCIS  
Apostolic Palace  
00120 Vatican City

-----  
C/O ARCHDIOCESE OF NEW YORK  
Legal Affairs  
Attn: James P. McCabe  
1011 First Ave., 11th Floor  
New York, New York 10022  
jamesp.mccabe@archny.org

Dated: May 22, 2017.



/s/Rosemarie Elizabeth Anne (nee' Vikara) Howell a/k/a Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664-3307  
(360) 953-0798  
rosie.howl@gmail.com

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SUMMARY OF DEMAND(S) -

In Re (Government No's):

No. G08-0084  
And  
APPEAL (OIP) No. 2015-04715  
And  
"FREEDOM OF INFORMATION ACT APPEAL" (OSG) No. 2015-119560  
And  
AGO PRR-2016-00520-B1 through B6 through B.....

Rose Howell  
9504 NE 5th Street  
Vancouver, WA 98664

# APPENDIX 2

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

JAMES BOSWELL and MICHELLE )  
SALAZAR-NAVARRO and JUNE )  
KEEN, on behalf of themselves, all )  
others similarly situated, and the general )  
public, )

Plaintiff's, )

v. )

COSTCO WHOLESALE )  
CORPORATION, and LODC GROUP, )  
LTD, d/b/a LILY OF THE DESERT, )

Defendant's. )

No.: 8:16-CV-00278-DOC-DFM

The Hon. David O. Carter

**NOTICE TO EXCLUDE**

**With**

**CROSS-CLAIM**

**and**

**COUNTER-CLAIM**

**IN RESPONSE TO THE NOTICE OF CLASS ACTION, IN THE  
ABOVE-ENTITLED MATTER, "I/WE" - (*the following "Listed Person's"*)**

RESPOND, by Filing this: (1) NOTICE To EXCLUDE (the below "Listed  
Person's") from the above-entitled matter of *BOSWELL, et al. v. COSTCO  
WHOLESALE CORP., et al.*; and RESPOND by Filing this: (2) CROSS-CLAIM

NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 1

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

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against the *Plaintiff's*, JAMES BOSWELL and MICHELLE SALAZAR-NAVARRO, and JUNE KEEN, ""et al.""; and (3) COUNTER-CLAIM against the *Defendant's*, COSTCO WHOLESALE CORPORATION, ""et al."" and LODC GROUP, LTD, ""et al."".

Noting that "APP. No. 1, *attached*" is part thereof the COSTCO WHOLESALE CORPORATION, ""et al."" liability(s) and damage(s) by/through the "unauthorized" "self-regulated" TAKING(s); and in foresight, the Plaintiff's, ""et al."" business relationship(s) with the Defendant's, ""et al."" brings about the utmost likelihood of impropriety(s) in the afore-attached matter and others that have attached "as a matter of law" thereto.

**I. LISTED PERSON's, also known as (the afore-stated "Listed Person's" (i.e., family)):**

1.) ROSEMARIE ELIZABETH ANNE (nee' VIKARA) Howell<sup>1</sup>; and

---

<sup>1</sup> *I.e.*, the Owner, and the Heir, and the Anointed One, and the Church's 'Sovereign' (anointed September 11, 1963), and the Government(s) (foreign & domestic) 'Sovereign' *Ex Post Facto* (Art. VI, Cl. 1, of the U.S. Constitution), "*remaining 'valid' as if, the adoption of no other had TAKEN place*" (*quoting*, the "BIRTH[r] RIGHT(s)" of, (the afore-stated "Listed Person", No. 1)); *and as such*:

NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 2

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

- 2.) BRIAN PAUL HOWELL (ex-rel); and
- 3.) JESSICA L. B. HOWELL (ex-rel); and
- 4.) SARAH D. (nee' HOWELL) STEWARD (ex-rel); and
- 5.) AMANDA M. (nee' HOWELL) HUSKISSON (ex-rel); and
- 6.) GARY B. HOWELL (ex-rel); and

*In, Puerto Rico v. Sanchez Valle, 579 U.S. at 11 (2016) (citing Worcester v. Georgia, 6 Pet. 515, 559-561 (1832); Talton v. Mayes, 163 U.S. 376, 384 (1896); Michigan v. Bay Mills Indian Community, 572 U.S. \_\_\_\_, \_\_\_\_ (2014) (slip op., at 4-5), beginning with C.J., Marshall, the Court has held firm and fast to the view that Congress's power does nothing to gainsay the profound importance of 'pre-existing sovereignty'); in accord:*

*In, Arrigoni Enterprises, LLC v. Durham, 578 U.S., 2-3 (2016) (citing Cherokee Nation v. Southern Kansas R. Co., 135 U.S. 641, 659 (1890) (emphasis added), the Court has recognized that a owner is at least "entitled to reasonable, certain and adequate provision for obtaining compensation *before* his/her occupancy is disturbed"); and as such:*

*In accord with, Art. VI, Cl. 1, of the U.S. Constitution, the "BIRTH[r] 'Sovereignty'" of (the afore-stated "Listed Person", No. 1), is "**valid and remains in effect**", and therefore:*

*In, State Farm Fire & Casualty Co. v. United States Ex Rel. Rigsby, 580 U.S., at 9 (2016) (citing Whitfield v. United States, 543 U.S. 209, 215 (2005), because the meaning is plain and unambiguous as to the "BIRTH[r] RIGHT(s)" of (the afore-stated "Listed Person", No. 1), we need not accept petitioner['s] invitation to consider the legislative history"); in accord:*

*In, Mapp v. Ohio, 367 U.S. 643 (1961), the ordinary, unusually silent, assumption in the Supreme Court of the United States has undoubtedly been that a decision determining the meaning of the Constitution must be *retroactive*, even if it is an overruling decision (C.f., Norton v. Shelby County, 118 U.S. 425, 442 (1886), "An unconstitutional act is not a law; it confers no right; it imposes no duties; it affords no protection; it creates no office; it is, in legal contemplation, as inoperative as though it had never been passed").*

NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 3

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

- 7.) KYLE M. HOWELL (ex-rel); and
- 8.) "ALPHA-OMEGA 'SOVEREIGN' HOLDINGS"<sup>2</sup> (chg.); and
- 9.) "ALPHA-OMEGA 'SOVEREIGN' HOLDINGS, L.L.C."<sup>3</sup>(chg.).

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<sup>2</sup> *I.e.*, "ALPHA-OMEGA 'SOVEREIGN' HOLDINGS and ALPHA-OMEGA 'SOVEREIGN' HOLDINGS, LLC" and any thereof and therefrom. *See, e.g., Burwell, Secretary of Health & Human Services, et al. v. Hobby Lobby Stores, Inc., et al.*, 573 U.S. at 19-20 (2014), the Court affirmed that a "person" includes corporations as well as individuals (*citing FCC v. AT&T Inc.*, 562 U.S. \_\_\_, \_\_\_ (2011) (slip op., at 6), the Court stated "we have no doubt that 'person', in a legal setting, often refers to artificial entities". The Dictionary Act makes that clear" (quote)) (*C.f., Clark v. Martinez*, 543 U.S. 371, 378 (2005) ("To give the same words a different meaning for each category would be to invent a statute rather than interpret one" (quote))).

<sup>3</sup> ALPHA-OMEGA 'SOVEREIGN' HOLDINGS is/will be the "Sovereign" CORPORATION" that has emerged, from the "'Sovereign' Estate(s) and Inheritance(s)" and the *past due & owing* "Damages" and Wrongfully Distributed Accounts and Assets, etc., (*See, APP. No. 1*); and as such:

The U.S. Constitution, Art. VI, Cl. 1, "**DEBTS and SOVEREIGNTY "Ex Post Facto" remain valid**", prior to the adoption of the Constitution (*e.g., retroactive to the U.S. Constitution*).

*In, Puerto Rico v. Sanchez Valle*, 579 U.S. at 11 (2016) (*citing Worcester v. Georgia*, 6 Pet. 515, 559-561 (1832); *Talton v. Mayes*, 163 U.S. 376, 384 (1896); *Michigan v. Bay Mills Indian Community*, 572 U.S. \_\_\_, \_\_\_(2014) (slip op., at 4-5), beginning with C.J., Marshall, the Court has held firm and fast to the view that Congress's power does nothing to gainsay the profound importance of 'pre-existing sovereignty'); *in accord* The "Debts and Sovereignty" are "Ex Post Facto" (U.S. Const. Art. VI, Cl. 1), and **remain valid, "retroactively"**:

*In, Harper v. Virginia Dept. of Taxation*, 509 U.S. 86, 113 S. Ct. 2510, 125 L. Ed. 2d 74 (1993), the Supreme Court of the United States held that [w]hen [the] Court applies a

NOTICE TO EXCLUDE  
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And, attached CERTIFICATE OF SERVICE - 4

ROSE HOWELL  
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(360) 953-0798

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**II. NOTIFICATION(s):**

Notifications should be made, *as follows*:

- A.) (The afore-stated "Listed Person's"), should receive Notifications,  
addressed to:

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street

rule of federal law to the parties before it, that rule is the controlling interpretation of federal law and must be given *full retroactive effect* in all cases still open on direct review and as to all events, regardless of whether such events predate or postdate [the] announcement of the rule. *Id. at 97.; in accord*

In light of the principles, the Court concluded that "a rule of federal law, once announced and applied to the parties to the controversy, 'must be given *full retroactive effect by all courts*' adjudicating federal law," *Id. at 96*, and extended ""to other litigants whose cases were not final at the time of the 'first decision'" *Id. (quoting James B. Beam Distilling Co. v. Georgia*, 501 U.S. at 544, 111 S. Ct. 2439, 115 L. Ed. 2d 481 (1991)); and *In reaching that decision:*

The Court opined that "nothing in the Constitution alters the fundamental rule of '*retrospective operation*' that has governed 'judicial decisions....for a near thousand years." *Id. at 94 (quoting Kuhn v. Fairmont Coal Co.*, 215 U.S. 349, 372, 30 S. Ct. 140, 54 L. Ed. 228 (1910)); *further emphasizing*  
*In, Peugh v. United States*, 569 U.S.\_\_\_\_ at 7 (2013) (*quoting Weaver v. Graham*, 450 U.S. 24, 28-29 (1981), the "*Ex-Post-Facto*" Clause ensures that individuals have fair warning of applicable laws and guards against "vindictive legislative action"; and the Clause also safeguards "a fundamental fairness interest....in having "the government abide by the rules of law" it establishes to govern the circumstances under which it can deprive a person of his or her "liberty or life""*Carmell v. Texas*, 529 U.S. at 533 (2000) (*quoting 18 U.S.C. §1958; §1959*), *quoting 28 U.S.C. §2674¶(2)*).

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(360) 953-0798

Vancouver, WA 98664  
360-953-0798  
rosie.howl@gmail.com

B.) The "Receiver" ("APP. No. 1"), should receive Notifications, addressed to:

RICHARD QUINLAN, VP/ Gen. Counsel  
Liberty Mutual Holding Co., Inc.  
175 Berkeley Street  
Boston, MA 02116  
Main Number: 617-357-9500

**III. RESPONSE:**

A. NOTICE To EXCLUDE:

"I/WE" - (the afore-stated "Listed Person's") cannot, will not, and choose not to take-part in any Class Action Lawsuit. The commingling of Inheritance(s) and Estate(s) and/or Damage(s), *past due and owing*, with public debt(s)<sup>4</sup> [w]hether or

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<sup>4</sup> See, e.g., 31 U.S.C. §3101 (\$14,294T), and 31 U.S.C. §3101A (\$\$T's), and 31 U.S.C. §3123 ("Full Faith & Credit of the United States")....."there has been 'no just compensation 'ever''; however, the Takings have been liberal, *therefore*;

The U.S. 5th Amendment, *provides that*:

Private Property shall not "be taken for public use, without just compensation". Murr v. Wisconsin, 582 U.S. at 6 (2017) (*citing Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency*, 535 U.S. 302, 321 (2002), the Court has recognized, the plain language of the Takings Clause "requires the payment of compensation whenever the government acquires private property for a public use" (quote)); and Pennsylvania Coal

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not administered corporately or judicially or open-ended (*e.g.*, "freely, unrestrained, and *non-beneficiary* self-regulated") as has been the "liberal construct", is not how "I/WE" (the afore-stated "Listed Person's") choose to 'structure' [my/our] business affairs<sup>5</sup>. The "ALPHA-OMEGA FOUNDATION" has not been established (emphasis added).

Co. v. Mahon, 260 U.S. at 415 (1922), the Court's regulatory takings jurisprudence, declared that "while property may be regulated to a certain extent, if regulation goes too far it will be recognized as 'taking'" (*see*, APP. No. 1); and Palazzolo, *supra*, at 617-618) (*quoting* Armstrong v. United States, 364 U.S. 40, 49 (1960), "'in all instances', the purpose of the Takings Clause, is to prevent the government from forcing some people alone, to bear public burdens which, in all fairness and justice, should be born (paid) by the public as a whole"); *and*

The 5th Amendment "Takings Clause" is made applicable to the States through the Fourteenth Amendment. Chicago, B. & Q. R. Co. v. Chicago, 166 U.S. 226 (1897).

<sup>5</sup> *Quoting* the U.S. 5th Amendment "Takings Clause";

*In*, Horne, et al. v. Department of Agriculture, 576 U.S. at 4-9 (2015), the U.S. Supreme Court affirmed that the 5th Amendment "Takings Clause" *applies to personal property as well as real property* (*see*, APP. No. 1) (*citing* Ruckelshaus v. Monsanto Co., 467 U.S. 986 (1984); and, Leonard & Leonard v. Earle, 279 U.S. 392 (1929), the Court determined that the ability to sell in interstate commerce (*e.g.*, SAFECO, et al.), although certainly subject to reasonable government regulation, is not a "benefit" that the Government may withhold unless the owners waive constitutional protections) (*quoting* the "doctrine of unconstitutional conditions", "the Government cannot condition a person's receipt of a governmental benefit on the waiver of a constitutionally protected right" (quote)) (*see*, *e.g.*, Case No. G08-0084 "*totally devoid of notice and/or disclosure*", and Trust Indenture No.

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The "Taking(s) Clause" of the U.S. 5th Amendment expressly prohibits the TAKING of private property for the public use (e.g., class of public; and/or corporate person's) *without* just compensation, 'at the time' of the TAKING<sup>6</sup>. IF (the afore-stated "Listed Person's") were permitted to engage in THIS or any Class-Action it would, *in fact*, be TAKING personal and real property for public use with the U.S. TREASURY and the JUDICIARY acting as the "*unauthorized*" and "*self-*

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BP3019010 (citing FRCP 60(b)(3), (d)(2)) "totally "unauthorized" and/or disclosed") In re Pers. Restraint of Dryer, No. 85091-7 (Aug. 23, 2012) (citing Perry v. Sindermann, 408 U.S. 593, 597, 92 S. Ct. 2694, 33 L. Ed.2d 570 (1972) (citing United States v. Scott, 450 F.3d 863, 866-67 (9th Cir. 2006) (quoting the "doctrine of unconstitutional conditions"))).

<sup>6</sup> See, e.g., Murr v. Wisconsin, 582 U.S. at 6 (2017) (citing Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency, 535 U.S. 302, 321 (2002), the Court has recognized, the plain language of the Takings Clause "requires the payment of compensation whenever the government acquires private property for a public use" (quote) (citing Arrigoni Enterprises, LLC v. Durham, 578 U.S. at 2-3 (2016) (Thomas, J., dissent) (citing Williamson County Regional Planning Comm'n v. Hamilton Bank of Johnson City, 473 U.S. 172 (1985), in the dissent opinion, "the Takings Clause appears to make just compensation a prerequisite to taking property for public use. The requirement to pay just compensation "places a condition on the government(s) exercise of" the power to take private property in the first instance" (quote))). First English Evangelical Lutheran Church of Glendale v. Los Angeles, 482 U.S. 304, 314 (1987), the text's "mandate that there shall be no taking's 'without just compensation'").

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regulated" fiduciary(s) of unjust enrichment(s)<sup>7</sup>; and would be without just compensation as no part thereof" APP. No. 1<sup>8</sup> has "ever" been tendered (emphasis added).

<sup>7</sup> Citing 31 U.S.C. §1304; and §1514 (quoting 28 U.S.C. §2414) (quoting RCW 48.31.151, and RCW 48.31B.060)-----;

See, e.g., U.S. Airways, Inc. v. McCutchen, 569 U.S. at 7 (2013) (quoting Boeing Co. v. Van Gemert, 444 U.S., at 478 (1980), "[T]he common fund doctrine rests on the perception that persons who obtain the benefit without contributing are unjustly enriched"; Mills v. Electric Auto-Lite Co., 396 U.S. 375, 392 (1970) (To allow "others to obtain benefit from (the afore-stated "Listed Person", No. 1) "Estate(s) and Inheritance(s)" is to enrich the others unjustly at the plaintiff's expense" (Quantum Meruit); and as such:

That Fraudulent TRUST INDENTURE, No. BP3019010 (citing FRCP 60(b)(3), (d)), has unjustly gorged the general public, ""et al."" and ballooned the deficit(s) (foreign and domestic) without any rights whatsoever[.] The progressive(s) "intent(s)" and "act(s)" of including, not limited to FRAUD, FORGERY, and IDENTITY THEFT are not a vested right; but rather, liability(S).

<sup>8</sup> Pursuant to U.S. Constitution, Art. VI, Cl. 1, the ""DEBTS and SOVEREIGNTY"" cited in "APP. No. 1", are an "Ex Post Facto Bill" **that remains valid**, prior to the adoption of, including, not limited to, the: (1) Constitution(s); (2) State Department, et al.; (3) United States Government, et al.; (4) United States Statute(s) including, not limited to 22 C.F.R. Part 172; (5) Foreign Government(s), particularly present day; (6) International Law(s); (7) United Nations, et al.; (8) UN Resolution(s); (9) Treaty(s); and (10) possibly the Church, et al. (haven't gotten that far back yet); HOWEVER, (the afore-stated "Listed Person", No. 1), "is the Church's Sovereign" (anointed September 11, 1963) and as such it, ""et al."" does not have immunity from (the afore-stated "List Person", No. 1);  
in accord

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Rather than prejudice THIS COURT<sup>9</sup>, besides compounding damages interest accrued, it would be in the interests of justice and equity that (the afore-stated "Listed "Person's") be excluded from the above-entitled class-action. THEREFORE, this Court should grant this EXCLUSION.

B. CROSS-CLAIM

"I/WE" - (the afore-stated "Listed Person's") bring a CROSS-CLAIM against the *Plaintiff's*, JAMES BOSWELL and MICHELLE SALAZAR-NAVARRO, and JUNE KEEN, on behalf of themselves, all others similarly situated, and the

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*In*, Mapp v. Ohio, 367 U.S. 643 (1961), the ordinary, usually silent, assumption in the Supreme Court of the United States has undoubtedly been that a decision determining the meaning of the Constitution must be *retroactive*, even if it is an overruling decision (*C.f.*, Norton v. Shelby County, 118 U.S. 425, 442 (1886), "An unconstitutional act is not a law; it confers no right; it imposes no duties; it affords no protection; it creates no office; it is, in legal contemplation, as inoperative as though it had never been passed").

<sup>9</sup> *See, e.g.*, McLane v. EEOC, 581 U.S. at 8 n.3 (2017) (*citing* Cooter & Gell v. Hartmarx Corp., 496 U.S. 384, 403, 405 (1990), "applying a unitary abuse-of-discretion standard" does not shelter a district court that makes an error of law, because "[a] district court would necessarily abuse its discretion if it based its ruling on an erroneous view of the law") (*citing* Shaw v. Martin, 733 F.2d 304, 308 (4th Cir. 1984) (prejudice personal rather than judicial) (*citing* In re Hagler, 97 Wn.2d 818, 825-26, 650 P.2d 1103 (1982) ('actual prejudice' that resulted a constitutional error) (*citing* Mayer v. Sto Indus., Inc., 156 Wn.2d 677, 684, 132 P.3d 115 (2006) (unconstitutional abuse of discretion) (*citing* State ex rel. Carroll v. Junker, 79 Wn.2d 12, 26, 482 P.2d 775 (1971) (decision untenable for untenable reasons)))))).

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general public, ""et al."" , contending that the above-entitled Plaintiff's, ""et al."" business dealings with the Defendant's, ""et al."" have *in the utmost probability* par-TAKEN "unauthorized" out-of (the afore-stated "Listed Person", No. 1) "Inheritance(s) and Estate(s)"; and further contend, that absent such blatant intrusion(s) of another person's personal and financial privacy (*citing 5 U.S.C. §552a, quoting U.S. 5th Amendment*) the Plaintiff's, et al. would not have been injured and as such would [not] have brought this action (*e.g.*, a counter to their own personal negligence(s))<sup>10</sup>.

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<sup>10</sup> *Quoting, RCW 48.30.230 (citing FRCP 60(b)), triggering 9A.20 RCW, and TITLE 18 U.S.C.; and therefore,*

*"As a Matter of Law", and on jury instruction(s):*

*In, United States v. Corrado, 227 F.3d 543, 554-55 (6th Cir. 2000), the Court held that "all person(s) are jointly and severally liable "for the total amount" derived from the scheme....."; and as such,*

*In, United States v. Qaoud, 777 F.2d 1105, 1116-17 (6th Cir. 1985), the Court held that "the jury "could infer" the existence of the alleged association-in-fact enterprise from the "coordinated nature of the defendant's activity" and that the defendant's racketeering acts were facilitated by their nexus to the enterprise"; and:*

*In, United States v. Griffin, 660 F.2d 996, 1000 (4th Cir. 1981), the Court determined that "proof of the existence of an associated-in-fact enterprise requires proof of a "common purpose" animating its associates" (*e.g.*, Fraudulent TRUST INDENTURE No. BP3019010 (*citing FRCP 60(b)(3), (b)(6) (quoting, Art. VI, Cl. 1, of the U.S. Const.), (d)(2))*); and:*

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The Plaintiff's, et al. business with the Defendant's, ""et al."" is/are in all probability a product of the 'Fraudulent Trust Indenture' (*citing* FRCP 60(b)(3)) and as such is/would be subject to "re-appropriation"<sup>11</sup>. RCW 48.31B.060. "There is "no" legally binding agreement"<sup>12</sup>; nor, has there "ever" been (PAUL, SANDRA, and STEVEN HOWELL, et al. had/have absolutely "zero" authority; and the same

*In, United States v. White*, 116 F.3d 903, 925 n.7 (D.C. Cir. 1997), the Court determined that "such an association of individuals may retain its status as an enterprise "even though the membership *changes by the addition or loss of individuals*" (ABT. 1400-2017) during the course of its existence"; *in accord*:

*In, United States v. Mauro*, 80 F.3d 73, 77 (2d Cir. 1996), the Court determined that "the existence of enterprise is not defeated by "changes in membership""; *and therefore*, "As a Matter of Law", one should be sure to articulate on 'jury instruction(s)' that, a mere 'inference' would suffice:

*In, United States v. Elliott*, 571 F.2d 880, 898 (5th Cir. 1978), cert. denied, 439 U.S. 953 (1978), the Court has explained that "a jury is entitled to 'infer the existence' of an enterprise *on the basis of largely or wholly circumstantial evidence*" (emphasis added); *and as such*:

On jury instruction(s) one should remember to articulate that, that 'very' Fraudulent TRUST INDENTURE, No. BP3019010, not only is responsible for "all" the life-altering injury(s), and the deliberate "HIT(s)"; but also, made certain the wrongful death(s) of, (the afore-stated "Listed Person", No. 1) *immediate family members* (*quoting*, 28 U.S.C. §1346(b), 2671-2680, and 28 U.S.C. §§1605-06, *quoting* 28 U.S.C. §2674<sup>¶2</sup>, *citing* 18 U.S.C. §241; §242; §1958; §1959).

<sup>11</sup> See, RCW 48.31B.060.

<sup>12</sup> See, RCW 48.31.151.

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applies to any other (emphasis on "any")). The 'only person' "ever" possessing any authority whatsoever is the "BIRTH[r] RIGHT(s)" of the "sovereign" which is that of (the afore-stated "Listed Person", No. 1) whether its administered *Ex Post Facto*; or, as was administered September 11, 1963 by/through the Church and its sovereignty[.] Hence, the 'deranged "reasoning"' (per se) behind the consecutive "acts" of calculated pre-meditated malice afore-thought(s) that has had "no limits", contemptuous TAKING(s), and consecutive Fraud(s)<sup>13</sup>.

The afore-stated "acts" of liberal TAKING(s) with their pre-determined *progressive illicit remedy(s)* are of precisely executed malicious "intent(s)" that have caused immeasurable, widespread and consecutive "damage(s)" to (the afore-stated "Listed Person's", *specifically* No's 1,2, and 7). "No-One" has been proven innocent beyond a reasonable doubt<sup>14</sup>; and the likelihood is virtually non-existent,

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<sup>13</sup> FRCP 60(b)(3). FRAUD:

A *deliberate and willful deception for unlawful gain* (Webster's Dictionary ©2001 McGraw-Hill Children's Publishing) (*citing*, Fraudulent TRUST INDENTURE No. BP3019010).

<sup>14</sup> RCW 48.30.230 (false claim(s)/claimant(s)) (*citing* FRCP 60(b), (d)), *triggering* 9A.20 RCW (felony(s), *quoting* TITLE 18 U.S.C.) -----;

*See, e.g., Victor v. Nebraska*, *supra*, 511 U.S. at 17-20 (1994), a reasonable doubt is an "actual and substantial doubt'....as distinguished from a doubt arising from a mere

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if not, impossible. The pre-determined "acts" of the *progressive liberal political environment* ("Watering GATES, ""et al.""") has for quite an extended period aided and abetted (*citing* 18 U.S.C. §2; §242) in the wide-spread "fire and fury". It would be difficult, at best, at this juncture to establish that for the last "5.5 decades" PLUS (++) everyone (emphasis added) has [not] known 'exactly' what they have been TAKING(s) "unauthorized" part thereof<sup>15</sup>[.]

possibility, from bare imagination, or from fanciful conjecture" (emphasis in original) and separately holding that "a fanciful doubt is not a reasonable doubt"; *see, People v. Guidici, supra*; and *People v. Jones*, 27 N.Y.2d 222 (1970), distinguishing a reasonable doubt from a "vague and imaginary" doubt; *and* *In, People v. Cubino*, 88 N.Y.2d 998, 1000 (1996); and *People v. Radcliffe*, 232 N.Y. 249 (1921), *Cubino*, reads that "the doubt, to be a reasonable doubt, should be one which a reasonable person acting in a matter of this importance would be likely to entertain because of the evidence or because of the lack or insufficiency of the evidence in the case". *Cubino*, 88 N.Y.2d at 1000. Fortunately here, the courts and municipalities; both acting as "unauthorized" fiduciary(s) maintain record(s), not to mention "all" the corporate holder(s), therefore, evidence should be plentiful.

<sup>15</sup> *See, e.g., United States v. Corrado*, 227 F.3d 543, 554-55 (6th Cir. 2000), "all" defendants are jointly and severally liable (*citing United States v. Shifman*, 124 F.3d 31, 36 (1st Cir. 1997), *cert. denied*, 522 U.S. 1116 (1998), "aiding and abetting" one of the activities listed in Section 1961(1) makes one as punishable as the principal and amounts to engaging in that racketeering activity"); *in accord* *In, Bartlett v. New Mexico Welding Supply, Inc.*, 646 P.2d 579 (N.M. Ct. App. 1982), "two or more individuals who act independently but whose acts cause a single indivisible tortuous injury are also joint tortfeasors" (*C.f., Bierczynski v. Rogers*, 239

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THIS COURT can[not] be sure that the Plaintiff's, ""et al."" are not liable to (the afore-stated "Listed Person's") without first unwinding its jurisdictional part thereof "APP. No. 1". If, further disbursements are/were allowed to be made before "reconciliation(s)" and "re-appropriation(s)", *totally devoid of any agreement*<sup>16</sup>, those disbursement's "do" come right out-of the U.S. TREASURY<sup>17</sup> en route to the JUDICIARY<sup>18</sup>; the [acts] of which might very well make (the afore-stated "Listed

A.2d 218 (Del. Super Ct. 1968), ""acting in concert" is the equivalent of being a criminal accessory or co-conspirator". If the individual intentionally aids or encourages another to commit a tort, s/he is as liable as the individual who actually committed the physical acts of tort); *and*

*In, Fruit v. Schreiner*, 502 P.2d 133 (Alaska 1972), [a] defendant may be jointly liable for the actions of another through vicarious liability, which 'automatically imposes tort responsibility' on a defendant because of his relationship with the "wrongdoer") (*citing Restatement (Third) of Torts, Apportionment of Liability* §1 cmt. c); and (*Restatement (Second) of Torts* §323 (1965))).

<sup>16</sup> See, e.g., RCW 48.31.151.

<sup>17</sup> See, e.g., RCW 48.31B.060.

<sup>18</sup> *Citing* 31 U.S.C. §1304; and §1514 (*quoting* 28 U.S.C. §2414) (*quoting* RCW 48.31.151, and RCW 48.31B.060) - The U.S. TREASURY and COURT(s) have been acting as "unauthorized" fiduciary(s); both have a fiduciary responsibility to (the afore-stated "Listed Person's, particularly No. 1, the "Sovereign Heir"); See, e.g., United States v. Mitchell, 463 U.S. 206, 225, 103 S. Ct. 2961, 77 L. Ed.2d 580 (1983), a fiduciary relationship exists 'even though' nothing is in a legally binding contract.

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Person", No. 1) *Inheritance(s) and Estate(s)* "insolvent". McDonald v. Williams,  
174 U.S. 397 (1899), suits may be brought compelling the repayment of third party  
distributions.

THEREFORE, in the interests of justice and common sense THIS COURT  
must unwind its jurisdictional part thereof, taking particular care to cure "all" the  
fraud(s); and remedy (its part thereof) the "*Ex-Post-Facto Bill*" (APP. No. 1)  
before TAKING and/or making further "unauthorized" distribution(s).

C. COUNTER-CLAIM

"I/WE" - (the afore-stated "Listed Person's") bring COUNTER-CLAIM  
against the *Defendant's, COSTCO WHOLESALE CORPORATION, ""et al."" and*  
*LODC GROUP, LTD, ""et al.""* contending that it's not just the UNITED STATES  
and its AGENCIES, et al.; and the UNITED NATIONS, et al. and its Agencies, et  
al. and Organizations, et al.; and the CHURCH, et al. and its Agencies, et al. and  
Organizations, et al. that are liable; **but contend**, that the liability extends to  
*including, not limited to COSTCO WHOLESALE CORPORATION, ""et al."" and*  
*LODC GROUP, LTD, ""et al."" d/b/a LILY OF THE DESERT, ""et al.""* and their  
individual and/or combined Holding(s), ""et al."" and Wholesalers, ""et al."" and

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Agencies, ""et al."" and Manufacturers, ""et al."" and Distributors, ""et al."" and Subsidiaries, ""et al."" and Retailers, ""et al."" and Fiduciaries, ""et al."" and de-facto Owners, ""et al."" and Owners, ""et al."" (TBD) and Managers, ""et al."" and Stockholders, ""et al."" and Tax-Exempt Shelters, ""et al."" and Customers, ""et al."" and the General Public, ""et al."" (*foreign and domestic*)<sup>19</sup>, for, *including, not limited:*

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<sup>19</sup> *Citing, the Takings Clause and Just Compensation Clause of the U.S. 5th Amendment, and RCW 48.31.151; and RCW 48.31B.060, quoting RCW 48.30.230 (citing FRCP 60(b), (d)(2) (absence of notice, quoting 22 U.S.C. §2668(a))), triggering 9A.20 RCW, and TITLE 18 U.S.C.-----;*

The Defendant's "self-regulated" *interstate and foreign RICO ENTERPRISE* that is being run by/through the "unauthorized" TAKING(s) out-of, (the afore-stated "Listed Person", No. 1), "Estate(s), Inheritance(s)" are subject to Judgment "As A Matter of Law", *and as such:*

*In, United States v. Buser, 817 F.2d 1409, 1413 (9th Cir. 1987), the Court held that "[f]orfeiture is not limited to those assets that are tainted by the use in connection with racketeering activity, but rather extends to the person's entire interest in the enterprise" (citing, Burwell, Secretary of Health & Human Services, et al. v. Hobby Lobby Stores, Inc., et al., 573 U.S. at 19-20 (2014), the Court affirmed that a "person" includes corporations as well as individuals (citing FCC v. AT&T Inc., 562 U.S.\_\_\_\_, \_\_\_\_ (2011) (slip op., at 6), the Court stated "we have no doubt that 'person', in a legal setting, often refers to artificial entities". The Dictionary Act makes that clear" (quote)))); and,*

*In accord with forfeiture of assets:*

NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 17

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*In, United States v. BCCI Holdings (Luxembourg) S.A. (Petition for Pacific Bank), 956 F. Supp. 5, 12 (D.D.C. 1997), the Court held that "even untainted property received after the racketeering had ceased is subject to forfeiture....."; and as such:*

*In, United States v. Hosseini, 504 F. Supp. 2d 376, 381 (N.D. Ill. 2007), the Court held that "[f]orfeiture of the "entire business interest" is not disproportional, even though some business was legitimate"; and as such,*

*"As a Matter of Law", and on jury instructions:*

*In, United States v. Turkette, 452 U.S. 576 (1981), the Supreme Court has squarely held that "the term "enterprise" encompasses both legitimate and illegitimate enterprises"; in addition:*

*In, United States v. Parness, 503 F.2d 430, 439 (2nd Cir. 1974), cert. denied, 419 U.S. 1105 (1975), the Court has held that "a "foreign corporation" can constitute a racketeering enterprise"; and,*

*In keeping with the GOVERNMENT(s), et al. hearing(s) of, before/on/after September 18, 2008 (No. G08-0084) (citing FRCP 60(b), (d)), that triggered TITLE 48 RCW quoting, RCW 48.31B.060:*

*In, Resolution Trust Corp. v. Stone, 998 F.2d 1534, 1541-42 (10th Cir. 1993), the Court found "sufficient evidence" to support jury's verdict that the insurance parent company participated in the association-in-fact enterprise; and because:*

*The hearings (No. G08-0084) were some sort of "illegal" activity(s) on a global scale, ""et al."" on jury instruction(s) one should articulate that conspiracy is a predicate to "each" act of malice aforethought, criminal "intent", and TAKING(s) and as such does not cause duplicity therefore, prosecution may be had on state, federal, and international statute; and on "each" act (emphasis added). Not to mention "each" TAKING(s) as per SEC Filings were accompanied by documented "acts" on a global level (e.g., each stage of the IMF; and each stage of the World Bank; and the G-20, et al., etc., etc.), as such:*

*In, United States v. Dellacroce, 625 F. Supp. 1387, 1392 (E.D.N.Y. 1986), the Court held that "conspiracy can be a predicate act"; in accord:*

*In, United States v. Persico, 621 F. Supp. 842, 856 (S.D.N.Y. 1985), the Court held that "conspiracy is a proper RICO predicate and does not cause duplicity" (emphasis added).*

NOTICE TO EXCLUDE

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- Those stated in APP. No. 1<sup>20</sup>; and

The (*foreign and domestic*) "unauthorized" TAKING(s) by/through a 'very' FRAUDULENT TRUST AGREEMENT(s)<sup>21</sup> (poss. plurals); and decades of Un-Just Enrichment(s)<sup>22</sup> is/are responsible for including, not limited to the

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<sup>20</sup> APPENDIX 1, "Summary Of Demand(s)", dated May 18, 2017 (pgs. 1-27).

<sup>21</sup> FRCP 60(b)(3), (d)(2)). Emphasis on "Absence of Jurisdictional Authority", *citing* TRUST INDENTURE No. BP3019010, and any others (*see, e.g., RCW 48.31.151* ""without an agreement"" ) -----;

*See, e.g., Carr v. United States*, 560 U.S. at 18 (2010) (*C.f., Arlington Central School Dist. Bd. of Ed. v. Murphy*, 548 U.S. 291, 296 (2006), "We have stated time and again that courts must presume that a legislature says in a statute what it means and means in a statute what it says there. When the statutory language is plain, the sole function of the courts - at least where the disposition required by text is not absurd - is to enforce it according to its terms" (internal quotation marks and citations omitted));

*In accord:*

*In, Connecticut Nat. Bank v. Germain*, 503 U.S. 249, 253-254 (1992) (citations and internal quotation marks omitted), "We have stated time and again that courts must presume that a legislature says in a statute what it means and means in a statute what it says there. When the words of a statute are unambiguous, then, the first canon is also the last: judicial inquiry is complete" (Sacialia, J.).

<sup>22</sup> QUANTUM MERUIT. *See, e.g., Advantage Renovations, Inc. v. Maui Sands Resort Co., LLC*, 6th Dist. No. E-11-040, 2012-Ohio-1866, 20112 WL 1493826, ¶33, Un-Just Enrichment occurs where one party confers a benefit on another, with the other's knowledge, under circumstances where it would be unjust for the party getting the benefit to retain it without payment (*citing Burr v. Stark County Board of Comm'rs.*, 23

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"unauthorized" use, disbursement(s), investment(s), and gain(s) from including, not limited to:

- Interest Bearing Account(s); and
- Low Cost and/or "Zero Interest" Loan(s); and
- "Unauthorized" Disbursement(s) in the amount(s) of, generally not less than \$500,000.00<sup>23</sup>; and
- FREE Homes<sup>24</sup>; and

Ohio St.3d 69 (1986), syllabus 2, the elements of fraudulent misrepresentation are: a material representation; made falsely, with knowledge of its falsity, or with such utter disregard as to whether it is true or false that knowledge may be inferred; with the intent of misleading another into relying upon it; justifiable reliance by the plaintiff; and damages proximately caused by its reliance).

<sup>23</sup> See, RCW 48.30.230 (false claim(s)/claimant(s)) (FRCP 60(a), (b), (d)) (citing 31 U.S.C. §3729, quoting TITLE 18 U.S.C., and TITLE 15 U.S.C. "disgorgement"), triggering 9A.20 RCW.

<sup>24</sup> See, e.g., 31 U.S.C. §6906 (unlimited funds 2008-2014 years), and 31 U.S.C. §6207 (unlimited \$\$), and 31 U.S.C. §6503-07 (gov. spending), and 31 U.S.C. §6702 (\$T's gov. spending), and 31 U.S.C. §6704 (\$T's gov. spending), and 31 U.S.C. §6705 (gov. spending) quoting the U.S. 5th Amend. "Takings Clause" and "Just Compensation Clause"; and as such:

In, Arrigoni Enterprises, LLC v. Durham, 578 U.S. at 2-3 (2016) (Thomas, J., dissent) (citing Williamson County Regional Planning Comm'n v. Hamilton Bank of Johnson City, 473 U.S. 172 (1985), in the dissent opinion, "the Takings Clause appears to make just compensation a prerequisite to taking property for public use. The requirement to pay just compensation "places a condition on the government's exercise of" the power to

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- The USE of the before-stated "tangible holding(s)" as endless "Cash Machine(s)"<sup>25</sup>; and
- Dividend(s) paid out-of principal; and
- Business Venture(s)<sup>26</sup>; and
- Corporate Officer(s) Benefit(s) and Bonus(s) and Incentive(s) and/or Exit Package(s)<sup>27</sup>; and

take private property in the first instance" (quote). First English Evangelical Lutheran Church of Glendale v. Los Angeles, 482 U.S. 304, 314 (1987), and that the text's "mandate that there shall be no taking's 'without just compensation'". (See, APP. No. 1, "there has been centuries of TAKING without *any* compensation").

<sup>25</sup> See, e.g., 31 U.S.C. §9103, and 31 U.S.C. §9107, and 31 U.S.C. §9108 (gov. obligations), and 31 U.S.C. §9110 (gov. bank'g), and 31 U.S.C. §325 (foreign end'mts). *I.e., including, not limited to* the MERSCORP HOLDINGS, INC., et al.; and FANNIE MAE, et al.; and FREDDIE MAC, et al.; and the FEDERAL RESERVE BANK, et al.; and the INTERNATIONAL MONETARY FUND, et al; and the WORLD BANK, et al. (*citing including, not limited to* TITLE 12 U.S.C., and TITLE 18 U.S.C., and TITLE 22 U.S.C.) by/through *including, not limited to* COSTCO WHOLESALE COPRORATION, et al.; and GENERAL MOTORS, et al; and FORD MOTOR COMPANY, et al.; and AMERICAN INTERNATIONAL GROUP, INC., et al.; and MICROSOFT, et al.; and WELLS FARGO, et al.; and the TENNESSEE VALLEY AUTHORITY, et al.; and JP MORGAN CHASE, et al., etc., etc.. (e.g., TAKEN Inheritance "totally devoid of any authority whatsoever"). RCW 48.31.151.

<sup>26</sup> See, e.g., 31 U.S.C. §9110, and 31 U.S.C. §9304 (*quoting* 31 U.S.C. §9108 (*citing* 31 U.S.C. §9705)).

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- Employee Benefit Package(s), etc., etc.

There is "no agreement"<sup>28</sup>. RCW 48.31.151. *Including, not limited to* COSTCO WHOLESALE CORPORATON, ""*et al.*"" has "no agreement" to Take and/or Unjustly Enrich anyone including themselves or, the general public, ""*et*

<sup>27</sup> See, RCW 48.31B.060 (citing 15 U.S.C. §78j-4) -----;

See, e.g., Kokesh v. SEC, 581 U.S., at 5 (2017) (citing Huntington v. Attrill, 146 U.S. 657, 667 (1892), A "penalty" is a "punishment, whether corporal or pecuniary, imposed and enforced by the State, for a crime or offen[s]e against its laws") (citing Brady v. Daly, 175 U.S. 148 (1899), a pecuniary sanction operates as a penalty only if it is sought "for the purpose of punishment, and to deter others from offending in like manner")); and, *Although:*

The Plaintiff's, ""*et al.*"" / Defendant's, ""*et al.*"" cannot make WHOLE (the afore-stated "Listed Person's", nor raise the dead), *there is/has been an enormous economic loss:* "The Securities and Exchange Act of 1934, 15 U.S.C. §78bb(a), awards actual damages as some form of economic loss (noting the "extent" of economic losses); Ryan v. Foster & Marshall, Inc., 556 F.2d 460, 464 (CA9 1977) (citing, Osofsky v. Zipf, 645 F.2d 107, 111 (CA2 1981), stating the purpose of §78bb(a) "is to compensate civil plaintiff's for economic loss suffered as a result of wrongs committed in violation of the 1934 Act") (citing, Herpich v. Wallace, 430 F.2d 792, 810 (CA5 1970), the "gist" of the action for damages under the Act is "economic injury"))).

<sup>28</sup> The "*Demand(s)*" 'are an order to tender satisfied', that to date no part thereof, has ever been met; but not a contract (there is no legally binding contract w/ the absence of authority (Quantum Meruit)) - See, e.g., Kingdomware Technologies, Inc. v. United States, 579 U.S. at 12 (2016) (quoting Chevron U.S.A. Inc. v. Natural Resources Defense Council, Inc., 467 U.S. 837, 843-844 (1984), establishing that the interpretation that an "order" is not a "contract").

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al."" (Quantum Meruit). The "Defendant's of APP. No. 1", have been doing, *as they please*, avoiding the "absolute absence of legality' in which they act". None of the above-mentioned unjust reward(s) (per se) are with (the afore-stated "Listed Person", No. 1) consent or, authority or, agreement<sup>29</sup>.

THEREFORE, *being absent any agreement*, THIS COURT must unwind its jurisdictional part thereof, taking particular care to cure "all" the fraud(s); and remedy (its part thereof) the "*Ex-Post-Facto Bill*" (APP. No. 1); and make the transfer(s).

**IV. FACTS:**

BLUNTLY, *as it's become necessary*: On September 11, 1963, (the afore-stated "Listed Person", No. 1) was anointed. It's she who possesses the 'ultimate sovereign authority' "*ex post facto*" (*foreign "and" domestic*)<sup>30</sup>; and its she who is the Church's "sovereign"<sup>31</sup> (noting, the "absolute deceit"). The secret of which was

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<sup>29</sup> See, e.g., RCW 48.31.151 (*quoting RCW 48.30.230* (false claim(s)/claimant(s)) (*citing FRCP 60(a), (b), (d)*), *triggering 9A.20 RCW* (felony(s))).

<sup>30</sup> See, Art. VI, Cl. 1, of the United States Constitution "Ex Post Facto Clause" and (the afore-stated "Listed Person", No. 1) "BITH[r] Sovereignty".

<sup>31</sup> See, the "Acts" of September 11, 1963 (*i.e., 9/11*).

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"intentionally" (emphasis on "intent") hidden as part thereof, the WATERGATE AGENDA of/by/for the DNC, et al. (*foreign "and" domestic*); or better known as, the "unauthorized" and *self-regulated* "'open-ended' Watering of GATE's, ""et al."''''''<sup>32</sup>.

Pursuant to 22 C.F.R. Part 172, (the afore-stated "Listed Person", No. 1) is this countries national security therefore, *disclosures must be made*. The STATE DEPARTMENT, et al. is/has been maintaining skip-dictators (per se) in "all" parts

<sup>32</sup> RCW 48.31.151 ("no" agreement or authority whatsoever); *and*:

FRCP 60(b)(3), (d)(2-3) "Consecutive" FRAUD(s), FORGERY(s), and IDENTITY THEFT(s) are "not" an agreement, nor legal authority, *citing* RCW 48.30.230, *triggering* 9A.20 RCW (felony(s)); *and as such*:

The "unauthorized" and "self-regulated" RICO Enterprising, *quoting* TITLE 18 U.S.C. specifically 18 U.S.C. §241; §242; §1957; §1958; §1959; §1960 (with conspiracy to commit varying acts of malice afore-thought(s)), *are/were*:

*See, e.g.,* United States v. Fernandez, 388 F.3d 1199, 1259 (9th Cir. 2004) (conspiracy to murder); *and* United States v. Marino, 277 F3d 11, 28-31 (1st. Cir.), *cert. denied*, 536 U.S. 948 (2002) (conspiracy to murder); *and* United States v. Pimentel, 346 F.3d 285, 303-04 (2d Cir. 2003), *cert. denied*, 543 U.S. 955 (2004) (attempted murder); *and therefore*,

*When giving jury instruction(s)*:

*In,* United States v. Dellacroce, 625 F. Supp. 1387, 1392 (E.D.N.Y. 1986), conspiracy can be a predicate act; *and*:

*In,* United States v. Persico, 621 F. Supp. 842, 856 (S.D.N.Y. 1985), conspiracy is a predicate and does not cause duplicity.

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of the world that, *in fact*, are part thereof (the afore-stated "Listed Person", No. 1) "*Inheritance(s) and Estate(s) and other*" (noting, the deliberate deception and out-right failure to disclose and/or disburse, *citing* 22 U.S.C. §2668(a) (*foreign and domestic*)).

"There is no immunity". Not only is/has (the afore-stated "Listed Person", No. 1) been since BIRTH<sup>33</sup> the "ultimate sovereign" (*foreign "and" domestic*); its she that is the Church's "sovereign" (anointed September 11, 1963<sup>34</sup>). The "deceit" and out-right failure to disclose and/or disburse is/has been costly *beyond anyone's imagination* (emphasis added).

That TRUST AGREEMENT (BP3019010) or, [any other] "Trust Indentures" (poss. plurals) are absent (the afore-stated "Listed Person", No. 1) authority, or knowledge, or consent<sup>35</sup>; and No. BP3019010 was reported produced by the "In-Law(s) from Hell": PAUL, SANDRA, and STEVEN HOWELL, et al.

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<sup>33</sup> *i.e.*, "Sovereign BIRTH[r] Rights".

<sup>34</sup> *i.e.*, "'9/11'".

<sup>35</sup> RCW 48.31.151, a product of "intentional" FRAUD, *citing* FRCP 60(b)(3), with (the afore-stated "Listed Person", No. 1) never made privy, *citing* FRCP 60(d)(2), and possibly (d)(3)??.

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(subsequent to the December 26, 1984, *pre-meditated* "HIT"<sup>36</sup> that brought about the first of, many consecutive life-altering injury(s) and "HIT(s)" (multiples) "*without any restitution*") (emphasis added to "without any") and as such "any and all" are FRAUDULENT "*totally devoid of 'any authority' whatsoever*"<sup>37</sup>, and therefore VOID AB INITIO<sup>38</sup>. FRCP 60(a), (b), (d).

<sup>36</sup> See, e.g., Anderson v. Minneapolis, St. P. & S. St. M. Railroad Co., 179 N.W. 45 (Minn. 1920), in the absence of the "In-Law(s) from Hell": PAUL, SANDRA, and STEVEN HOWELL, et al. in concert "*pre-meditated negligence(s)*", exercised with calculated and deliberate forethought, "no one" would have been injured; *and therefore*,

*The intent being:*

*In, United States v. Fernandez, 388 F.3d 1199, 1259 (9th Cir. 2004) (conspiracy to murder); and, United States v. Marino, 277 F.3d 11, 28-31 (1st Cir.), cert. denied, 536 U.S. 948 (2002) (conspiracy to murder) (quoting United States v. Pimentel, 346 F.3d 285, 303-04 (2d Cir. 2003), cert. denied, 543 U.S. 955 (2004) (attempted murder) of, "their own son" for, illicit gain stealing, citing RCW 48.30.230, which mandates 9A.20 RCW (felony(s)); and As established:*

*In, United States v. Persico, 621 F. Supp. 842, 856 (S.D.N.Y. 1985) (conspiracy is a proper predicate and does not cause duplicity) (citing United States v. Dellacroce, 625 F. Supp. 1387, 1392 (E.D.N.Y. 1986) (conspiracy can be a predicate act)).*

<sup>37</sup> FRCP 60(d)(2); and RCW 48.31.151 -----;

*See, e.g., Wash. Asphalt Co. v. Harold Kaeser Co., 51 Wn.2d 89, 91, 316 P.2d 126 (1957); and, Smyth Worldwide Movers, Inc. v. Whitney, 6 Wn. App. 176, 179, 491 P.2d 1356 (1971) (holding that "non-beneficiary agreements" are "not legally binding" - there is no stipulation or agreement that legally binds (the afore-stated "Listed Person", No. 1, who holds the 'ultimate sovereign authority' "ex post facto") (quoting RCW 48.31.151).*

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There simply is "no" agreement whatsoever<sup>39</sup>[.] RCW 48.31.151.

ABT. September 18, 2008, the WASHINGTON INSURANCE COMMISSIONER, SEC, and DOJ, *with the attendance* of HILARY RODHAM CLINTON, et al. and BILL GATES, et al. and the "general public, ""et al.""<sup>40</sup>

<sup>38</sup> FRCP 60(b)(3), (b)(4). See, e.g., 28 U.S.C. §3304(a)(2)(A-B) and 28 U.S.C. §3304(b)(1)(A) and 28 U.S.C. §3308.

<sup>39</sup> RCW 48.31.151, and RCW 48.30.230 (citing FRCP 60(b), (d)), triggering 9A.20 RCW, and TITLE 18 U.S.C.; and therefore, "As a Matter of Law:"  
In, City of Redmond v. Moore, 151 Wn.2d 664, 668, 91 P.3d 875 (2004); and, Isla Verde Intern. Holdings, Inc. v. City of Camas, 146 Wn.2d 740, 752, 49 P.3d 867 (2002), the Court concluded that "determination on statutory grounds circumvents the need for constitutional review"; and as such,  
When giving jury instruction(s), one should clearly articulate "the facts" that the "acts" of "unauthorized" TAKING(s) were all accompanied by recalcitrant, retaliatory acts in the attempt to including skirt the TAKERS crime(s); and that with precise "intent" brought about decades of calculated and premeditated life-altering injury(s), wrongful death(s) (multiple(s)), unlawful restraint(s), and unprecedented damage(s):  
The defendant(s) on counter suit, or those of ""APP. No. 1"" , cannot make whole (the afore-stated "Listed Person's", specifically ""No. 1-2"" , and ""No. 7"" ), as required "as a matter of law", nor have they made "any" fiscally conscious attempt whatsoever in 5.5 DECADES plus (++) ; DeNike v. Mowery, 69 Wn.2d 357, 358, 418 P.2d 1010, 422 P.2d 328 (1966) (required to make whole); see also, e.g., Phillips Medical Systems Intern. B.V. v. Bruetman, 8 F.3d 600 (7th Cir. 1993) (recalcitrant refusals warrant *Judgment As A Matter of Law* on all Issues (e.g., the consecutive notices and filings pursuant 5 U.S.C. §552a)).

<sup>40</sup> See, 5 U.S.C. §552a, quoting the U.S. 4th, 5th, and 6th Amendment's-----;

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(citing FRCP 60(b)(2)<sup>41</sup>) conducted *de-facto hearings* (i.e., statutory hearings),  
Case No. G08-0084<sup>42</sup> "totally devoid of notice upon this Owner/Heir/Authority" (a  
product of "illegal" government and corporate activity). Harris, 495 U.S., at 19  
(quoting United States v. Crews, 445 U.S. 463, 471, 100 S. Ct. 1244, 63 L. Ed.2d

*See, e.g., Kirby v. United States*, 174 U.S., at 48 (1899), *syllabus*, "any person (i.e., political  
or corporate) who shall embezzle, steal or purloin any money, property, record,  
voucher or valuable thing whatever of the moneys, goods, chattels, records or property  
of the United States (e.g., assets "not" belonging thereto, of the U.S. TREASURY, "et  
al.") shall be deemed guilty of felony, and on conviction thereof before the district or  
circuit court of the United States in the district wherein said offense may have been  
committed, or in which s/he shall carry or have in possession of said property., shall be  
punished therefore by imprisonment.....". RCW 48.30.230, triggering 9A.20 RCW (citing  
FRCP 60(b)), and TITLE 18 U.S.C....

<sup>41</sup> See also, 5 U.S.C. §552a.

<sup>42</sup> See, e.g., Rochin v. California, 342 U.S. 165, 167 (1952), reversed on cert., 341 U.S. 939  
(quoting Harris, 495 U.S. at 19) (quoting United States v. Crews, 445 U.S. 463, 471, 100 S.  
Ct. 1244, 63 L. Ed.2d 537 (1980), the "coercion within government entities" is in some  
sense the product of illegal government activity(s)); and as such:

In, Tower v. Glover, 467 U.S. 914, 922-23 (1984), the United States Supreme Court held  
that the government does not have a license to create immunities based solely on its  
view of sound policy; *in contempt*,

"The sound legal policies' are/have been Legislative Racketeering, citing RCW 48.31.151  
(quoting TITLE 18 U.S.C.), with the "Unauthorized TAKING of (the afore-stated "Listed  
Person No. 1) Inheritance(s) and Estate(s) bringing about the deliberate death(s) of the  
legitimate HEIR(s), citing 28 U.S.C. §1346(b), 2671-2680, and 28 U.S.C. §§1605-06,  
(quoting 28 U.S.C. §2674 ¶2).

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537 (1980)). Nonetheless, the hearings Case No. G08-0084 were performed for the sole purpose of "examining the "undisclosed" and "never dispersed" (*citing 22 U.S.C. §2668(a)*) "Inheritance(s) and Estate(s)" of (the afore-stated "Listed Person", No. 1). Agrilink Foods, Inc. v. Dep't of Revenue, 153 Wn.2d 392, 396, 103 P.3d 1226 (2005), an order of rehabilitation was entered<sup>43</sup>.

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<sup>43</sup> *Citing No. G08-0084* -----;

*See, e.g., In re Pers. Restraint of Cashaw*, 123 Wn.2d 138, 149, 866 P.2d 8 (1994), the Court held that a decision by a government agency that failed to comply with the agency's own rules and regulations is sufficient to show the "unlawfulness" of the restraint; *and as such, the agency has imposed "unlawful" restraint[s] by failing to comply with its own rules and regulations under TITLE 48 RCW:*

*In, Pearce v. Pearce*, 37 Wn.2d 918, 922-23, 226 P.2d 895 (1951), agency decision "that exceeds its statutory authority", and "is arbitrary, capricious, contrary to law, and in violation of constitutional principles" invokes judicial review (*quoting U.S. Const. Art. VI, Cl. 1*); *although*, the Bill cited as "APP. No. 1", is "*Ex Post Facto*":

Agency action of, September 18, 2008, No. G08-0084, did TRIGGER to the "entire bill" TITLE 48 RCW, including, not limited to: RCW 48.31.151, and RCW 48.31B.060, and as such:

*In, Bell v. New Jersey*, 461 U.S. 773, 778, 103 S. Ct. 2187, 76 L. Ed. 2d 312 (1983) (*citing 5 U.S.C. §704*), "agency action made reviewable by statute and final agency action 'for which there is no other adequate remedy' is subject to judicial review" (*quoting RCW 48.31.151, citing RCW 48.31B.060*); *therefore*,

*C.f., Connecticut Nat. Bank v. Germain*, 503 U.S. 249, 253-254 (1992) (citations and internal quotation marks omitted), "We have stated time and again that courts must presume that a legislature says in a statute what it means and means in a statute what it

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Those *de-facto hearings* automatically TRIGGERED Washington Insurance Statutes under TITLE 48 RCW<sup>44</sup>, to that *entire* "DEMAND(s)" and every ISSUE thereof ("APP. No. 1"), *including, not limited to* the unjust TAKEN "Inheritance(s) and Estate(s)".

A.) ABSENCE Of An AGREEMENT:

RCW 48.31.151. "No-One" has "ever" possessed an agreement to take possession of, distribute, or control, or manage, or sell insurance, or pay-out distribution(s) *particularly* to non-beneficiary(s), or pay-out dividend(s) *particularly* out-of principal, or pay-out settlement(s) *particularly* "to the ones"

says there. When the words of a statute are unambiguous, then, the first canon is also the last: judicial inquiry is complete" (Sacalia, J.).

<sup>44</sup> *Including, not limited to* RCW 48.31.151 and RCW 48.31B.060 and RCW 48.30.015(2) and RCW 48.30.230 (*citing* FRCP 60(b)) which trigger[ed] 9A.20 RCW -----; *See, e.g.,* Benesowitz v. MetLife, 2009 U.S. Dist. LEXIS 64269 (E.D.N.Y. 2009) (*citing* Hardt v. Reliance Standard Life Ins. Co., 130 S. Ct. 2149 (2010), the claim should be re-opened and paid);

*In accord:*

*In*, Herrera v. MetLife, 2011 U.S. Dist. LEXIS 145409 (S.D.N.Y. 2011), the Court denied the MetLife's attempt to get out of the case brought by the true beneficiary. MetLife paid the wrong person failing to undertake an appropriate investigation into the beneficiary's identity; and, the daughter had forged the beneficiary's signature) (*citing* Restatement (Second) of Torts §323 (1965) ("one who enters into service to another' is liable if "his failure to exercise reasonable care" increases the risk of physical harm"))).

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who deliberately inflicted the life-altering injury(s), or produce a "Slush Fund", or unjustly enrich themself(e)s and/or the public with (the afore-stated "Listed Person", No. 1)<sup>45</sup> ""Inheritance(s) and Estate(s) and Trust Account(s)", and/or Insurance Proceed(s), or Settlement(s)"; or that of, (the afore-stated "Listed

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<sup>45</sup> That would've required the participation of ROSEMARIE ELIZABETH ANNE (nee' VIKARA) Howell (sovereign heir, owner, and the anointed one), which has "never" occurred. -----;

See, e.g., Miranda v. Arizona, 384 U.S. 436, 539, 86 S. Ct. 1602, 16 L. Ed. 2d 694 (1966), "[T]he most basic function of any government:" "to provide for the security of the individual and her property" (citing the "doctrine of trespass ab intio", the "unauthorized" unjust enrichments (Quantum Meruit), are *considered a trespass*, the privileges TAKEN were abused causing harm to the "Sovereign Heir", et al.); and, *In the that failure to disclose and disburse BEFORE the life-altering injury(S) and wrongful death(S):*

In, Herskovits v. Group Health Cooperative of Puget Sound, 99 Wn.2d at 616, 884 P.2d 474 (1983) (Restatement (Second) of Torts §323 (1965)), provides that one who enters service to another is liable if "his failure to exercise reasonable care increases the risk of physical harm"(emphasis added) (citing, Bartlett v. New Mexico Welding Supply, Inc., 646 P.2d 579 (N.M. Ct. App. 1982), "Two or more individuals who act independently but whose acts cause a single indivisible tortuous injury are joint tortfeasors) (citing, Bierczynski v. Rogers, 239 A.2d 218 (Del. Super. Ct. 1968), "Acting in concert is the equivalent of being a criminal accessory or co-conspirator") (citing, Fruit v. Schreiner, 502 P.2d 133 (Alaska 1972), "[A] defendant may be jointly liable for the actions of another through vacarious liability, which 'automatically imposes tort responsibility' on a defendant because of his/her relationship with the wrongdoer")))).

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Person", No. 2) "Pension/Retirement Account(s), and Earned Income" particularly through fraudulent "unauthorized" tax filing(s)<sup>46</sup>. FRCP 60(b).

Pursuant to RCW 48.31.151 there is the "absence of any legally binding agreement"<sup>47</sup>. The "demand(s)" are an order to tender which *no part thereof*, has ever been satisfied (*See*, "APP. No. 1", *attached*).

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<sup>46</sup> Citing TITLE 26 U.S.C.

<sup>47</sup> RCW 48.31.151. Noting that Case No. G08-0084, was conducted by the government and its employees *including, not limited to* the WA. AG, and WA OIC, and DOJ, and SEC and the general public, ""*et al.*"" *with the attendance and "unauthorized" hand-outs of HILARY RODHAM CLINTON, ""et al. "" (citing FRCP 60(b)(2)) "totally devoid of any notification and/or authority" (citing FRCP 60(d)(2)) (absent notice), and as such:*

The GOVERNMENT, ""*et al.*"" Case No. G08-0084, was an "unauthorized" invasion for, the 'intended' purpose (no doubt) of preserving the government's Fraud (Trust Indenture No. BP3019010) (citing FRCP 60(b)(3)), which itself is "absent any authority whatsoever", *quoting* the "Contract Clause", Art. I, §10, Cl. 1, of the U.S. Const., *quoting* the "Substantive Due Process Clause" of the U.S. 5th, 6th, and 14th Amendment's, *quoting* the U.S. 4th and 5th Amendment's (Privacy Provisions), and 5 U.S.C. §552a;

*And as such:*

The TAKINGS and subsequent action(s) *are/have been an "'outrageous "intrusion'" of personal liberty:*

*In, Allgeyer v. Louisiana, 165 U.S. 578 (1897), the general right to make a contract in relation to business is part of the liberty of the individual protected by the "Due Process Clause" of the U.S. 14th Amendment (citing Twining v. State, 211 U.S. 78 (1908), "the words 'due process of law', as used in the 14th Amendment, are intended to secure the*

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Pursuant to RCW 48.31B.060, the ultimate holders are liable.

Pursuant to RCW 48.30.230, the false claim(s)/claimant(s) (*citing* FRCP 60(b)(3)) *triggers* 9A.20 RCW (felony(s)).

The Statutory intent that was TRIGGERED abt. September 18, 2008 (No. G08-0084):

The "absence of any legally binding agreement"<sup>48</sup> makes "APPENDIX 1" *past due and owing, interest accrued; and dictates that the wrongful transfer(s)*

individual from the arbitrary exercise of powers of government unrestrained by the established principles of private right and distributive justice"); *in accord* *In, Boyd v. United States*, 116 U.S. 616, 6 S. Ct. 524, 29 L. Ed. 746 (1886) (*citing Entick v. Carrington*, 19 How. St. Tr. 1029 (1765), the U.S. 4th and 5th Amendment liberties and security apply to "all" invasions on the part of the government and its employees); *nonetheless, in contemptuous preservation of fraud(s)*:

*In, Weeks v. United States*, 232 U.S. 383, 392 (1914), the government has openly defied the Constitutional prohibitions that are intended to protect against such "unauthorized" action(s); *and as such* (the afore-stated "Listed Person's") "Ex Post Facto Bill" (APP. No. 1) is **past due and owing**, *and therefore*:

*In, Marbury v. Madison*, 5 U.S. 137 at 163 (1803), "[T]he very essence of civil liberty consists in the right to claim protection of the laws whenever s/he receives an injury..... for the violation of a "vested right"" ("ex post facto", *see* APP. No. 1).

<sup>48</sup> RCW 48.31.151 (*citing* FRCP 60(b)(3), (b)(6) (*citing* Art. VI, Cl. 1, of the U.S. Const.), and FRCP 60(d)(2) (absence of notice)).

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should've long-ago been re-appropriated<sup>49</sup> (See, "APP. No. 1", at pg's 1-27)<sup>50</sup>, that includes, but does not limit the STATE DEPARTMENT, ""et al."" and/or Employee(s), ""et al."" and/or Affiliated Holder(s), ""et al."" and/or Affiliated Fiduciary(s), ""et al."" and/or the GENERAL PUBLIC, ""et al."" , citing 28 U.S.C. §1494<sup>51</sup>[.]

<sup>49</sup> RCW 48.31B.060. In, McDonald v. Williams, 174 U.S. 397 (1899), A suit may be brought to recover third party distributions; and In, City of Redmond v. Moore, 151 Wn.2d 664, 668, 91 P.3d 875 (2004); and, Isla Verde Intern. Holdings, Inc. v. City of Camas, 146 Wn.2d 740, 752, 49 P.3d 867 (2002), a determination on statutory grounds circumvents the need for constitutional review.

<sup>50</sup> In, United States v. Buser, 817 F.2d 1409, 1413 (9<sup>th</sup> Cir. 1987), "forfeiture is not limited to those assets that are tainted by the use....., but rather extends to the person's entire interest in the enterprise";

And as such:

In, United States v. BCCI Holdings (Luxembourg) S.A. (Petition of Pacific Bank), 956 F. Supp. 5, 12 (D.D.C. 1997), even untainted property received after the activity ceased is subject to forfeiture.....; and in compliance:

In, United States v. Hosseini, 504 F. Supp. 2d 376, 381 (N.D. Ill. 2007), "forfeiture of the entire business interest is not disproportional, even though some business was legitimate"; noting that:

In, United States v. Corrado, 227 F.3d 543, 554-55 (6<sup>th</sup> Cir. 2000), "all defendants" are jointly and severally liable "for the total amount" derived from the scheme.....

<sup>51</sup> See, e.g., 31 U.S.C. §736 ("unlimited \$\$") (citing 18 U.S.C. §872; §880; §1201; §1203; §1204; §1505; §1593A; §1595; §1956; §1957; §1958; §1959; §2236; §2323, quoting 18 U.S.C. §242) (citing Case No. G08-0084; and WA AG No. 16-6-01190-0, etc., etc.....);

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B.) The FAILURE To DISCLOSE:

That failure to disclose, *as is/was require*, which to date has "not" been performed *nor, any part thereof* pursuant to 22 U.S.C. §2668(a); and the failure to preserve [my/our] PRIVACY RIGHTS pursuant to 5 U.S.C. §552a has been expensive to (the afore-stated "Listed Person's"), and *those pre-deceased*<sup>52</sup>.

*And as such:*

*See, e.g., DeGuelle v. Camilli*, 664 F.3d 192 \*WL 6287913 (7th Cir. Dec. 15, 2011), the retaliatory acts are inherently connected to the failure to disclose and disburse (*citing 22 U.S.C. §2668(a)*); and failure to 'protect privacy rights' (*citing 5 U.S.C. §552a*); *and as such: In, Steele v. Title Realty Co.*, 478 F.2d 380, 384 (CA 10 1973), the resulting damages are not limited to out-of-pocket; *therefore one should note that:*

*In, Imbler v. Pachtman*, 424 U.S. 409, 417 (1976), "[e]very person' who acts under color of LAW to deprive another of a constitutional right is answerable to that person in a suit for damages".

<sup>52</sup> *See, e.g., 28 U.S.C. §1346(b), 2671-2680, and 28 U.S.C. §§1605-06, (quoting 28 U.S.C. §2674¶2), acts of which there is "no punishment" that is comparable to the suffering, loss, and terror imposed for, the self-serving ignorance and greed foreign & domestic) -----; In, Sossamon v. Texas*, 563 U.S. at 3 (2011) (Sotomayor, J., dissent) (*citing Madison v. Virginia*, 474 F.3d 118, 130 (CA4 2006) (creates a private cause of action) (*citing Benning v. Georgia*, 391 F.3d 1299, 1305 (CA11 2004) (waiver of sovereign immunity))); *In accord: In, Morgan v. Woessner*, 997 F.2d 1244, 1255 (9th Cir. 1993) (*citing Dang v. Cross*, 42 F.3d 800, 807 (9th Cir. 2005) (*citing Smith v. Wade*, 416 U.S. 30, 49 (1983) (*citing Monell v. New York City Dept. of Soc. Services*, 436 U.S. 658 (1978) (*citing City of Newport*, 453 U.S. at 254, the Defendant's have "'waived' their sovereign immunities foreign & domestic"')))); *and*

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C. The COURTS LIMITED JURISDICTION:

The Court's jurisdiction(s) subsequent to the "acts" of September 11, 1963, is/are limited to: (1) un-wind the "unauthorized" mess(s); and (2) remedy "all" the fraud(s); and (3) make certain the transfer(s) to ALPHA-OMEGA SOVEREIGN HOLDINGS.

V. LEGAL DIRECTIVE:

Pursuant to 5 U.S.C. §552a, YOU are required to *immediately* adhere to the LAW, *as follows*:

1.) Pursuant to 5 U.S.C. §552a(d)(2)(A), YOU have "**10 days to comply**" with (the afore-stated "Listed Person", No. 1) requests that have been submitted *including, not limited to*:

- No. 2015-119560 (U.S. CT., "FOIA" Appeal); and
- No. 2015-04715 (U.S. CT., OIP Appeal); and
- No. 16-6-01190-0 (Wash. State AG, Bob Ferguson); and
- No. AGO PRR-2016-00520-B1 through B10 (Wash. State)

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*In*, State Farm Mut. Auto. Ins. Co. v. Campbell, 538 U.S. 408, 425 (2003) (*quoting* Gore, 517 U.S. at 582), the particularly egregious acts and the total absence of "Due Process" awards greater damages (*citing* 18 U.S.C. §1958, and §1959 (*quoting* 28 U.S.C. §2674 ¶2)).

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The above-mentioned *in re*: Case No. Go8-0084, and all those of, APP. No. 1.

2.) Pursuant to 5 U.S.C. §552a(d)(1), YOU "must" provide (the afore-stated "Listed Person", No. 1) "**complete records**"<sup>53</sup>.

3.) Pursuant to 5 U.S.C. §552a(e), YOU "**may 'only' retain**" records of information that are relevant and necessary, "*all others 'must be' completely relinquished to* (the afore-stated "Listed Person", No. 1)".

5 U.S.C. §552a(e)(10); and §2(b), 88 Stat. 1986, "the purpose of this Act is to provide certain safeguards for an individual "against an invasion of personal privacy"<sup>54</sup>.

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<sup>53</sup> See, e.g., RCW 42.56.050, and RCW 42.56.070, and RCW 42.56.400 (1043-S.SL).

<sup>54</sup> General damages may recover for the injury of reputation, feelings, humiliation, and physical illness and pain, as well as estimated future damages of the same kind; 3 Restatement §621; see also, W. Prosser, Law of Torts §112 p. 761 (4th ed. 1971) -----; See, e.g., Seaton v. Sky Realty Co., 491 F.2d 634, 636-38 (CA7 1974), actual damages includes mental and emotional distress (*citing Thompson v. San Antonio Retail Merchants Assn.*, 682 F.2d 509, 513-14 (CA5 1982), "[e]ven when there is no out-of-pocket expenses, humiliation and mental distress do constitute recoverable elements of damage") (*citing Millstone v. O'Hanlon Reports, Inc.*, 528 F.2d 829, 834-35 (CA8 1976)), approving an award for damages for "loss of sleep, nervousness, frustration, and mental anguish") (*citing Reist v. Manwiller*, 231 Pa. Super. 444, 449, n.4, 332 A.2d 518, 520, n.4

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4.) Pursuant to 5 U.S.C. §552a(b), YOU "**cannot disclose**" any records by any means of communication to any person", *except with 'prior' written consent[.]*

There is "no" written consent[.]

(1974) (explaining that recovery for intentional emotional distress is allowed "despite the total absence of physical injury and actual damages")); *and*:

*In, Steele v. Title Realty Co.*, 478 F.2d 380, 384 (CA10 1973), damages are not limited to out-of-pocket; *and*:

*In, Carlson v. Green*, 446 U.S. 14, 22 (1980), punitive damages are awarded under 42 U.S.C. §1983 (civil rights violation(s)). *C.f.*, Section 1983, derived from §1 of the Civil Rights Act of 1871, 17 Stat. 13, creates a *private right of action to vindicate* violation of "rights, privileges, or immunities secured by the Constitution and laws" of the United States (*quoting Art. VI, Cl. 1*, of the U.S. Const. "*Ex Post Facto Clause*" of "Sovereign Immunity, Privileges, and 'vested' Rights"); *and because, said privileges, immunities, and rights have been trampled "for illicit profit"*:

*In, Nadler v. Crest Corp.*, 93 Idaho 744, 749, 472 P.2d 310, 315 (1970), awarding damages for "mental anguish" due to wrongful execution of a judgment(S) (multiples) (*See, "APP. No. 1"*, at pgs. 23-24, *attached* (noting, the lengthy list of consecutive FRAUD(s)); **and WA AG, BOB FERGUSON, ""et al.""**, **No. 16-6-01190-0 "intentional" FRAUD AGAIN** *in concert with the general public, ""et al.""* (*citing 5 U.S.C. §552a*; and U.S. 4th, 5th, 6th, and 8th Amendment's) facilitated by *an ongoing "unlawful restraint"* of (the afore-stated "Listed Person", No. 7), pursuant 28 U.S.C. §2254, §2243; *and in conclusion of those additional damages compounding daily, interest accrued*:

*In, Guzman v. Western State Bank of Devils Lake*, 540 F.2d 948, 953 (CA8 1976), stating that compensatory damages in a civil rights suit "can be awarded for emotional and mental distress even though no actual damages are proven" (*quoting 42 U.S.C. §1983, and 18 U.S.C. §241 (conspiracy against rights), §242 (deprivation of rights under color of law)). The privacy breaches unlawfully granted "the general public, ""et al."" are/have been/continue to be expensive (emphasis added).*

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5.) Pursuant to 22 U.S.C. §2668(a)<sup>55</sup>, YOU "were/are 'required" by LAW to disclose and disburse' long-before ""any"" of the life-altering injuries and malice afore-thought (emphasis added).

**VI. CONCLUSION:**

The guarantee to a Speedy Resolve *came and went* long-ago (*citing 18 U.S.C. §3161*). The failure to disclose and disburse (*citing 22 U.S.C. §2668(a)*), has caused "*Damage(s)*" of *unprecedented proportions*. The failure to preserve the privacy of the "Sovereign Heir, et al." (*citing 5 U.S.C. §552a*), has most certainly caused *un-foreseeable futuristic damages*, additional to that of, the STATE Of WASHINGTON, ""et al."" malice aforethought<sup>56</sup> and consecutive "for-profit"

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<sup>55</sup> 22 U.S.C. §2668(a), ""All monies" received by the Secretary of State from foreign governments and other sources, in trust for citizens of the United States or others, shall be deposited into the Treasury. The Secretary of State "shall determine the amounts due claimants, respectively, from each of such trust funds, and certify the same to the Secretary of Treasury, who shall, upon the presentation of the certificates of the Secretary of State, pay the amounts so found to be due". Each of the trust funds covered into the Treasury as aforesaid is appropriated for the payment to the ascertained beneficiary thereof, of the certificates provided for in this section"".

<sup>56</sup> *Citing 28 U.S.C. §§2242-45, quoting 18 U.S.C. §242; and §290; and §291; and §373, quoting RCW 48.30.230 (citing FRCP 60(b)), triggering 9A.20 RCW; and 18 U.S.C. §1201, citing 18 U.S.C. §1590 -----; See, e.g., Imbler v. Pachtman, 424 U.S. 409, 417 (1976),*

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incognito "unlawful restraint(s)" (Emphasis on "3"days)<sup>57</sup> (citing 28 U.S.C. §2254,  
issuance pursuant to 28 U.S.C. §2243 (citing, FRCP 6(b)(2), and FRCP 60(b)).  
Time creates damages and interest (emphasis on "3 days").

"[e]very person' who acts under color of LAW to deprive another of a constitutional  
right" is answerable to that person in a suit for damages; *and, holding that:*

*In re Pers. Restraint of Elmore*, 162 Wn.2d 236, 251, 172 P.3d 335 (2007) (citing *In re  
Hews*, 99 Wn.2d 80, 88, 660 P.2d 263 (1983), the constitutional errors have resulted a  
'complete miscarriage of justice'); *and as such:*

*In re Pers. Restraint Cook*, 114 Wn.2d 802, 813, 792 P.2d 506 (1990), "a demonstration of  
a constitutional error that gives rise to actual prejudice or a non-constitutional error that  
inherently results in a 'complete miscarriage' of justice grants the restraint eliminated"  
(citing *Tate v. Short*, 401 U.S. 395 (1971), *cert.*, 445 S.W.2d 210 (1969), *reversed on cert.*,  
399 U.S. 925 (1970) (citing *Williams v. Illinois*, 399 U.S. 235 (1970), the United States  
Supreme Court reversed finding the imprisonments were unconstitutional under the  
U.S. 8th Amendment)); *and,*

*In remedy of such unconstitutionality:*

*In, Brown v. Allen*, 344 U.S. 443, 458, 73 S. Ct. 397, 97 L. Ed. 469 (1953), the United States  
Supreme Court held the "all" federal constitutional rights have been incorporated  
through the Fourteenth Amendment Due Process Clause, and thereby applicable to the  
states (noting, the State of Washington's "absolute failure" to abide by the constitutional  
prohibitions).

<sup>57</sup> United States 8th Amendment "**forbidding cruel & unusual punishment**" and its  
**WRIT OF HABEAS CORPUS** pursuant to 28 U.S.C. §2254, require[s] **ISSUANCE in "3"**  
**days** pursuant to 28 U.S.C. §2243 (citing, FRCP 6(b)(2), and FRCP 60(b))-----;

Because it's not only (the afore-stated "Listed Person", No. 7) being held by the State Of  
Washington, ""et al."" incognito on a protracted "unlawful restraint"; **but also**, its (the  
afore-stated "Listed Person", No. 1) "Estate(s) and Inheritance(s)" that are BEING held

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incognito, therefore, WRIT Of HABEAS CORPUS is appropriate to PRODUCE  
"BOTH" / "ALL", See "APP. No. 1", attached (emphasis on "3 days"); and as such:  
In the name of "FREEDOM and JUSTICE and LAW and ORDER", the Court must Issue  
WRIT Of HABEAS CORPUS (Judgment As A Matter Of Law) on every Issues  
Presented (citing "APP. No. 1, attached"), because:

In, Boumediene v. Bush, 553 U.S. at 9 (2008) (quoting 9 W. Holdsworth, A History of English Law 112 (1926)), teaching that the writ of habeas corpus became the means by which the promise of MAGNA CARTA was fulfilled (quote). C.f., Art. 39, in Sources of Our Liberties 17 (R. Perry & J. Cooper eds. 1959), "No free man shall be taken or imprisoned or dispossessed, or outlawed, or banished, or in any way destroyed, nor will we go upon him/her....." (citing, Protestant Reformation and continuing therefrom). C.f., Youngstown Sheet & Tube Co. v. Sawyer, 343 U.S. 579, 635 (1952) (Jackson, J., concurring), "[T]he Constitution diffuses power the better to secure liberty" (quoting, Marbury v. Madison, 5 U.S. 137, at 163 (1803), "[T]he very essence of civil liberty consists in the right to claim protection of the laws whenever s/he receives an injury.....for the violation of a "vested right" (citing, Art. VI, Cl. 1, of the United States Constitution "Ex Post Facto Clause" (See, "APP. No. 1", attached)); and,

In, Koontz v. St. Johns River Management District, 570 U.S., at 6-7, 9 (2013) (quoting, Regan v. Taxation With Representation of Wash., 461 U.S. 540, 545 (1983) (citing, Perry v. Sindermann, 408 U.S., at 597 (1972), the Court explained that the government "may not deny a benefit to a person on a basis that infringes her/his constitutionally protected interests"); and,

In, Bram v. United States, 168 U.S. 532, 42 L. Ed. 568, 18 Sup. Ct. Rep. 183, 10 Am. Crim. Rep. 547 (1897) (citing, Boyd, supra), the U.S. 4<sup>th</sup> and 5<sup>th</sup> Amendments perpetuate humanity and civil liberties, by means of a constitutional provision, "free" from the possibility of future legislative change; and,

In compliance "As A Matter Of Law, Equity, Justice, Order":

In, Koontz v. St. John River Water Management District, 570 U.S., at 2 (2013), syllabus, (citing, United States v. American Library Assn., Inc., 539 U.S. 194, 210, P.p. 8-11 (2003), it is settled that the unconstitutional conditions doctrine applies even when the government threatens to withhold gratuitous benefit); and,

NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 41

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

FOR THE REASONS Set-Forth Herein, and those previously stated, THIS COURT must EXCLUDE (the afore-stated "Listed Person's") from the above-entitled Matter; and, GRANT the part thereof "APP. No. 1"<sup>58</sup> that resides under

*As applicable to the states:*

*In, Brown v. Allen, 344 U.S. 443, 458, 73 S. Ct. 397, 97 L. Ed. 469 (1953), the Supreme Court held that all federal constitutional rights have been incorporated through the Fourteenth Amendment Due Process Clause, and thereby applicable to the states; and BECAUSE:*

*The STATE(s) (multiples) is/are/have been **creating the liberty interests:***

*In, Hicks v. Oklahoma, 447 U.S. 343, 346, 100 S. Ct. 2227, 65 L. Ed.2d 175 (1980) (state created "liberty interest") (citing, Ballard v. Estelle, 937 F.2d 453, 456 (9th Cir. 1991), "the failure of the state to abide by its own statutory commands may implicate a liberty interest protected by the Fourteenth Amendment against arbitrary deprivation by a state"). THEREFORE, **WRIT OF HABEAS CORPUS is Just and Equitable** (citing, ""APP. No. 1"", attached).*

<sup>58</sup> *See, e.g., Maziarski v. Bair, 83 Wn. App. 835, 841 n.8, 924 P.2d 409 (1996) (citing Helfend v. Southern California Rapid Transit District, 465 P.2d 62 (Cal. 1970) (citing Restatement of Tort §902A) (quoting the "collateral source rule doctrine"), does not permit the reduction of debts)); and as such:*

*We've concluded that Case No. G08-0084 has Triggered Title 48 RCW, and therefore:*

*In, City of Redmond v. Moore, 151 Wn.2d 664, 668, 91 P.3d 875 (2004); and Isla Verde Intern. Holdings, Inc. v. City of Camas, 146 Wn.2d 740, 752, 49 P.3d 867 (2002), the Court established that a determination on statutory grounds circumvents the need for constitutional review; in conclusion,*

*In, Clark v. Capital Credit & Collection Servs., 460 F.3d 1162, 1174 (9th Cir. 2006) (citing Chaudhry v. Gallerizzo, 174 F.3d 394, 406 (4th Cir. 1999) (citing FDCPA §809, Validation of Debts, 15 U.S.C. §1692g, "Verification of a debt' requires nothing more than the debt*

NOTICE TO EXCLUDE

WITH

COUNTER CLAIM and CROSS CLAIM

And, attached CERTIFICATE OF SERVICE - 42

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

THIS COURTS JURISDICTION ("all" TRANSFERS to ALPHA-OMEGA SOVEREIGN HOLDINGS).

Dated this 21st day of September, 2017 in Vancouver, Washington

/s/ Rosemarie Elizabeth Anne (nee' VIKARA) Howell a/k/a Rose Howell  
Rosemarie Elizabeth Anne VIKARA Howell a/k/a Rose Howell  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA. 98664  
(360) 953-0798  
rosie.howl@gmail.com

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////APPENDIX 1-7, *attached.*

////Certificate Of Service, *attached.*

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collector confirming in writing that the amount being demanded is what the creditor is claiming owed")); *and now the question is how and how quickly:*

*In, DeNike v. Mowery, 69 Wn.2d 357, 358, 418 P.2d 1010, 422 P.2d 328 (1966), the Court established that the Defendant's are mandated to make the aggrieved person whole (although impossible).*

NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 43

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

APPENDIX Attached:

APPENDIX 1 - Summary of Demand(s), dated May 18, 2017, pgs. 1-27.

APPENDIX 2 - Letter, dated June 8, 2017, AGO PRR-2016-00520-B7, pgs. 1-6.

APPENDIX 3 - Letter, dated June 27, 2017, AGO PRR-2016-00520-B8, pgs. 1-3.

APPENDIX 4 - Letter, dated July 14, 2017, AGO PRR-2016-00520-B9, pgs. 1-3.

APPENDIX 5 - Letter, dated July 30, 2017, AGO PRR-2016-00520-B10, pgs. 1-4.

APPENDIX 6 - Petition Per Pauperis (filled out not yet filed), pgs. 1-2  
U.S. DIST. CT., DIST. Of COLUMBIA -  
*Rosemarie Elizabeth Anne (nee' VIKARA) Howell, et al.*  
*v. UNITED STATES Of AMERICA*

APPENDIX 7 - STATE Of CALIFORNIA FRANCISE TAX BOARD,  
Account No. 1205987015, Letter & attached Account  
Notice, pgs. 1-4.

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//// Certificate of Service, *attached.*

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NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 44

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

CERTIFICATE OF SERVICE

The undersigned, under the penalty of perjury of the laws of the State of Washington and the United States of America, hereby certifies that on 09/21/2017, this **NOTICE TO EXCLUDE With CROSS-CLAIM and COUNTER-CLAIM** was deposited in the United States Mail, postage pre-paid, as follows:

- 1.) U.S. DISTRICT COURT  
CENTRAL DISTRICT Of CALIFORNIA (2 qty.)  
SOUTHERN DIVISION  
Ronald Reagan Federal Bldg. & United States Courthouse  
Attn: Court Clerk  
411 West 4th Street, Room No. 1053  
Santa Ana, CA 92701-4516
- 2.) KIRKLAND COCONUT OIL SETTLEMENT  
C/O DAHL ADMIN.  
P.O. Box 3614  
Minneapolis, MN 55403-0614
- 3.) PAUL K. JOSEPH (plaintiff counsel)  
The LAW OFFICE Of PAUL K. JOSEPH, PC  
4125 W. Point Loma Blvd., No. 206  
San Diego, CA 92110  
*paul@pauljosephlaw.com*
- 4.) JACK FITZGERALD (plaintiff counsel)  
The LAW OFFICE Of JACK FITZGERALD, PC  
Hillcrest Professional Building  
3636 Fourth Ave., Suite 202  
San Diego, CA 92103  
JACK FITZGERALD; *jack@jackfitzgeraldlaw.com*  
TREVOR M. FLYNN; *trevor@jackfitzgeraldlaw.com*  
MELANIE PERSINGER; *melanie@jackfitzgeraldlaw.com*

NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 45

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

- 5.) FRANK J. BROCCOLO (defendant counsel)  
LAW OFFICE Of FRANK J. BROCCOLO  
7083 Hollywood Boulevard  
Suite 4014  
Los Angeles, CA 90028  
*frank@broccololaw.com*
- 6.) RICHARD QUINLAN, VP / Gen. Counsel  
LIBERTY MUTUAL HOLDING CO., INC.  
175 Berkeley Street  
Boston, MA 02116
- 7.) The EXECUTIVE OFFICE  
Office Of The Legal Adviser  
600 19th Street, N.W.  
Suite 5.600  
Washington, D.C. 20522
- 8.) ATTORNEY GENERAL Of The UNITED STATES  
United States Dept. of Justice  
Room 4400  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530
- 9.) U.S. SOLICITOR GENERAL  
U.S. Dept. Of Justice  
OFFICE Of The SOLICITOR GENERAL  
950 Pennsylvania Ave., N.W.  
Washington, D.C. 20530-0001
- 10.) The UNITED NATIONS  
Attn: Stephen Mathias  
Asst. Sec.-General For Legal Affairs  
UNITED NATIONS HEADQUARTERS  
405 East 42nd Street, Room No. S-3624  
New York, New York 10017

NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 46

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798



- 11.) FOREIGN CLAIMS SETTLEMENT COMM.  
U.S. Dept. Of Justice  
600 E Street, N.W.  
Suite 6002  
Washington, D.C. 20579
- 12.) U.S. COURT Of INTERN'L TRADE  
1 Federal Plaza  
New York, New York 10278-0001
- 13.) His Holiness, POPE FRANCIS  
c/o  
ARCHDIOCESE Of NEW YORK  
Legal Affairs  
Attn: James P. McCabe  
1011 First Ave., 11th Floor  
New York, New York 10022
- 14.) OFFICE Of The ATTORNEY GENERAL (e.g., Gov. Jerry Brown, ""et al.""---  
STATE Of CALIFORNIA & constituents, ""et al."" (i.e., the  
Public Records & Constituent Services the "general public, ""et al."""))  
P.O. Box 944255  
Sacramento, CA 94244-2550

The following afore-stated document served by EMAIL SERVICE 'only' on

September 21, 2017:

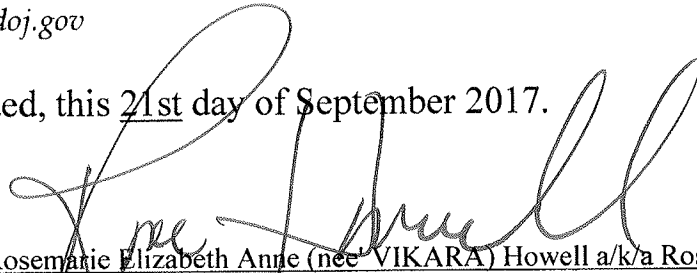
- 1.) William Mark Nebeker  
*mark.nebeker@usdoj.gov*
- 2.) Case View. ECF of the DOJ  
*CaseView.ECF@usdoj.gov*
- 3.) Reginald Rowan  
*reginald.rowan@usdoj.gov*
- 4.) Brian J. Field  
*brian.field@usdoj.gov*

NOTICE TO EXCLUDE  
WITH  
COUNTER CLAIM and CROSS CLAIM  
And, attached CERTIFICATE OF SERVICE - 47

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

5.) Joseph Finnigan  
joseph.finnigan@usdoj.gov

Dated, this 21st day of September 2017.



/s/ Rosemarie Elizabeth Anne (nee' VIKARA) Howell a/k/a Rose Howell  
Rosemarie Elizabeth Anne (nee' VIKARA) Howell a/k/a Rose Howell  
9504 NE 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798  
rosie.howl@gmail.com

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12 //APPENDIX 1-7, attached.

13 //Certificate Of Service, attached.

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20 NOTICE TO EXCLUDE  
21 WITH  
22 COUNTER CLAIM and CROSS CLAIM  
23 And, attached CERTIFICATE OF SERVICE - 48

ROSE HOWELL  
9504 N.E. 5<sup>th</sup> Street  
Vancouver, WA 98664  
(360) 953-0798

# APPENDIX 3



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**  
Social & Health Services Division  
PO Box 40124 • Olympia, WA 98504-0124 • (360) 586-6565

November 17, 2016

Rosemarie Howell  
9504 NE 5<sup>th</sup> Street  
Vancouver, WA 98664

RE: *In re the Detention of K.M.H.*  
**Pierce County Superior Court No. 16-6-01190-0**  
**Date of Incident: February 05, 2016**

Dear Rosemarie:

Because of your involvement in the above referenced case, your presence is requested at Pierce County Superior Court on the campus of Western State Hospital to testify to that involvement. Enclosed are directions to the location for this hearing and a subpoena for your attendance. It would be helpful if you could arrive by 10:30 AM to talk with the attorney on the case, Brett Jette.

The hearing is scheduled for **Tuesday, November 22, 2016, at 11:00 AM.** *However, as there is a possibility that the date and time of the hearing may change, please call Ross Preston at (360) 586-6524 upon receipt of this subpoena to confirm the date and time of the hearing.*

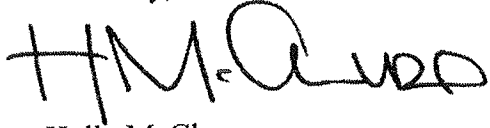
The State agrees to reimburse you a witness fee of \$10 for the day and mileage to and from the court at .54 cents per mile. Please sign and date the enclosed documents in the specified locations, including this letter. Give the signed letter W-9 form, the Statewide Payee Registration, and the A-19 Invoice Voucher, to the Assistant Attorney General at court. Include your round trip mileage where indicated.

ATTORNEY GENERAL OF WASHINGTON

Page 2

Thank you for your time and assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "H.M. McClure". The signature is written in a cursive style with a large, looped initial "H" and "M".

Holly McClure  
Legal Assistant

Enclosures

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Rosemarie Howell

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Date

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**STATE OF WASHINGTON  
PIERCE COUNTY SUPERIOR COURT**

In re the Detention of:

No. 16-6-01190-0

K.M.H.,

SUBPOENA

EDEN BEESLEY, Psy.D., and  
DANIEL RUIZ-PAREDES, M.D.,

Petitioners,

K.M.H.

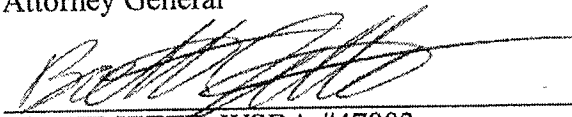
Respondent.

TO: Rosemarie Howell  
9504 NE 5<sup>th</sup> Street  
Vancouver, WA 98664

IN THE NAME OF THE STATE OF WASHINGTON, you are hereby commanded to appear in the Superior Court of the State of Washington for Pierce County, at Western State Hospital, 9601 Steilacoom Blvd SW, Tacoma, Washington, on **Tuesday, November 22, 2016 at 11:00 AM**, to testify as a witness in this case and to remain in attendance before the Court until discharged.

DATED this 17<sup>th</sup> day of November, 2016.

ROBERT W. FERGUSON  
Attorney General



BRETT JETTE, WSBA #47903  
Assistant Attorney General  
Attorneys for Petitioners

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**PROOF OF SERVICE**

I, *Holly McClure*, declare that on November 17, 2016, I served a copy of this

SUBPOENA document on


Rosemarie Howell  
9504 NE 5<sup>th</sup> Street  
Vancouver, WA 98664

as follows:

Via e-mail: rosie.howl@gmail.com

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 17 day of November 2016, at Tumwater, Washington.

  
\_\_\_\_\_  
HOLLY MCCLURE  
Legal Assistant



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**  
Social & Health Services Division  
PO Box 40124 • Olympia, WA 98504-0124 • (360) 586-6565

November 17, 2016

Brian Howell  
9504 NE 5<sup>th</sup> Street  
Vancouver, WA 98664

RE: *In re the Detention of K.M.H.*  
**Pierce County Superior Court No. 16-6-01190-0**  
**Date of Incident: February 05, 2016**

Dear Brian:

Because of your involvement in the above referenced case, your presence is requested at Pierce County Superior Court on the campus of Western State Hospital to testify to that involvement. Enclosed are directions to the location for this hearing and a subpoena for your attendance. It would be helpful if you could arrive by 10:30 AM to talk with the attorney on the case, Brett Jette.

The hearing is scheduled for **Tuesday, November 22, 2016, at 11:00 AM. However, as there is a possibility that the date and time of the hearing may change, please call Ross Preston at (360) 586-6524 upon receipt of this subpoena to confirm the date and time of the hearing.**

The State agrees to reimburse you a witness fee of \$10 for the day and mileage to and from the court at .54 cents per mile. Please sign and date the enclosed documents in the specified locations, including this letter. Give the signed letter W-9 form, the Statewide Payee Registration, and the A-19 Invoice Voucher, to the Assistant Attorney General at court. Include your round trip mileage where indicated.



ATTORNEY GENERAL OF WASHINGTON

Page 2

Thank you for your time and assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Holly McClure". The signature is stylized with a large, circular "O" and a long, sweeping underline.

Holly McClure  
Legal Assistant

Enclosures

\_\_\_\_\_  
Brian Howell

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**STATE OF WASHINGTON  
PIERCE COUNTY SUPERIOR COURT**

In re the Detention of:

No. 16-6-01190-0

K.M.H.,

SUBPOENA

EDEN BEESLEY, Psy.D., and  
DANIEL RUIZ-PAREDES, M.D.,

Petitioners,

K.M.H.

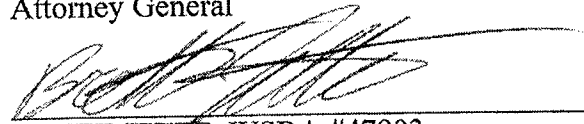
Respondent.

TO: Brian Howell  
9504 NE 5<sup>th</sup> Street  
Vancouver, WA 98664

IN THE NAME OF THE STATE OF WASHINGTON, you are hereby commanded to appear in the Superior Court of the State of Washington for Pierce County, at Western State Hospital, 9601 Steilacoom Blvd SW, Tacoma, Washington, on **Tuesday, November 22, 2016 at 11:00 AM**, to testify as a witness in this case and to remain in attendance before the Court until discharged.

DATED this 17<sup>th</sup> day of November, 2016.

ROBERT W. FERGUSON  
Attorney General



BRETT JETTE, WSBA #47903  
Assistant Attorney General  
Attorneys for Petitioners

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**PROOF OF SERVICE**

I, *Holly McClure*, declare that on November 17, 2016, I served a copy of this

SUBPOENA document on


Brian Howell  
9504 NE 5<sup>th</sup> Street  
Vancouver, WA 98664

as follows:

Via e-mail: rosie.howl@gmail.com

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 17 day of November 2016, at Tumwater, Washington.

  
\_\_\_\_\_  
HOLLY MCCLURE  
Legal Assistant

# APPENDIX 4



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**  
Social & Health Services Division  
PO Box 40100 • Olympia, WA 98504-0100 • (360) 586-6565

November 21, 2016

Rosemarie Howell  
9504 NE 5th Street  
Vancouver, WA 98664

RE: *In re the Detention of K.M.H.*  
**Pierce County Superior Court No. 16-6-01190-0**

Dear Ms. Howell:

I am the Assistant Attorney General representing Western State Hospital in the above referenced matter. I want to begin by thanking you for your cooperation in this matter. I know both you and your husband have spoken with Mr. Preston regarding this matter on a number of occasions and have provided him with statements about the case. Again, I want to thank you for your cooperation. On Thursday, November 17, 2016, both you and your husband were provided with subpoenas, signed by me, for your attendance at a hearing on this matter set for November 22, 2016. The matter has been resolved and a hearing will not be conducted on November 22, 2016. Please consider this letter as your notice that your attendance is no longer required. Your cooperation in this matter has been greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett M. Jette", written over a horizontal line.

**BRETT M. JETTE**  
Assistant Attorney General

BMJ/BTC



**Bob Ferguson**  
**ATTORNEY GENERAL OF WASHINGTON**  
Social & Health Services Division  
PO Box 40100 • Olympia, WA 98504-0100 • (360) 586-6565

November 21, 2016

Brian Howell  
9504 NE 5th Street  
Vancouver, WA 98664

RE: *In re the Detention of K.M.H.*  
**Pierce County Superior Court No. 16-6-01190-0**

Dear Mr. Howell:

I am the Assistant Attorney General representing Western State Hospital in the above referenced matter. I want to begin by thanking you for your cooperation in this matter. I know both you and your wife have spoken with Mr. Preston regarding this matter on a number of occasions and have provided him with statements about the case. Again, I want to thank you for your cooperation. On Thursday, November 17, 2016, both you and your wife were provided with subpoenas, signed by me, for your attendance at a hearing on this matter set for November 22, 2016. The matter has been resolved and a hearing will not be conducted on November 22, 2016. Please consider this letter as your notice that your attendance is no longer required. Your cooperation in this matter has been greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett M. Jette", with a long horizontal flourish extending to the right.

BRETT M. JETTE  
Assistant Attorney General

BMJ/BTC

# APPENDIX 5

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**FILED**  
**FEB 09 2016**  
10:20  
Scott G. Weber, Clerk, Clark Co.

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

STATE OF WASHINGTON,  
Plaintiff,  
vs.  
KYLE MICHAEL HOWELL,  
Defendant

No. 16-1-00311-7

ORDER TO EXAMINE DEFENDANT FOR  
COMPETENCY PURSUANT TO RCW  
10.77

ORDER FOR TRANSPORT TO  
WESTERN STATE HOSPITAL

THIS MATTER having come before the Court on the Motion of DEFENDANT, alleging a reason to doubt the defendant's competence, and the Court being duly advised, now, therefore, IT IS HEREBY

ORDERED, under the authority of RCW 10.77.060, that the defendant KYLE MICHAEL HOWELL, who is charged with the crime(s) of ASSAULT IN THE SECOND DEGREE, ASSAULT IN THE SECOND DEGREE, be examined by a qualified expert or professional person, who shall be approved by the prosecuting attorney. The examination may include psychological and medical tests and treatment, and shall be completed as specified below:

DEVELOPMENTAL DISABILITIES PROFESSIONAL: The court has been advised by a party to the proceedings that the defendant may be developmentally disabled and hereby orders that the expert qualify as a developmental disabilities professional.



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2 **PLACE OF EXAMINATION**

3  A. PRELIMINARY EXAMINATION AT CLARK COUNTY JAIL, IT IS HEREBY  
4 ORDERED that the examination shall take place in the Clark County Jail. If the evaluator  
5 determines that the examination should take place at Western State Hospital, the Clark  
6 County Sheriff's Department shall transport the defendant to Western State Hospital for a  
7 period of confinement not to exceed fifteen days from the time of admission to the hospital.  
8 At the end of such period of examination and testing the defendant shall be returned to the  
9 custody of the Clark County Jail. The report is to be submitted to this Court in writing within  
10 two working days following the final evaluation of the defendant, unless the Court grants  
11 further time. If the defendant is released from jail prior to the examination, the defendant  
12 shall contact the staff at Western State Hospital at (253) 761-7565 within the next working  
13 day following his/her release from jail to schedule an appointment for examination at a  
14 facility.

15  In the event the defendant is committed to the hospital for evaluation, all parties  
16 agree to waive the presence of the defendant or to his/her remote participation at a  
17 subsequent competency hearing or the presentation of an agreed order if the  
18 recommendation of the evaluator is for continuation of the stay of criminal proceedings  
19 or if the defendant remains incompetent and there is no remaining restoration period,  
20 and the hearing is held prior to the expiration of the authorized commitment period.

21  B. PRELIMINARY EVALUATION OUT OF CUSTODY. HAVING DETERMINED  
22 THE DEFENDANT IS OUT OF CUSTODY, IT IS HEREBY ORDERED that the defendant  
23 and/or his/her attorney shall contact the staff at Western State Hospital at (253) 761-7565  
24 within the next working day following the date of this order to schedule an appointment for  
25 examination at a facility. The examination shall occur, and the report submitted to this Court,  
26 within twenty-one days of the receipt of the order, the charging documents and the discovery  
27 by Western State Hospital, unless the Court grants further time.

28  C. PRELIMINARY EVALUATION AT WESTERN STATE HOSPITAL. HAVING  
29 DETERMINED THAT ONE OF THE FOLLOWING FACTORS ARE PRESENT, IT IS

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HEREBY ORDERED that the competency evaluation is to occur at Western State Hospital and the defendant is hereby committed to the care of the Division of Social and Health Services for up to fifteen days from the date of admission to the hospital. Following examination the defendant is to be returned to the Clark County Jail for further proceedings in this matter. The report shall be furnished to the Court within two working days following the final evaluation of the defendant.

The Court may order the defendant to Western State Hospital without a preliminary assessment at the Clark County jail only if one or more of the following criteria are met:

[ ] 1. The defendant is charged with murder in the first degree or murder in the second degree;

[ ] 2. The court finds that it is more likely than not that an evaluation in the jail will be inadequate to complete an accurate evaluation; or

[ ] 3. The court finds that an evaluation outside the jail setting is necessary for the health, safety, or welfare of the defendant.

HAVING DETERMINED THAT THE PRELIMINARY EVALUATION SHOULD BE CONDUCTED AT WESTERN STATE HOSPITAL, IT IS FURTHER ORDERED that the Clark County Sheriff's Department shall transport the defendant to Western State Hospital for the purposes set forth above in section C, and at the end of such period of examination and testing return the defendant to the custody of the Clark County Jail to be held pending further proceedings against the defendant.

IT IS FURTHER ORDERED that the staff of Western State Hospital shall file the report with the undersigned Court, and provide copies to the Prosecuting Attorney, Defense Counsel and others as designated in RCW 10.77.060 and 10.77.065. The report of the examination shall include the following pursuant to RCW 10.77.060:

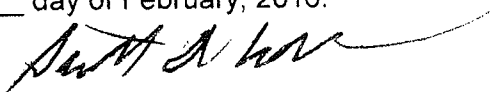
1. A description of the nature of the evaluation.
2. A diagnosis or description of the current mental status of the defendant.
3. An opinion as to the defendant's competency.
4. An opinion as to whether the defendant should be examined by a County Designated Mental Health Professional under RCW 71.05.

1 IT IS FURTHER ORDERED that the staff of Western State Hospital is granted access  
2 to the defendant's medical records, whether they are located at the Clark County Jail, at  
3 Western State Hospital or any other clinic or hospital for the purpose of conducting the  
4 examination.

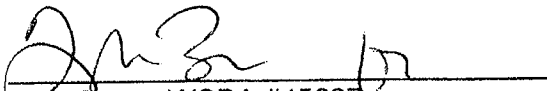
5 IT IS FURTHER ORDERED that this action be stayed during the examination period  
6 and until this Court enters an order finding the defendant competent to proceed.

7 This matter shall be brought before the Court again for review on 2-23-16 9:00am

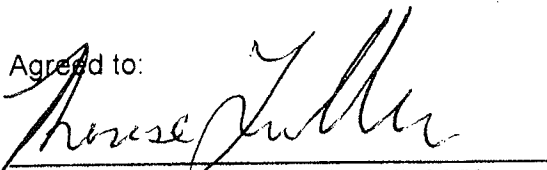
8 DONE IN OPEN COURT this 9 day of February, 2016.

9   
10 \_\_\_\_\_  
11 THE HONORABLE SCOTT A. COLLIER  
12 JUDGE OF THE SUPERIOR COURT

13 Presented by:

14   
15 John Parra, WSBA #45627  
16 Deputy Prosecuting Attorney 17607

17 Agreed to:

18   
19 Therese M. Lavalley, WSBA #16350  
20 Attorney for Defendant

# APPENDIX 6

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**FILED**  
**FEB 26 2016**  
9:48  
Scott G. Weber, Clerk, Clark Co.

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

STATE OF WASHINGTON,  
Plaintiff,  
v.  
KYLE MICHAEL HOWELL,  
Defendant.

No. 16-1-00311-7

ORDER OF COMMITMENT TO  
RESTORE COMPETENCY,  
PURSUANT TO RCW 10.77.086

\*16-1-00311-7\*

THIS MATTER having come before the Court following the determination by the Court that the defendant is incompetent to stand trial in the above-entitled action, and the court being in all things duly advised, now, therefore,

(1)(a) HAVING FOUND THAT THE DEFENDANT IS CHARGED WITH A CLASS A FELONY OR WITH A CLASS B FELONY THAT IS CLASSIFIED AS A VIOLENT OFFENSE UNDER RCW 9.94A.030, IT IS HEREBY ORDERED that the defendant, KYLE MICHAEL HOWELL, be committed to Western State Hospital for a period not to exceed ninety (90) days without further order of the court and there undergo evaluation and treatment to restore defendant's competency to proceed to trial; OR

(1)(b) HAVING FOUND THAT THE DEFENDANT IS CHARGED WITH A CLASS C FELONY OR WITH A CLASS B FELONY THAT IS NOT CLASSIFIED AS A VIOLENT OFFENSE UNDER RCW 9.94A.030, IT IS HEREBY ORDERED that the defendant, KYLE MICHAEL HOWELL, be committed to Western State Hospital for a period not to exceed forty-five (45) days without further order of the court and there undergo evaluation and treatment to restore defendant's competency to proceed to trial.

IT IS FURTHER ORDERED that the staff of Western State Hospital shall report to the undersigned court in the manner specified in RCW 10.77 as to whether the defendant has regained competency. The staff is further required to give an opinion as to whether further examination, testing and treatment is required.

ORDER - 1

SJ/DV

DOMESTIC VIOLENCE PROSECUTION CENTER  
PO BOX 1995  
VANCOUVER, WASHINGTON 98668-1995  
(360) 487-8530  
FAX: (360) 487-8531

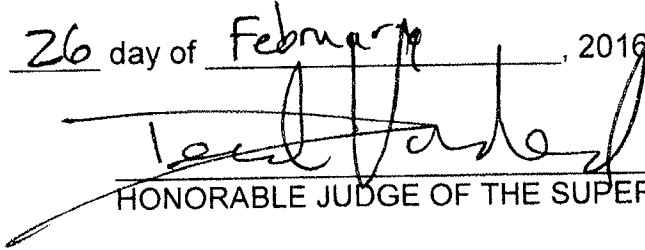
1  
2 If the defendant is charged with a Class A felony or with a Class B felony that is  
3 classified as a violent offense, then the report shall be submitted in writing to this court  
4 within ninety (90) days of the date of this order, unless further time is requested. If the  
5 defendant is charged with a Class C felony or with a Class B felony that is not classified  
6 as a violent offense then the report shall be submitted in writing to this court within forty-  
7 five (45) days of the date of this order, unless further time is requested. Copies of the  
8 report shall be sent to the Prosecuting Attorney, the defense counsel, and the jail  
9 physician; and,

10 IT IS FURTHER ORDERED that upon completion of said ninety (90) days or said  
11 forty-five (45) days period of evaluation and treatment, or when defendant has regained  
12 competency, whichever occurs first, the defendant shall be returned to the custody of  
13 the Sheriff of Clark County, to be held pending further proceedings herein, but


- 14  in no event later than ninety (90) days; or  
15  in no event later than forty-five (45) days from this date.

16 IT IS FURTHER ORDERED that this matter will be brought before the Court on  
17 or before the expiration of the initial commitment period outlined above for a hearing to  
18 determine whether or not the defendant is incompetent.


19 DONE in Open Court this 26 day of February, 2016.

20   
21 \_\_\_\_\_  
22 HONORABLE JUDGE OF THE SUPERIOR COURT

23 Presented by:

24   
25 \_\_\_\_\_  
26 John Farra, WSBA #45627  
27 Deputy Prosecuting Attorney

28 Approved as to form this 26  
29 day of February, 2016.

30   
31 \_\_\_\_\_  
32 Therese M. Lavalley, Attorney for Defendant  
33 1104 Main Street  
34 Suite 620  
35 Vancouver WA 98660  
36 (360) 750-5607

# APPENDIX 7

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m  
CCS ②

**FILED**  
FEB 26 2016  
9:49  
Scott G. Weber, Clerk, Clark Co

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

STATE OF WASHINGTON,

No. 16-1-00311-7

Plaintiff,

MOTION AND ORDER TO  
TRANSPORT PRISONER

v.

\*16-1-00311-7\*

KYLE MICHAEL HOWELL,

Defendant.

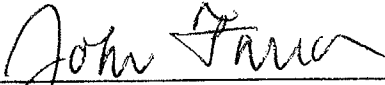
MOTION

COMES NOW John Farra, Deputy Prosecuting Attorney for Clark County, State of Washington, and does by this move the Court for an Order directing that the above-named defendant be transported from Clark County Law Enforcement Center Jail, by authorized representatives at the earliest opportunity to the custody of Western State Hospital in Tacoma, Washington, for purposes of a

90-day commitment to restore competency; or a

45-day commitment to restore competency.

DATED this 26 day of February, 2016.

  
\_\_\_\_\_  
John Farra, WSBA #45627  
Deputy Prosecuting Attorney



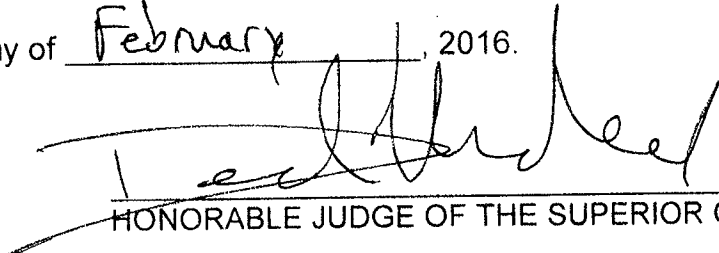
ORDER

THIS MATTER having come before the Court on the above Motion and the Court being fully advised in the premises, now, therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the above-named defendant be transported from Clark County Law Enforcement Center Jail, by authorized representatives to the custody of Western State Hospital in Tacoma, Washington, at the earliest opportunity for purposes of a

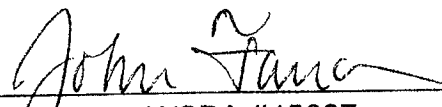
- 90-day commitment to restore competency; or a
- 45-day commitment to restore competency.

DATED this 26 day of February, 2016.



HONORABLE JUDGE OF THE SUPERIOR COURT

Presented by:



John Farra, WSBA #45627  
Deputy Prosecuting Attorney

# APPENDIX 8

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

STATE OF WASHINGTON,

Plaintiff,

v.

Kyle Michael Howell  
Defendant.

No. 16-1-00311-7

**ORDER TO RESCIND**

- PRE-ARRAIGNMENT
- POST-ARRAIGNMENT
- POST-CONVICTION
- DOMESTIC VIOLENCE
- HARASSMENT

**NO-CONTACT ORDER  
CLERK'S ACTION REQUIRED**

THIS MATTER came before the Court upon the State of Washington's Motion for an Order to Rescind  Pre-Arraignment;  Post-Arraignment;  Post-Conviction;  Domestic Violence  Harassment No-Contact Order filed on 2/8/16. The Court having considered the motion and supporting documentation and otherwise being fully informed regarding this matter, NOW IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

The  Pre-Arraignment;  Post-Arraignment;  Post-Conviction;  Domestic Violence  Harassment No-Contact Order filed on 2/8/16 in Case No./Report No. 16-1-00311-7 is now rescinded as of this date.

The Clerk of the Court shall transmit a certified copy of this Order to Clark County Sheriff's Office Records Department.

DATED THIS 26 day of Oct., 2016.

[Signature]  
SUPERIOR COURT JUDGE

Presented by:

[Signature]  
John Farver, WSBA # 45627  
Deputy Prosecuting Attorney

ORDER TO RESCIND  
(05/2015)

DOMESTIC VIOLENCE PROSECUTION CENTER  
PO BOX 1995  
- VANCOUVER, WASHINGTON 98666-1995  
(360) 487-8530  
(360) 487-8531 (FAX)

26

# APPENDIX 9

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cc: mail

WSH & PA

**FILED**

**OCT 26 2016**

Scott G. Weber, Clerk, Clark Co

10.29

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

STATE OF WASHINGTON,  
Plaintiff,  
vs.  
KYLE MICHAEL HOWELL,  
Defendant


No. 16-1-00311-7

MOTION AND ORDER FOR DISMISSAL BY  
REASON OF INCOMPETENCY AND EVALUATION  
BY DESIGNATED MENTAL HEALTH  
PROFESSIONAL



COMES NOW, John Farra, Deputy Prosecuting Attorney, and moves the Court for an order dismissing the above entitled action without prejudice on the grounds that the defendant, after a second 90-day period of evaluation and treatment at Western State Hospital, remains incompetent to assist in his own defense and is unlikely to regain competency, and for an order committing the defendant to the custody of the Department of Social Health Services for an evaluation by a Designated Mental Health Professional.

DATED this 26 day of October, 2016

  
\_\_\_\_\_  
John Farra, WSBA #45627  
Deputy Prosecuting Attorney

ORDER

THIS MATTER having come on regularly for hearing on \_\_\_\_\_, on the motion of John Farra, Deputy Prosecuting Attorney, with the defendant and his attorney, Therese M. Lavallee, being present, and the court having heard from both parties, and having reviewed the reports of \_\_\_\_\_, dated \_\_\_\_\_, and \_\_\_\_\_, setting forth his findings with the assistance of other Western State Hospital staff, including other medical professionals, regarding the competency of the defendant, the court,

HEREBY FINDS that KYLE MICHAEL HOWELL is incompetent to proceed to trial and that there is no substantial probability that he will regain competency within a reasonable time:

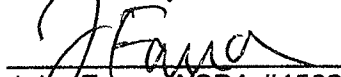
AND THEREFORE it is hereby ORDERED:

1.  That the above entitled action is hereby dismissed without prejudice pursuant to RCW 10.77.086(4).
2.  That the Designated Mental Health Professional shall examine the defendant within ~~forty-eight~~ <sup>seventy-two</sup> hours of this order for purposes of determining whether defendant presents a likelihood of serious harm or is gravely disabled, pursuant to RCW 71.05.235.
3.  That the defendant is hereby remanded to the custody of the Clark County Sheriff to be detained, transported, and delivered to the custody of the Designated Mental Health Professional for evaluation.
4.  That bail is hereby exonerated

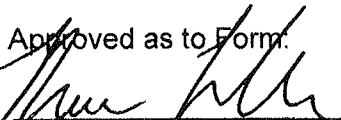
DONE IN OPEN COURT this 26 day of October, 2016.

  
\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

Presented by:

  
\_\_\_\_\_  
John Farra, WSBA #45627  
Deputy Prosecuting Attorney

Approved as to Form:

  
\_\_\_\_\_  
Therese M. Lavallee, WSBA # 16350  
Attorney for Defendant

# APPENDIX 10

CSO

FILED

2016 NOV -2 PM 2:54

SCOTT G. WEBER, CLERK  
CLARK COUNTY

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

STATE OF WASHINGTON,  
Plaintiff,

vs.

KYLE MICHAEL HOWELL,  
Defendant.

No. 16-1-00311-7

Amended Findings, Conclusions, and  
Order Dismissing Felony Charges and  
Directing Civil Commitment Evaluation  
(ORDSMWO, ODIVTE)

Clerk's Action Required: para 6

Introduction

- By agreement of the parties.
- After notice and a hearing on the Defendant's competency following:
  - the competency evaluation,
  - restoration efforts by the Department of Social and Health Services (DSHS),
 the court considered:
  - The report of the competency Evaluator who is a "professional person" as defined in RCW 10.77.010.
  - The reports previously filed by Western State Hospital, 7/12/16 and 2/16/16 and the current report of Western Hospital, 10/20/16 state
  - Other \_\_\_\_\_

The court makes the following findings of fact and conclusions of law:

Findings of Fact

1. **Competency to stand trial.** As a result of mental disease or defect, the Defendant lacks the capacity to:
  - understand the nature of the proceedings against him/herself.
  - assist in his/her own defense.

The Defendant is not competent to stand trial.

Findings, Conclusions, Order Dismissing (ORDSMWO, ODIVTE) Page 1 of 2  
Felony Charges and Directing Civil  
Commitment Evaluation  
MP 260 (12/2015) RCW 10.77.084 .086

.IS



2. Restorability.

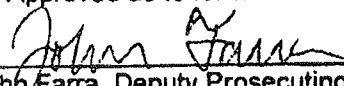
- The Defendant is unlikely to regain competency in the allowable period of treatment.
- The Defendant has undergone competency restoration treatment.
  - Defendant is unlikely to regain competency.
  - The period of treatment has ended and Defendant's competency has not been restored. Further treatment is not likely to restore competency.

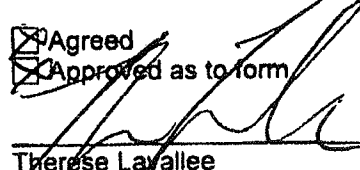
3. Felony Charge. The Defendant is charged with: Assault in the Second Degree (Domestic Violence) and Assault in the Second Degree (Domestic Violence) felonies.

The Court Orders:

- 6. Dismissal Without Prejudice. This case is dismissed without prejudice.
- 7. Commitment for Civil Commitment Evaluation. The Defendant is committed to the state hospital for up to 72 hours for evaluation for the purpose of filing a civil commitment petition under 71.05 RCW. The 72 hours starts from admission to the facility, but excludes Saturdays, Sundays, and holidays.
- 8. Remand to Custody for Sheriff for Transportation and Delivery. The Defendant is remanded into the custody of the Clark County Sheriff to be detained, transported, and delivered to the State Hospital. The Defendant may be held in the County Jail no longer than 7 days before being transported to the state hospital.

Dated Nov. 2, 2016   
THE HONORABLE  
Judge of the Superior Court

Agreed  
 Approved as to form  
  
John Farra, Deputy Prosecuting Attorney  
Deputy Prosecuting Attorney  
WSBA No. 45627

Agreed  
 Approved as to form  
  
Therese Lavalley  
Attorney for the Defendant  
WSBA No. 16350

# APPENDIX 11

AS

**FILED**

**JUN 30 2017**

11:19

Scott G. Weber, Clerk, Clark Co.

**State of Washington**  
**Department of Social and Health Services**  
Western State Hospital, Medical Records Department  
9601 Steilacoom Blvd SW Lakewood, WA 98498-7213

**Notice of Release, Discharge or Death**

**Effective Date: 06/06/2017**

This is to inform you of the change in status of patient HOWELL, KYLE  
Date of birth 12/04/1992

who was committed to Western State Hospital on 04/18/2016

by order of the Superior Court of Clark Co. Washington, Order Number 16-1-00311-7 ✓  
by order of the Superior Court of Pierce Co. Washington, Order Number 16-6-01190-0

**Status Change:**

- Released** from medical authority and legal commitment
- Discharged** from Western State Hospital.  
**Status at discharge:** Any legal commitment shown above remains in effect.  
Expiration date if applicable: 11/05/2017  
 Conditional Release / Less Restrictive Alternative,  Forensic CR,  Unauthorized Absence,  
 Medical Leave,  Return to confinement  
**Transfers:**  
 Transferred to Other State Facilities:  
 Transferred to Other Facility:
- Death** while in residence at Western State Hospital

This notice is pursuant to applicable laws of the State of Washington concerning Mental Health and State Institutions. Questions regarding this notice should be directed to the HIMS Manager, Western State Hospital, 253. 761. 3323

Distribution: Court Clerk, CDMHP/RSN Patient Next of Kin Medical Record

WSH Form 23-26 (01/17)