

# THE SUPREME COURT

STATE OF WASHINGTON

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July 12, 2023

## LETTER SENT BY E-MAIL

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Hon. Barbara Miner, Clerk  
**(sent by U.S. mail only)**  
King County Superior Court  
516 3rd Avenue, Room E609  
Seattle, WA 98104-2361

Re: Supreme Court No. 102174-7 - Washington Election Integrity Coalition et al. v. Julie Wise et al.  
King County Superior Court No. 21-2-12603-7

Clerk and Counsel:

Pursuant to RAP 5.4, the King County Clerk forwarded to this Court a copy of the "NOTICE OF APPEAL TO THE WASHINGTON SUPREME COURT", which was filed in the King County Superior Court on July 11, 2023. The appeal has been assigned the above referenced Supreme Court cause number.

The following schedule sets forth the time requirements for completing the record on review and the filing of briefs pursuant to the Rules of Appellate Procedure (RAP):

1. STATEMENT OF GROUNDS FOR DIRECT REVIEW:  
Within 15 days after filing the notice of appeal, the Appellants must serve on all other parties and file with the Clerk of this Court a statement of grounds for direct review. A Respondent may file an answer to the statement of grounds for direct review with the Clerk of this Court within 14 days of service of the statement on the Respondent. (RAP 4.2).
2. DESIGNATION OF CLERK'S PAPERS:  
Within 30 days after the notice of appeal was filed in the trial court, the Appellants must serve on all other parties and file with the trial court clerk and

with the Clerk of this Court a designation of those clerk's papers and exhibits the party wants the trial court clerk to transmit to this Court. Any party may supplement the designation of clerk's papers and exhibits prior to or with the filing of the party's last brief. (See RAP 9.6)

3. STATEMENT OF ARRANGEMENTS FOR VERBATIM REPORT OF PROCEEDINGS:

If the Appellants intend to provide a verbatim report of the proceedings, then within 30 days after the notice of appeal was filed in the trial court the Appellants must serve and file with the Clerk of this Court a statement that arrangements have been made for the transcription of the report. The Appellants must indicate the date the transcription was ordered and the financial arrangements that have been made for payment of transcription costs. (RAP 9.2). If the Appellants arrange for only a partial report of proceedings, then the Appellants must comply with the additional requirements of RAP 9.2(c). If the Appellants do not intend to provide a verbatim report of proceedings, a statement to that effect should be served and filed in lieu of a statement of arrangements within 30 days after the notice of appeal was filed. RAP 9.2(a).

4. APPELLANTS' BRIEF (if no report of proceedings filed):  
NOTE: IF THE RECORD OF REVIEW DOES NOT INCLUDE A REPORT OF PROCEEDINGS (as defined by RAP 9.2, RAP 9.3 and RAP 9.4), then the Appellants should file an opening brief with the Clerk of this Court within 45 days after filing the designation of Clerk's papers and exhibits. At the same time, the Appellants should serve one copy of the brief on every other party and on any amicus curiae and file with the Clerk of this Court proof of such service. RAP 10.2.

5. FILING OF REPORT OF PROCEEDINGS:

Any report of proceedings must be filed with the clerk of the Supreme Court within 60 days after the statement of arrangements is filed (RAP 9.5(a)).<sup>1</sup> See RAP 9.5(c) as to when, where and how a party may serve and file objection to, and proposed amendments to, a narrative report of proceedings or a verbatim report of proceeding.

6. APPELLANTS' BRIEF (if a report of proceedings is filed):

Within 45 days after the report of proceedings is filed in the Supreme Court, the Appellants should file an opening brief with the Clerk of this Court. At the same time, the Appellants should serve one copy of the brief on every other party and on any amicus curiae, and file with this Court proof of such service. RAP 10.2.

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<sup>1</sup> The parties are directed to the amendments to RAP 9.5 effective September 1, 2015, which require the court reporter or transcriptionist to file the report of proceedings directly in the appellate court, not the trial court, and to include a searchable PDF electronic copy of the report of proceedings.

7. **RESPONDENTS' BRIEF:**  
Within 30 days after service of Appellants' brief, the Respondents should file a response brief with the Clerk of this Court. At the same time, the Respondents should serve one copy of the brief on every other party and on any amicus curiae, and file with this Court proof of such service. RAP 10.2.
8. **APPELLANTS' REPLY BRIEF:**  
Appellants' reply brief should be filed with the Clerk of this Court within 30 days after service of the brief of the Respondents. At the same time the Appellants should serve one copy of the brief on every other party and on any amicus curiae, and file with the Clerk of this Court proof of such service. RAP 10.2.

In the Rules of Appellate Procedure, the word "should" is used when referring to an act a party or counsel is under an obligation to perform. RAP 1.2(b). Accordingly, the failure to comply with the above specified time requirements and/or procedures for completing the record on review and the service and filing of briefs, may subject the offending party to the sanctions pursuant to RAP 18.9. A request for an extension of time must be made by motion pursuant to the provisions of RAP Title 17.

All briefs and other papers submitted to the Supreme Court to be filed or considered in a case should be addressed to the Clerk of the Court and should clearly show the information required by RAP 18.23 and APR 13(a).

Counsel are referred to the provisions of General Rule 31(e) in regards to the requirement to omit personal identifiers from all documents filed in this court. This rule provides that parties "shall not include, and if present shall redact" social security numbers, financial account numbers and driver's license numbers. As indicated in the rule, the responsibility for redacting the personal identifiers rests solely with counsel and the parties. The Clerk's Office does not review documents for compliance with the rule. Because briefs and other documents in cases that are not sealed may be made available to the public on the court's internet website, or viewed in our office, it is imperative that such personal identifiers not be included in filed documents.

Any request for reasonable attorney fees must be made pursuant to RAP 18.1.

At the appropriate time, a decision will be made by the Court as to whether or not direct review will be accepted. RAP 4.2.

**Counsel are advised that future correspondence from this Court regarding this matter will most likely only be sent by an e-mail attachment, not by regular mail. This office uses the e-mail address that appears on the Washington State Bar Association lawyer directory. Counsel are responsible for maintaining a current business-related e-mail address in that directory.**

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July 12, 2023

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah R. Pendleton". The signature is fluid and cursive, with the first name "Sarah" being the most prominent.

Sarah R. Pendleton  
Supreme Court Deputy Clerk

SRP:ejn