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IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR KING COUNTY

MARTIN RINGHOFER,)
)
Petitioner,))
)
vs.)
)
LINDA K. RIDGE, in her official capacity as)
Deputy Chief Administrative Officer of the King)
County Superior Court,)
)
Respondent.))
_____)

No. 10-2-41119-4 SEA

RESPONDENT'S ANSWER AND
AFFIRMATIVE DEFENSES

COMES NOW the Respondent, LINDA K. RIDGE, by and through her attorney of record and in answer to Petitioner MARTIN RINGHOFER'S Petition for Writ of Mandate Complaint for Declaratory Relief and Petition Under GR 31, ("petition"), admits, denies and alleges as follows:

INTRODUCTION

1. The first sentence of paragraph 1 of the petition calls for a legal conclusion or states a legal theory, and therefore requires no response. As to the remaining allegations in paragraph 1, respondent admits only that petitioner requested access to records regarding persons who were disqualified from jury service in King County. Respondent also admits that a person who is

RESPONDENT'S ANSWER AND AFFIRMATIVE
DEFENSES - 1

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1 disqualified from jury service may also be disqualified from voting. Respondent lacks knowledge
2 as to truth or falsity of the remaining allegations in paragraph 1 and they are therefore denied.

3 **PARTIES, JURISDICTION AND VENUE**

4 2. Respondent is without sufficient knowledge as to the truth or falsity of the
5 allegations in paragraph 2 of the petition and therefore denies them.

6 3. Respondent admits the allegation in paragraph 3 of the petition.

7 4. Respondent admits to jurisdiction of the Court.

8 5. Respondent admits venue is proper in King County, and denies the remaining
9 allegations in paragraph 5.

10 **FACTS**

11 6. In response to paragraph 6 of the petition, respondent admits the King County
12 Department of Judicial Administration received a public disclosure request by e-mail from
13 petitioner on February 22, 2010. The February 22, 2010 e-mail and RCW 2.36.070 speak for
14 themselves. All other allegations in paragraph 6 are denied.

15 7. In response to paragraph 7 of the petition, respondent admits that the King County
16 Department of Judicial Administration sent letters dated February 24, 2010 and March 5, 2010 to
17 petitioner regarding his public disclosure request. The February 24, 2010 and March 5, 2010 letters
18 speak for themselves. All other allegations in paragraph 7 are denied.

19 8. As to paragraph 8 of the petition, respondent admits that she received an e-mail from
20 petitioner that was sent on October 16, 2010. The October 16, 2010 e-mail speaks for itself. All
21 other allegations in paragraph 8 are denied.

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**RESPONDENT'S ANSWER AND AFFIRMATIVE
DEFENSES - 2**

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1 9. In response to paragraph 9 of the petition, respondent admits that the public has a
2 common law right of access to court case records in accordance with applicable laws and court
3 rules.

4 10. In response to paragraph 10 of the petition, respondent admits that she sent an e-mail
5 to petitioner on October 18, 2010. The October 18, 2010 e-mail speaks for itself. All other
6 allegations in paragraph 10 are denied.

7 11. In response to paragraph 11 of the petition, respondent admits that she sent an e-mail
8 to petitioner on October 25, 2010. The October 25, 2010 e-mail speaks for itself. All other
9 allegations in paragraph 11 are denied.

10 12. As to the allegations in paragraph 12 of the petition, the statute speaks for itself.

11 13. As to the allegations in paragraph 13 of the petition, the court rule speaks for itself.

12 14. Respondent denies the allegations in paragraph 14 of the petition.

13 15. As to the allegations in paragraph 15 of the petition, the statute speaks for itself.

14 16. In response to paragraph 16 of the petition, respondent admits only that RCW
15 29A.08.123 allows certain persons to register to vote online. All other allegations in paragraph 16
16 are denied.

17 17. In response to paragraph 17 of the petition, respondent admits only that King County
18 is a vote by mail county and that election ballots are mailed to registered voters. All other
19 allegations in paragraph 17 are denied.

20 18. In response to paragraph 18 of the petition, respondent admits that unauthorized
21 voting may impact elections. Respondent lacks knowledge as to the truth or falsity of the remaining
22 allegations in paragraph 18 and therefore denies them.

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RESPONDENT'S ANSWER AND AFFIRMATIVE
DEFENSES - 3

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1 19. Respondent lacks knowledge as to the truth or falsity of the allegations in the first
2 sentence of paragraph 19 of the petition and therefore denies them. All other allegations in
3 paragraph 19 are also denied.

4 20. Respondent lacks knowledge as to what petitioner intends to request of the Secretary
5 of State and therefore denies the related allegations in paragraph 20. Respondent also denies all
6 other allegations contained in paragraph 20 of the petition.

7 21. Respondent incorporates its answers provided above in response to paragraph 21 of
8 the petition.

9 22. Respondent admits that members of the public have a right to access court records in
10 accordance with applicable laws and court rules. All other allegations in paragraph 22 are denied.

11 23. Respondent denies the allegations contained in paragraph 23 of the petition.

12 24. Respondent denies the allegations contained in paragraph 24 of the petition.

13 25. Respondent denies that petitioner has requested documents from her to which she is
14 required to provide access under the federal and state constitutions. As to all other allegations in
15 paragraph 25, respondent lacks sufficient knowledge as to the truth or falsity of the allegations and
16 therefore denies them.

17 26. Respondent denies the allegations contained in paragraph 26 of the petition.

18 27. Respondent denies the allegation contained in paragraph 27 of the petition.

19 28. Respondent incorporates its answers provided above in response to paragraph 28 of
20 the petition.

21 29. The allegations contained in paragraph 29 of the Petition call for a legal conclusion
22 or state a legal theory, and therefore require no response. To the extent a response is required, the
23 allegations are denied.

RESPONDENT'S ANSWER AND AFFIRMATIVE
DEFENSES - 4

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1 30. Respondent denies the allegations contained in paragraph 30 of the petition and
2 denies that petitioner is entitled to the relief asserted therein.

3 31. Respondent is without sufficient information as to the truth or falsity of the
4 allegations contained in paragraph 31 of the petition and therefore denies them.

5 32. In response to the allegations contained in paragraph 32 of the petition, respondent is
6 not aware of any person requesting that the documents requested by petitioner be closed or sealed.
7 However, respondent asserts that access to the documents is not available as a matter of law.

8 33. Respondent denies the allegations in paragraph 33 of the petition.

9 34. Respondent incorporates her answers provided above in response to paragraph 34 of
10 the petition.

11 35. As to the allegations in paragraph 35 of the petition, the court rules speak for
12 themselves.

13 36. Respondent is without sufficient knowledge as to the allegations contained in
14 paragraph 36 of the petition and therefore denies them.

15 PRAYER FOR RELIEF

16 A. Respondent denies petitioner is entitled to the relief requested in paragraph A of the
17 petition.

18 B. Respondent denies petitioner is entitled to the relief requested in paragraph B of the
19 petition.

20 C. Respondent denies petitioner is entitled to the relief requested in paragraph C of the
21 petition.

22 AFFIRMATIVE DEFENSES

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RESPONDENT'S ANSWER AND AFFIRMATIVE
DEFENSES - 5

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1 IN FURTHER ANSWER AND BY WAY OF AFFIRMATIVE DEFENSES TO THE
2 PETITION, respondent states that:

3 1. Petitioner has failed to state a claim for which relief can be granted against
4 respondent.

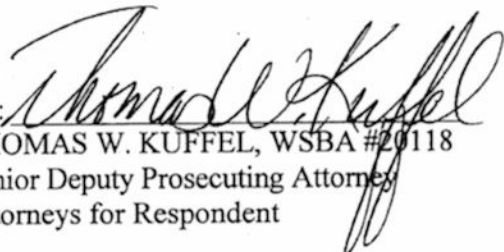
5 2. All actions/inactions of respondent in this matter were authorized under the law and
6 are not actionable.

7 **PRAYER FOR RELIEF**

8 Having answered the petition and pleaded matters in affirmative defense, respondent
9 respectfully requests that the Court enter an order dismissing the petition with prejudice, and for
10 costs and attorney fees and for such other relief as the Court may deem appropriate.

11 DATED this 15th day of February, 2011.

12 DANIEL T. SATTERBERG
13 King County Prosecuting Attorney

14 By: 
15 THOMAS W. KUFFEL, WSBA #20118
16 Senior Deputy Prosecuting Attorney
17 Attorneys for Respondent