

**SUPERIOR COURT OF THE STATE OF WASHINGTON
COUNTY OF KING**

GABRIEL JOE MORGAN

Appellant,

NO. 21-2-03807-3 SEA

vs.

DECISION ON RALJ APPEAL

KEVIN ARTHUR FINERTY

CLERK'S ACTION REQUIRED

Respondent

This appeal came on regularly for oral argument on September 3, 2021 pursuant to RALJ 8.3, before the undersigned Judge of the above entitled court and after reviewing the record on appeal and considering the written and oral argument of the parties, the court holds the following:

The Court hereby DENIES the Petitioner's appeal of the anti-harassment order issued on January 14, 2021. The Court finds no errors of law and that the District Court Judge's decision was supported by substantial evidence in the record. It is clear that the decision rested upon a determination of the credibility of the parties, which cannot be reviewed by this Court. Any prior adjudication of the disputes between the parties is not a bar to using those prior incidents as context for the current order, the order does not unlawfully interfere with the Petitioner's property rights, and the trial court did not abuse its discretion. While the Petitioner does not believe the Court sufficiently considered his Motion for Reconsideration, there is insufficient evidence that the Court abused its discretion in denying this motion.

The Court further GRANTS the Respondent's request for attorney's fees. The affidavit detailing the specific amount requested was received on the day of oral argument, thus the Petitioner had insufficient time to present any argument concerning the amount requested. Should the Petitioner wish to address the request for \$6,143.75, he shall submit a brief to the

Court no later than September 22, 2021 at 4:30 pm. The Respondent may reply no later than September 24, 2021.

IT IS HEREBY ORDERED that the above cause is AFFIRMED and REMANDED to King County District Court for further proceedings, in accordance with the above decision and that the Superior Court Clerk is directed to release any bonds to the Lower Court after assessing statutory Clerk's fees and costs.

DATED: 9/15/2021

electronic signature attached
JUDGE MELINDA J. YOUNG

King County Superior Court
Judicial Electronic Signature Page

Case Number: 21-2-03807-3
Case Title: FINERTY vs MORGAN (APPELLANT/KCD)
Document Title: ORDER

Signed By: Melinda Young
Date: September 15, 2021



Judge: Melinda Young

This document is signed in accordance with the provisions in GR 30.

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