

**FILED**  
**May 16, 2022**  
Court of Appeals  
Division III  
State of Washington

**COURT OF APPEALS, DIVISION III, STATE OF WASHINGTON**

<b>In the Matter of the Personal Restraint</b>	)	<b>No. 38582-5-III</b>
<b>of:</b>	)	
	)	
<b>DOUGLAS D. SCYPHERS,</b>	)	<b>ORDER DISMISSING PERSONAL</b>
	)	<b>RESTRAINT PETITION</b>
	)	
<b>Petitioner.</b>	)	


In response to a smaller prison population, the Department of Corrections announced plans to consolidate several prison units. Not wanting to be moved, Douglas Scyphers filed a personal restraint petition seeking to enjoin the Department from moving him to a different unit. The Department responded that Mr. Scyphers and his unit were not part of the planned consolidation.

In order to receive relief in a personal restraint petition, a petitioner must be under “restraint” as defined by RAP 16.4(b). RAP 16.4(a). Because Mr. Scyphers is unaffected by this reorganization, he is not under “restraint” from the Department’s

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*PRP of Scyphers*

planned reorganization. Accordingly, this court dismisses the petition as frivolous. RAP 16.11(b); RAP 16.4(a).

  
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**ROBERT LAWRENCE-BERREY**  
**ACTING CHIEF JUDGE**