

April 26, 2023

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

**DIVISION II**

In the Matter of the Personal Restraint of:

SAVANNAH RILEY GIDDENS,

Petitioner.

No. 57983-9-II

ORDER DISMISSING PETITION

Savannah Giddens seeks relief from personal restraint imposed following her 2019 guilty plea to three counts of possession of depictions of minors engaged in sexually explicit conduct. Giddens claims she has been discriminated against as a transgender individual. She requests \$2,700 in damages.

A petitioner must state the “facts upon which the claim of unlawful restraint of petitioner is based and the evidence available to support the factual allegations.” RAP 16.7(a)(2). Therefore, the petitioner must state with particularity facts that, if proven, would entitle the petitioner to relief. *In re Pers. Restraint of Rice*, 118 Wn.2d 876, 886, 828 P.2d 1086 (1992). The petitioner must demonstrate they have competent, admissible evidence supporting the allegations. *In re Pers. Restraint of Yates*, 177 Wn.2d 1, 18, 296 P.3d 872 (2013). Bald assertions and conclusory allegations are not sufficient. *Rice*, 118 Wn.2d at 886.

First, Giddens’s general, vague, and conclusory allegations do not state with particularity facts that would entitle Giddens to relief. Second, damages relating to allegations of discrimination are not properly raised in a personal restraint petition. *In re Pers. Restraint of Williams*, 171 Wn.2d 253, 256, 250 P.3d 112 (2011). “[I]t is well settled that a demand for monetary damages is not

actionable by personal restraint petition.” *Id.* Relief is limited to ordering removal of the illegal restraint. *In re Pers. Restraint of Sappenfield*, 138 Wn.2d 588, 595, 980 P.2d 1271 (1999).

Therefore, Giddens’s petition is insufficient to show that she is subject to unlawful restraint.

Accordingly, it is hereby

ORDERED that this petition is dismissed under RAP 16.8.1(b). Giddens’s request for appointment of counsel is denied.

  
\_\_\_\_\_  
Acting Chief Judge, Pro Tem

cc: Savannah Riley Giddens  
Clark County Clerk  
County Cause No. 19-1-001240-6