

## Hoyt, Trina (ATG)

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**From:** ATG MI COR Oly CE Reader  
**Sent:** Tuesday, April 28, 2015 3:47 PM  
**To:** Hoyt, Trina (ATG); Ronning, Kate (ATG)  
**Subject:** FW: D2 468000--PRP Robbert F. Warner--Order  
**Attachments:** Order Dismissing Petition - Warner.pdf

**Importance:** High

Order Dismissing re RAP 16.11(b)

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**From:** Cleveland, Kim [<mailto:kim.cleveland@courts.wa.gov>]  
**Sent:** Tuesday, April 28, 2015 1:44 PM  
**To:** ATG MI COR Oly CE Reader  
**Cc:** Cleveland, Kim  
**Subject:** D2 468000--PRP Robbert F. Warner--Order  
**Importance:** High

Office Hours

9:00 am to 12:00 pm  
1:00 pm to 4:00 pm

You may file documents electronically as provided below. Briefs are considered filed as of the postmark date. RAP 18.6(c). Briefs may only be filed electronically through the portal website. Close of business remains 5 pm .

To Counsel and Interested Parties:

Attached is an Order filed today, 4/28/2015. (copy sent to Mr. Warner USPS!)

This will be the only notice you will receive from the court.

The court requests that motions and other correspondence be sent to [coa2filings@courts.wa.gov](mailto:coa2filings@courts.wa.gov), or, if counsel has a JIS USERID (can access SCOMIS/ACORDS), please use the newly established attorney portal at <http://www.courts.wa.gov/coa2efiling>. If you have difficulty accessing or using either method, please contact this office. When filing electronically, please do NOT follow up with a paper copy.

Please contact the court at (253) 593-2970 if you have any questions or comments.

Thank you.

Kim S. Cleveland  
Case Manager

*Saved  
State Stroke  
Federal?*

# IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

## DIVISION II

In re the  
Personal Restraint Petition of  
  
ROBERT F. WARNER,  
  
Petitioner.

No. 46800-0-II

ORDER DISMISSING PETITION

FILED  
COURT OF APPEALS  
DIVISION II  
2013 APR 28 PM 12:13  
STATE OF WASHINGTON  
BY DEPUTY

Robbert F. Warner has filed a personal restraint petition challenging disciplinary sanctions imposed after a Department of Corrections (DOC) hearing officer found him guilty of violating a no contact order under WAC 137-25-030(507). Warner was sanctioned with the loss of 68 days of good conduct time. Warner argues that his disciplinary proceedings violated his right to due process, and he seeks the reinstatement of his lost good conduct time.


DOC has released Warner from prison, so the relief he requests is no longer available. Consequently, we must dismiss this petition as moot. *See In re Det. of Cross*, 99 Wn.2d 373, 376-77 (1983) (case is moot if court can no longer provide meaningful relief). In doing so, we reject Warner's contention that we should address the merits of his petition because it presents matters of continuing and substantial public interest. *See In re Pers. Restraint of Myers*, 105 Wn.2d 257, 261 (1986) (holding that petition was reviewable despite its mootness because many other petitions had been stayed pending its resolution). Accordingly, it is hereby

DN# 10647551  
acc entered in Lm 4/24/13  
State Strike only  
Th

46800-0-II

ORDERED that this petition is dismissed under RAP 16.11(b).

DATED this 28<sup>th</sup> day of April, 2015.

  
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Acting Chief Judge, Pro Tem

cc: Robbert F. Warner  
Dept. of Corrections  
Pacific County Cause No. 13-1-00030-8  
Timothy N. Lang, Department Of Corrections  
Cassie B. VanRoojen, Assistant Attorney General, Corrections Division