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FILED

MAY 12 2014

KATHY MARTIN  
WALLA WALLA COUNTY CLERK

STATE OF WASHINGTON  
WALLA WALLA COUNTY SUPERIOR COURT

DAVID TROUPE,  
  
Plaintiff,  
  
v.  
  
AMY EVENSEN  
  
Defendant

NO. 14-2-00038-4

ORDER GRANTING  
DEFENDANT'S MOTION TO  
DISMISS

And Finding per RCW 4.24.430

On ~~MAY 12 2014~~ the Court heard argument on the Defendants Motion for CR 12(b) Dismissal. ~~The Defendant was represented by Amy Clemmons, Assistant Attorney General. The Plaintiff appeared pro se. In addition to the argument of counsel, the Court considered the~~ *The parties did not appear in person or by counsel at the direction of the Court. The matter was heard without oral argument.* pleadings on file, which specifically included:

- Defendant Amy Evensen's Motion For CR 12(b) Dismissal and Petition for Order of Protection;
- Declaration of Amy C. Clemmons in Support of Defendant Amy Evensen's Motion For Protective Order re: Contact; and
- Any Responsive Pleadings.

Based upon the argument of counsel, the authorities cited, and pleadings on file, the Court

PROPOSED ORDER GRANTING  
DEFENDANT'S MOTION TO  
DISMISS

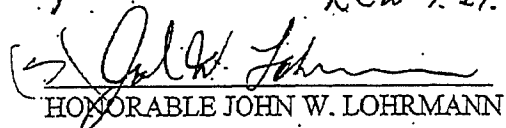
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ATTORNEY GENERAL OF WASHINGTON  
Torts Division  
1116 West Riverside  
Spokane, WA 99201-1194  
509.455.2322

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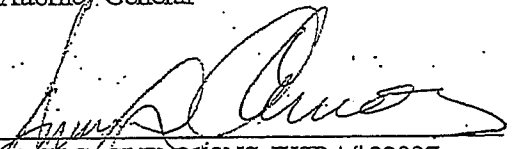
*over  
State strike  
done all  
6-11-15*

1 finds that Plaintiff failed to timely and properly serve this lawsuit within the statute of limitations.  
2 The Plaintiff's complaint is hereby dismissed in its entirety with prejudice. *This action is*  
3 *deemed "frivolous and malicious" within the meaning and purposes of*  
4 *DONE this 12<sup>th</sup> day of May, 2014. RCW 4.24.430*

  
HONORABLE JOHN W. LOHRMANN

6 Presented by:  
7 ROBERT W. FERGUSON  
8 Attorney General

Approved as to Form and  
Notice of Presentation Waived:

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10   
11 AMY C. CLEMMONS, WSBA# 22997  
12 OJD No. 91106  
Attorneys for Defendant

David Troupe, DOC #765714  
Plaintiff Pro Se

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**PROOF OF SERVICE**


I certify that I served a copy of the foregoing document on all parties or their counsel of record on the date below as follows:

US Mail Postage Prepaid to:

DAVID TROUPE, DOC # 765714  
Washington Correction Center  
PO Box 900  
2312 W. Dayton Airport Rd  
Shelton, WA 98584

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 24 day of April, 2014, at Spokane, Washington.

  
\_\_\_\_\_  
NIKKI GAMON