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KING COUNTY
SUPERIOR COURT

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21 APR 2021 13 18

**SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY
(SPECIAL ATTENTION: COURTROOM OF COURT
COMMISSIONER HENRY JUDSON, AN APPARENTLY NOW
PRIVATIZED SUBSIDIARY OF THE "ZOOM" CORPORATION)
AND
DIVISION 1 COURT OF APPEALS FOR THE STATE OF
WASHINGTON**

**URBAN LEAGUE VILLAGE
LLC, a Washington limited
liability company**

Plaintiff.

vs.

**OMARI TAHIR-GARRETT,
a.k.a. OMARI TAHIR, a.k.a.
JAMES C. GARRETT and ALL
OTHER TRESPASSERS,**

Defendants

CASE NO. 21-2-04082-5 SEA

NOTICE OF APPEAL

OMARIT TAHIR GARRETT, defendant, seeks review by the designated
court of the Judgement and Order Declaring Unlawful Detainer and
Authorizing Writ of Restitution entered on April 20, 2021.

1
2 The reasons for this appeal include, but are not limited to, the following:

- 3 1) The matter was NOT, in fact before this state court for any ruling
4 whatsoever, having already been duly removed to the proper venue
5 of federal court for Civil RICO remedies. The State Court's decision
6 to either willfully fail to notice or blatantly deny this empirical FACT
7 does not cause it to cease being a FACT.
- 8 2) Defendant was not afforded any authentic hearing at which to show
9 the many causes why such writ should not have been granted.
10 Defendant is a 74 year old disabled Vietnam Veteran with PTSD and
11 impaired vision, for whom this private corporate so called "Zoom"
12 technology would be difficult to use even if it had functioned as
13 described in paperwork served upon defendant by Sheriff, WHICH
14 IT DID NOT DO! Defendant needs to be afforded an authentic
15 show-cause hearing in an actual public sector courtroom, not a
16 privatized online boardroom of this "Zoom" corporation.
- 17 3) Even had the hearing itself been authentic, which is was not, the
18 court ceded any right it had to further proceed on the moment at
19 which the court stated its refusal to resolve defendant's motion for
20 appointment of assistant standby counsel to assist defendant by
21 reading the paperwork in this case, which defendant is currently
22
23

1 medically unable to do. Court went on record to say that a different
2 judge in a different section of King County's judicial system would
3 have to address that motion. If that be the case, then either this matter
4 would have to be duly transferred to the courtroom of the magistrate
5 with the authority to do so, or else this court would have to duly wait
6 for such magistrate to dispose of the motion before moving forward
7 any further. It is both unfair and illegal for court to force defendant to
8 impose upon untrained and uncompensated family and neighbors to
9 try to orally read him lengthy legal documents he presently cannot
10 see until receiving medical treatment for his eyesight.

- 11 4) The court failed/refused to even pretend to investigate the
12 relationship of defendant to the authentic landlord AFRICAN
13 AMERICAN HERITAGE MUSEUM AND CULTURAL CENTER
14 (Incorporated in 1985). Instead, court apparently willfully
15 misconstrued the identity of this organization with a completely
16 different and completely fraudulent organization with no standing as
17 any party to this case (the so-called "Northwest African American
18 Museum or NAAM"), allowing this entity to falsely portray itself in
19 the hearing as if it were the AFRICAN AMERICAN HERITAGE
20 MUSEUM AND CULTURAL CENTER, which it is not. When
21 defendant attempted to explain the extreme legal and material
22
23

1 differences between those two organizations. Court told defendant to
2 stop talking, alleging defendant's explanation to be irrelevant; but
3 court then proceeded to articulate an opinion and alleged "ruling"
4 which, on its surface, was and is clearly "informed" (misinformed)
5 by the court's failure to distinguish between those two organizations.

6 5) Court's alleged "finding" that plaintiff owns the property in question
7 is factually inconsistent, among other things, with Plaintiff's own
8 April 1 statement to State of Washington, as denoted in defendant's
9 response, which Court claimed to have read but clearly ignored.
10

11 For these and many other reasons defendant can and will demonstrate, this
12 writ should be overturned. In the meantime, the execution of this writ must
13 be restrained while it is on appeal, and, moreover, the entire state level
14 proceedings against defendant must be ceased unless or until the federal
15 court, under whose jurisdiction these matters are, decides to remand them for
16 some unfathomable reason.
17

18
19 Respectfully submitted this 21ST day of APRIL, 2021

20 Omari Tahir-Garrett Omari Tahir-Garrett aka
James L. Garrett

21 Private Attorney General

22 PO Box 22328 Seattle, WA 98122
23

24 NOTICE OF APPEAL
25

STATE OF WASHINGTON COURT OF APPEALS
DIVISION I

IN THE MATTER OF THE)
RESPONSE BY DIVISION I,) EMERGENCY ORDER #1
COURT OF APPEALS TO THE) RE: COURT OPERATIONS
PUBLIC HEALTH EMERGENCY)
IN WASHINGTON STATE)

WHEREAS, on February 29, 2020, Governor Inslee proclaimed a state of emergency due to the novel coronavirus disease (COVID-19) outbreak in Washington; and

WHEREAS, on March 13, 2020, President Trump declared a national emergency due to the novel coronavirus disease (COVID-19) outbreak across the United States; and

WHEREAS, during this state of emergency, the Centers for Disease Control and Prevention and the Washington State Department of Health strongly urge all organizations to impose social distancing measures and other restrictions on public gatherings; and

WHEREAS, on March 4, 2020, Washington Supreme Court Chief Justice Debra Stephens entered Order No. 25700-B-602, in response to the declared public health emergency in Washington State; and

WHEREAS, the Court of Appeals, Division I has public office space in the One Union Square Building in downtown Seattle and it cannot effectively be managed to ensure compliance with recent public health guidelines, and keeping the clerk's office open to the public and holding in-person hearings poses a significant health risk to visitors, litigants, and court staff; and

WHEREAS, all essential functions of the Court of Appeals, Division I can continue uninterrupted without the clerk's office remaining open to the public;


NOW, THEREFORE, pursuant to the Court's power to administer justice and to ensure the safety of court personnel, litigants, and the public,

IT IS HEREBY ORDERED:

Effective March 20, 2020, the Court of Appeals, Division I clerk's office shall be closed to the public and all in-person hearings are suspended until further order of the Court. (See Appendix to this order for contact information.)

Dated this 18th day of March, 2020.

For the Court:


Martin J. Appelyck, Chief Judge
Court of Appeals, Division I

Appendix to the March 20, 2020, Emergency Order
Suspending In-Person Proceedings and Closing
The Division I Clerk's Office

CONTACT INFORMATION:

- 1) Our main phone number is 206-464-7750.
- 2) You can email us at: coa1@courts.wa.gov
- 3) Filings for Division I Clerk's Office can be made by:

Filing through the Appellate Court Portal:

<https://ac.courts.wa.gov/index.cfm>

Sending the filing to the Clerk's Office by U.S. mail:

Court of Appeals, Division I
600 University Street
One Union Square, Lobby Level
Seattle, WA. 98101

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SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY
(SPECIAL ATTENTION: COURTROOM OF COURT
COMMISSIONER HENRY JUDSON, AN APPARENTLY NOW
PRIVATIZED SUBSIDIARY OF THE "ZOOM" CORPORATION)
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URBAN LEAGUE VILLAGE
LLC, a Washington limited
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Plaintiff.

vs.

OMARI TAHIR-GARRETT,
a.k.a. OMARI TAHIR, a.k.a.
JAMES C. GARRETT and ALL
OTHER TRESPASSERS,

CASE NO. 21-2-04082-5 SEA

NOTICE OF APPEAL

FROM:

OMARI TAHIR-GARRETT
PRIVATE ATTORNEY GENERAL
PO BOX 22328
SEATTLE, WA 98122

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See Reverse for Instructions

FILED
KING COUNTY, WASHINGTON

APR 20 2021

SEA
SUPERIOR COURT CLERK

EXP01

EX PARTE AND PROBATE DEPARTMENT
Hearing Date: April 20, 2021
Hearing Time: 9 a.m.

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

URBAN LEAGUE VILLAGE LLC, a
Washington limited liability company

Plaintiff,


v.

OMARI TAHIR-GARRETT a.k.a.
OMARI TAHIR a.k.a. JAMES C.
GARRETT, and ALL OTHER
TRESPASSERS

Defendants.

No. 21-2-04082-5 SEA

ORDER DIRECTING CLERK TO
IMMEDIATELY ISSUE WRIT OF
RESTITUTION

~~PROPOSED~~ 

(Clerk's Action Required)

THIS MATTER came before the Court upon the motion of Plaintiff the Urban League Village (the "Urban League Village") for an Order restoring to Plaintiff possession of certain premises occupied by Defendant, Omari Tahir-Garrett, a.k.a. Omari Tahir, a.k.a. James C. Garrett ("Mr. Garrett"), and other trespassers under his direction (together, "Defendants"). The subject premises are commonly known as the Colman School and located at 2300 S Massachusetts Street in Seattle, Washington, 98144 (the "Premises").

ORDER DIRECTING CLERK TO ISSUE
WRIT OF RESTITUTION -1

141555-0001/LEGAL151038712 12

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

1 The Court having reviewed Plaintiff's Motion, the Declarations of Rashelle Tanner
2 and Lanesha DeBardelaben, and being fully advised in the Premises, it is hereby
3
4

5 ORDERED, ADJUDGED, and DECREED that: *Plaintiff has title*
6 *to the premises.*

7 ☒ Defendants are guilty of unlawful detainer, *as they are unauthorized*
8 *occupants.*

9 ☒ The removal of Defendants from the Premises does not violate Governor Inslee's
10 Proclamation No. 20-19.5 related to evictions and other housing practices because it is
11 necessary to address the immediate risks to the health, safety, and property of others that
12 Defendants are causing.
13
14

15 ☒ No other standing governmental orders prohibit removal of Defendants from the
16 Premises.
17

18 ☒ The Clerk of this Court is hereby directed to immediately issue a Writ of
19 Restitution ("Writ") in the manner provided by law, returnable within forty (40) days after
20 its date of issuance, directing the Sheriff to restore and deliver possession of the Premises to
21 Plaintiff.
22

23 ☒ The Writ shall authorize the Sheriff to break and enter as necessary in order to
24 deliver possession of the Premises to Plaintiff.
25

26 ☒ Defendants are permanently barred and enjoined from possession of or entry upon
27 the Premises, including, but not limited to, all common areas, entrances, sidewalks, lawns,
28 and loading docks, until it is cleared and restored to Plaintiff's possession, and the Writ shall
29 authorize the Sheriff, law enforcement, or any peace officers to remove Defendants who
30 refuse to comply with this Order.
31

32 ☒ Plaintiff shall not be required to post a judgment bond.
33

34 ☐ Plaintiff shall post a judgment bond in the amount of \$ _____.
35

36 ** Defendant has presented no evidence re: his right*
37 *to occupy the premises nor has he established any*
38 *ownership interest.*
39

40 ORDER DIRECTING CLERK TO ISSUE
41 WRIT OF RESTITUTION -2
42

43 141555-0001/LEGAL151038712 12
44

45 Perkins Coie LLP
46 1201 Third Avenue, Suite 4900
47 Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

[] The undersigned shall retain jurisdiction over this matter to ensure enforcement of this Order.

DATED this _____ day of 4/20, 2021.

Judge Court Commissioner

Presented by:

HENRY H. JUDSON

APR 20 2021

COURT COMMISSIONER

s. James F. Williams
James F. Williams, WSBA No. 23613
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000
Email: JWilliams@perkinscoie.com

Attorney for Plaintiff

ORDER DIRECTING CLERK TO ISSUE
WRIT OF RESTITUTION-3

141555-0001/LEGAL151038712.12

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

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19 APR 2021 16 24

DEPARTMENT OF
JUDICIAL ADMINISTRATION
KING COUNTY, WASHINGTON

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3 SUPERIOR COURT OF THE STATE OF WASHINGTON
4 FOR KING COUNTY

5 URBAN LEAGUE VILLAGE
6 LLC, a Washington limited
liability company

7 Plaintiff.

8 vs.

9 OMARI TAHIR-GARRETT,
a.k.a. OMARI TAHIR, a.k.a.
10 JAMES C. GARRETT and ALL
11 OTHER TRESPASSERS,

12 Defendants

CASE NO. 21-2-04082-5 SEA

NOTICE OF REMOVAL TO THE
UNITED STATES DISTRICT COURT

13
14 COMES NOW THE DEFENDANT, OMARI TAHIR-GARRETT, and in
15 direct support of his Notice to this Court and all parties, hereby alleges, states
16 and provides the following:

17 NOTICE OF REMOVAL TO THE UNITED STATES

18 DISTRICT COURT OF WESTERN WASHINGTON
19
20
21
22
23

1. By the filing of this Notice with the Clerk of this state Court, together with the attached and corresponding petition and warrant for removal that was filed in the United States District Court prior, these state proceedings are now REMOVED, by automatic operation of federal law, and this Defendant now formally notifies the Court and all parties of that same fact.
2. Pursuant to the express and specific language of 28 U.S.C. 1441, et seq., immediately upon the filing of this Notice, with the Clerk of this Court, this case has been already removed; The removal of jurisdiction from this Court is automatic by operation of federal law, and does not require any additional written order from the District Judge to cause this removal to become "effective" – the removal is an automatic judicial event, and immediate by operation of law.
3. Put another way, the United States Supreme Court clarified and established, clear back in 1966: "The petition is now filed in the first instance in the federal court. After notice is given to all adverse parties and a copy of the petition is filed with the state court, removal is effected and state court proceedings cease unless the case is remanded. 28 U.S.C. § 1446 (1964 ed.). See generally, American Law Institute, Study of the Division of Jurisdiction Between State and Federal Courts, Tentative Draft No. 4, p 153 et seq. (April 25,

1 1966)." **Georgia v Rachel**, 384 U.S. 780, 809 n27, 86 S. Ct. 1783,

2 16 L. Ed. 2d 925 (1966). (emphasis added).

3 4. Because the cause is now removed, the instant Court is without
4 jurisdiction to effect any judgement in these proceedings (28 U.S.C.
5 § 1446(c)(3)).

6 5. The petition for warrant of removal to the United States District
7 Court is attached hereto as required by the express language of
8 federal law, as Exhibit I.

9 **WHEREFORE**, the undersigned Defendant, Omari Tahir-
10 Garrett, notifies the Court and all other parties that this cause is now
11 removed, that this court now has absolutely no jurisdiction for any
12 judgement in this cause, bar none, unless and until the United States
13 District Court may or may not remand, and further moves for all
14 other relief that is just and proper in the premises.
15

16
17 Dated this 16th day of April 2021

18 Respectfully submitted,

19 Omari Tahir-Garrett Omari Tahir-Garrett aka James C. Garret

20 Private Attorney General

21 PO Box 22328 Seattle, WA 98122
22
23

24 CIVIL ACTION
25

CERTIFICATE OF SERVICE

I certify that on this _____ day of _____, a true and complete copy of the forgoing notice of removal to federal court, with required attachment, by depositing in certified United States postal mail, first class postage preaffixed, return receipt requested, has been duly served upon the following:

James Williams Esquire of PERKINS COLE, attorney of record for URBAN LEAGUE VILLAGE LLC.

Dated this 16th day of April, 2021

Respectfully submitted,

Omari Tahir-Garrett Omari Tahir-Garrett aka James C. Garrett
Private Attorney General

PO Box 22328 Seattle, WA 98122

CIVIL ACTION