

August 13, 2020

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

King County Courthouse
516 Third Avenue Room 1200
Seattle, Washington 98104
Telephone (206) 477-0860

hearingexaminer@kingcounty.gov
www.kingcounty.gov/independent/hearing-examiner

ORDER OF DISMISSAL

SUBJECT: Regional Animal Services of King County file no. **V20010883-A20012300**

KORY GANNON AND MONIQUE JENKINS

Animal Services Enforcement Appeal

Activity no.: A20012300

Appellants: **Kory Gannon and Monique Jenkins**

[REDACTED]
Renton, WA 98059

Telephone: [REDACTED]

Email: [REDACTED]

King County: Regional Animal Services of King County

represented by **Chelsea Eykel**

Regional Animal Services of King County

21615 64th Avenue S

Kent, WA 98032

Telephone: (206) 263-5968

Email: raskcappeals@kingcounty.gov

By law, an appeal of Animal Services' July 7 violation notice was due to Animal Services by August 1, as stated in the violation notice itself. On August 2, Mr. Gannon emailed an appeal to a different place, Board of Appeals. Mr. Gannon then explained that when he first read the document, he thought he had four weeks to appeal, and he did not notice the bold text with the August 1 deadline.


Mr. Gannon’s candor is refreshing, but it does not change the fact that where “a person fails to timely deliver the appeal statement[, the] examiner does not have jurisdiction to consider the appeal and the decision of the department ... becomes final and unreviewable.” KCC 20.22.080.H.

Sometimes the stakes in a dismissal are high, say a vicious dog designation. While Mr. Gannon mentioned an allegation of “criminal trespass,” there is nothing criminal at stake here. Trespass, as well as running at large, are both \$50 civil violations. If the violations stack up, there could be ramifications, but that speaks more to the family’s continuing efforts to contain Bailey.

We DISMISS the appeal as time-barred.

If for some reason we have misunderstood the situation, by **September 14, 2020**, either party is free to file, with the examiner, a motion for reconsideration explaining why the examiner should not be dismissing this appeal. Filing a timely motion for reconsideration postpones the deadline (described below the signature line) for lodging an appeal.

DATED August 13, 2020.



David Spohr
Hearing Examiner

NOTICE OF RIGHT TO APPEAL

King County Code 20.22.040 directs the Examiner to make the County’s final decision for this type of case. This decision shall be final and conclusive unless appealed to superior court by *September 14, 2020*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

DS/jo

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CERTIFICATE OF SERVICE

SUBJECT: Regional Animal Services of King County file no. **V20010883-A20012300**

KORY GANNON AND MONIQUE JENKINS

Animal Services Enforcement Appeal

I, Jessica Oscoy, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **ORDER OF DISMISSAL** to those listed on the attached page as follows:

EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.

placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED August 13, 2020.



Jessica Oscoy
Office Manager

Delgado-Stuck, Tracie

Hardcopy

Eykel, Chelsea

Regional Animal Services of King County

Monique Jenkins, Kory Gannon

Hardcopy