March 16, 2022

OFFICE OF THE HEARING EXAMINER KING COUNTY, WASHINGTON

King County Courthouse 516 Third Avenue Room 1200 Seattle, Washington 98104 Telephone (206) 477-0860 <u>hearingexaminer@kingcounty.gov</u> www.kingcounty.gov/independent/hearing-examiner

ORDER OF DISMISSAL

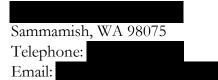
SUBJECT: Regional Animal Services of King County file no. V22012860-A22000391

SARAH ROSE MANZELLA

Animal Services Enforcement Appeal

Activity no.: A22000391

Appellant:



Sarah Rose Manzella

King County: Regional Animal Services of King County represented by **Rebecca Smokoska** Regional Animal Services of King County 21615 64th Avenue S Kent, WA 98032 Telephone: (206) 263-5968 Email: raskcappeals@kingcounty.gov

We emailed and mailed on February 28 our notice of hearing for yesterday's hearing. We received no communication in response that the date or time was problematic.

On March 3, Ms. Nilson emailed, withdrawing her appeal of her dog's (Belle's) viciousness designation and order to comply. In response we issued a March 7 order dismissing Ms. Nilson's appeal (V2201286<u>1</u>) while reiterating that Ms. Manzella's appeal (V2201286<u>2</u>) would proceed as

planned on March 15 (yesterday). Thus Ms. Nilson was excused from participating in yesterday's hearing.

At yesterday's appointed time, Animal Services promptly appeared. Animal Services brought along the investigating officer, who was prepared to testify that although Ms. Manzella's February 16 appeal statement asserted that the victim dog first lunged at Belle, when Ms. Manzella first explained the situation to him the day after the altercation (January 22), she mentioned no such lunge.

The complainant promptly appeared yesterday as well, even keeping her son (who was walking the victim dog at the time of the January 21 incident) home from school to offer eyewitness testimony.

However, Ms. Manzella did not appear, nor did she contact our office afterwards to describe any technical or other grounds that prevented her appearance. Her failure to appear constitutes abandonment of her appeal. We therefore DISMISS her appeal.

DATED March 16, 2022.

2 /m

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 *April 15, 2022*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

DS/lo

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CERTIFICATE OF SERVICE

SUBJECT: Regional Animal Services of King County file no. V22012860-A22000391

SARAH ROSE MANZELLA

Animal Services Enforcement Appeal

I, Lauren Olson, 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.

Description of 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 March 16, 2022.

auren Olson

Lauren Olson Legislative Secretary

Carlson, Michael

Regional Animal Services of King County

Manzella, Sarah Rose

Hardcopy

Mellark, Kat Hardcopy

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Nilson, Ashley

Hardcopy

Smokoska, Rebecca

Regional Animal Services of King County