

December 28, 2022

**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 nos. **V22013401 and V22013389**

JON HARVEY

Animal Services Enforcement Appeal

Activity nos.: A22004112 and A22003864

Appellant: **Jon Harvey**

[REDACTED]
Fall City, WA 98024

Telephone: [REDACTED]

Email: [REDACTED]

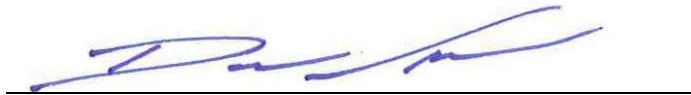
King County: Regional Animal Services of King County
represented by **Chelsea Eykel**
Regional Animal Services of King County
21615 64th Avenue S
Kent, WA 98032
Telephone: (206) 263-5968
Email: raskcappeals@kingcounty.gov

Regional Animal Services of King County has notified us that the complainant has advised that the situation has greatly improved, with them no longer being awakened by the rooster crowing. In light of this, Animal Services is dismissing its violations without prejudice.

A dismissal without prejudice is not a decision on the merits and does not bar Animal Services from later re-issuing a violation notice. But it does mean there is currently no violation for Mr. Harvey to challenge. His appeal is accordingly DISMISSED, the examiner's jurisdiction over the matter terminated, and the hearing scheduled for January 10, 2023, cancelled.

If for some reason we have misunderstood the situation, by **January 27, 2023**, 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 December 28, 2022.



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 *January 27, 2023*. 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

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JON HARVEY

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.

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 December 28, 2022.



Lauren Olson
Legislative Secretary

Eykel, Chelsea

Regional Animal Services of King County

Forsman, Rick

Hardcopy

Harvey, Jon

Hardcopy