

Honorable Gary Libey

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR SPOKANE COUNTY

In the Matter of the Recall of

No. 24-2-04449-32

AL FRENCH, Spokane County  
Commissioner

NOTICE OF DIRECT APPEAL TO THE  
WASHINGTON STATE SUPREME  
COURT

Pursuant to RAP 4.2(a)(1) and RCW 29A.56.140 and .270, Petitioners-Appellants, Mary Ellen Benham and the Clean Water Accountability Coalition hereby appeal to the Washington State Supreme Court the Order and Final Judgment to Dismiss Petition for Recall entered by Spokane County Superior Court on September 26, 2024. A copy of the order is attached.

Respectfully submitted this 7th day of October, 2024.

SMITH & LOWNEY, PLLC

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1 **CERTIFICATE OF SERVICE**

2 I, Kai McDavid, hereby declare under penalty of perjury under the laws of the State of  
3 Washington that on October 7th, 2024, I caused the foregoing document to be filed with the Spokane  
4 County Superior Court and a true and correct copy of the same to be sent via email, per agreement of  
5 counsel, to the following:

6 R. Wesley Zickau  
7 Chris Anderson  
8 1115 West Broadway Avenue  
9 Spokane, WA 99260  
10 [RZICKAU@SpokaneCounty.org](mailto:RZICKAU@SpokaneCounty.org)  
11 [CANDERSON@spokanecounty.or](mailto:CANDERSON@spokanecounty.or)

12 Mark C. Lamb  
13 701 5th Ave #3600  
14 Seattle, WA 98104  
15 [mlamb@carneylaw.com](mailto:mlamb@carneylaw.com)

16 SIGNED this 7th day of October, 2024 at Seattle, Washington.

17   
18 Kai McDavid

Honorable Gary Libey

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SUPERIOR COURT FOR THE STATE OF WASHINGTON  
IN THE COUNTY OF SPOKANE

In the Matter of the Recall of

AL FRENCH, Spokane County  
Commissioner

NO. 24-2-04449-32

<sup>032</sup>  
~~PROPOSED~~ ORDER TO DISMISS  
PETITION FOR RECALL

THIS MATTER came before the Court on Spokane County Commissioner Al French's Memorandum in Response to Recall Petition, and the Court having considered the materials associated with that memorandum, the pleadings, oral argument from counsel, and the file in this action, and being fully advised, IT IS HEREBY ORDERED that the Petition for Recall is DISMISSED. *Counsel for Petitioners shall disclose the identity(ies) of those clients who are paying him in this case by 10/31/24.*

DATED this 26<sup>th</sup> day of September, 2024.

  
JUDGE GARY LIBEY

Presented by:

CARNEY BADLEY SPELLMAN, P.S.

By s/ Mark C. Lamb

Mark C. Lamb, WSBA No. 30134  
Attorney for Spokane County Commissioner  
Al French

CERTIFICATE OF SERVICE

[PROPOSED] ORDER TO DISMISS PETITION FOR RECALL - 1

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