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**IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE  
KING COUNTY, WASHINGTON**

CITY OF SEATTLE,

Plaintiff,

vs.

SEE APPENDIX A,

Defendant.

**SMC CASE# SEE APPENDIX A**

**MOTION AND PROPOSED  
ADMINISTRATIVE ORDER  
QUASHING BENCH WARRANTS  
AND CLOSURE OR DISMISSAL  
OF DWLS3 SOLE CHARGE/NO  
RESTITUTION CASES**

**CLERK’S ACTION REQUIRED**

**I. INTRODUCTION**

The City moves to quash the outstanding bench warrant in each of the cases listed in Appendix A, consisting of 1 page attached hereto and incorporated herein by this reference (The “Cases”). The City further moves that the Court vacate some cases, dismiss some cases and close others as described below based on Case status. The grounds for the motion are that, to the best of the undersigned’s knowledge and belief, each of the Cases involves a sole charge of DWLS3; the oldest warrant was issued almost 8 years ago, and the newest is from April 2021. None of these cases have had restitution obligation amounts ordered.

MOTION AND PROPOSED ADMINISTRATIVE  
ORDER QUASHING BENCH WARRANTS AND  
CLOSURE OR DISMISSAL OF DWLS3 SOLE CHARGE/  
NO RESTITUTION CASES

**Peter S. Holmes**  
Seattle City Attorney  
701 5th Ave Suite 2050  
Seattle, WA 98104  
(206) 684-7757

1                   **II.     ARGUMENT**

2                   The Seattle City Attorney’s Office strives “to address historical injustices within the court  
3 system with self-examination and to pursue justice in Seattle with integrity, creativity and  
4 fairness.”<sup>1</sup> For years, the Seattle City Attorney’s Office has pursued reform at the state level of  
5 the Driving While License Suspended 3<sup>rd</sup> (DWLS 3) criminal statute most recently offering  
6 support for Senate Bill 5226.<sup>2</sup> Following the passage of Engrossed Substitute Senate Bill 5226,  
7 which had amended the bill to such a degree that our office no longer supported the bill, the  
8 Seattle City Attorney’s Office further amended the use of our prosecutorial discretion to  
9 discontinue filing any criminal charges for DWLS 3 where the sole reason for suspension was  
10 Failure to Appear or Failure to Pay.  
11

12                   Not long after the Office changed our filing standard, Thurston County Superior Court  
13 Judge Mary Sue Wilson ruled that the DWLS 3 statute was “unconstitutional as applied to  
14 individuals who are indigent and is therefore void and unenforceable.”<sup>3</sup> Furthermore, following  
15 Judge Wilson’s ruling, the Department of Licensing (DOL) jointly proposed an order enjoining  
16 the DOL “from suspending driver’s licenses resulting from an individual’s failure to pay or  
17 appear for non-criminal moving violations.”<sup>4</sup>  
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23 <sup>1</sup> Seattle City Attorney Vision Statement, <https://www.seattle.gov/cityattorney/about-us/criminal-division>. Last  
24 accessed September 29, 2021.

25 <sup>2</sup> Senate Law and Justice Committee public hearing, 2021 Regular Session, February 4, 2021.

26 <sup>3</sup> *Pierce, et al. v. DOL*, 20-2-02149-34, Thurston County Superior Court, Order Granting Summary Judgement  
27 (April 30, 2021).

28 <sup>4</sup> *Pierce, et al. v. DOL*, 20-2-02149-34, Thurston County Superior Court, Order Enjoining Suspension of Certain  
29 Driver’s Licenses (June 1, 2021).

1 Given the Seattle City Attorney's Office current filing practices, Judge Wilson's ruling  
2 and the Department of License's concessions, the office believes that the most just resolution for  
3 cases currently open under the prong of Failure to Appear or Failure to pay, is closure or  
4 dismissal.

5 **III. ACTION REQUESTED**

6 The City respectfully requests that your honor grant the following requests:

- 7
- 8 1. For all deferred sentences "DS", the City asks the Court to quash the warrant, vacate  
9 the charge, close any outstanding obligations, and dismiss the case with prejudice.
  - 10 2. For all suspended sentences "SS", the City asks the Court to quash the warrant, close  
11 any outstanding obligations, and close the case.
  - 12 3. For all dispositional continuances "DC", the City asks the Court to quash the  
13 warrant, close any outstanding obligations, and dismiss the case with prejudice.
  - 14 4. For all pending "PN" cases, the City asks the Court to quash the warrant and dismiss  
15 the case with prejudice.
- 16  
17

18 Respectfully submitted this 20th day of October, 2021.

19 **PETER S. HOLMES**  
20 **SEATTLE CITY ATTORNEY**

21 By /s/ Jenna Robert  
22 Jenna Robert, WSBA #42858  
23 Assistant City Prosecutor

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28 MOTION AND PROPOSED ADMINISTRATIVE  
29 ORDER QUASHING BENCH WARRANTS AND  
CLOSURE OR DISMISSAL OF DWLS3 SOLE CHARGE/  
NO RESTITUTION CASES

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**IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE  
KING COUNTY, WASHINGTON**


CITY OF SEATTLE,  
  
Plaintiff,  
  
vs.  
  
SEE APPENDIX A,  
  
Defendant.

**SMC CASE# SEE APPENDIX A  
COURT'S ORDER GRANTING  
CITY'S REQUEST TO QUASH  
BENCH WARRANT AND  
CLOSE OR DISMISS DWLS3  
SOLE CHARGE/NO  
RESTITUTION CASES  
  
CLERK'S ACTION REQUIRED**

Having reviewed the City's Motion to quash the bench warrants and close or dismiss the Cases with prejudice, the Court hereby grants the City's motions:

1. For all deferred sentences "DS", the Court will quash the warrant, vacate the charge, close any outstanding obligations, and dismiss the case with prejudice.
2. For all suspended sentences "SS", the Court will quash the warrant, close any outstanding obligations, and close the case.
3. For all dispositional continuances "DC", the Court will quash the warrant, close any outstanding obligations, and dismiss the case with prejudice.
4. For all Pending "PN" cases, the Court will quash the warrant and dismiss the case with prejudice.

DATED this 21st day of October, 2021.

  
\_\_\_\_\_  
HONORABLE Willie J. Gregory  
Seattle Municipal Court Judge

**COURT'S ORDER GRANTING  
CITY'S MOTION QUASHING BENCH WARRANTS AND  
CLOSURE OR DISMISSAL OF DWLS3 SOLE CHARGE/  
NO RESTITUTION CASES**

**PROPOSED ORDER**