

105208

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SKAMANIA CO. WASH
BY *[Signature]*

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9:30 A.M.
MAY 27 1988

MAY 31 8 AM 1988

1 **AMENDED NOTICE OF TORT CLAIM RCW 36.45 SKAMANIA COUNTY**
2 **TO BE PRESENTED BEFORE THE BOARD OF COUNTY COMMISSIONERS**
3 **AND FILED WITH THE CLERK THEREOF.**

4 Pursuant to RCW 36.45 and subsequent case law, you
5 are hereby given an amended Notice of Tort Claim.

6 Pursuant to RCW 36.45.020, the following information
7 is provided:

8 1. The defects which caused the injury were, or may
9 have been, in the alternative;

10 A. The negligence, or gross negligence, of Deputy
11 Converse.

12 B. The lack of instruction or training, or the
13 poor judgment of Deputy Converse.

14 C. The lack of training guidelines, lack of
15 training provided, or poor supervision of Sheriff Closner.

16 D. The lack of guidelines, lack of policy, lack
17 of training, or poor policy enforcement of the Sheriff's
18 Department of Skamania County.

19 2. The description of the injury is as follows:

20 A gunshot wound to the right chest entering approx-
21 imately interior axillary line 3rd intercostalspace and
22 exiting medial to the scapula at the level of the 5th rib
23 plus the resulting pain, suffering, emotional distress
24 and disability.

25 3. The amount of damages claimed are ONE MILLION
26 TWO HUNDRED FIFTY THOUSAND AND NO/100 (\$1,250,000.00) U.

Page 1 - AMENDED NOTICE OF TORT CLAIM
SETZER vs SKAMANIA COUNTY

Registered
Indexed, Dir
Indirect
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Mailed

JOHN THOMAS DAY P.C.
ATTORNEYS AT LAW
P.O. BOX 401
STEVENSON, WASHINGTON 98584
(509) 427-5111

1 S. DOLLARS.

2 4. The actual residence of the claimant at the time
3 of presenting and filing the claim and for the period of
4 six months immediately prior to the time the claim accrued
5 are as follows:

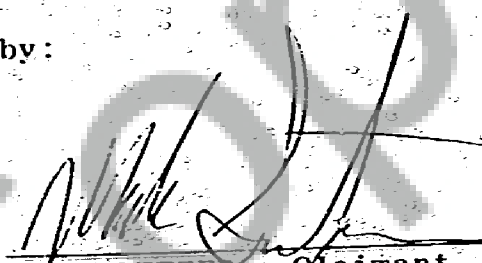
6 A. All current correspondence may be sent to
7 him c/o his attorney, John Thomas Day, P. O. Box 401,
8 Stevenson, WA 98648.

9 B. The claimant's actual address is P. O. Box
10 617, Stevenson, WA 98648, 509 427-5185. His actual residence
11 address is Barnes Road, Carson, WA 98610.

12 C. His actual residence for a period of six months
13 immediately prior to the time the claim accrued was 959
14 Eastside Road, Hood River, OR 97031.

15 Because of possible conflicts of laws and ambiguity
16 between RCW 36.45.030 and RCW 4.16.100 - .130 - .190, an
17 action will be filed if settlement release and dismissal
18 is not finalized prior to the 10th day of August, 1988.

19 SUBSCRIBED AND SWORN to by:

20
21
22 
23 MARK SETZER, Claimant

24 STATE OF WASHINGTON)
25) ss
26 County of Skamania)

27 SUBSCRIBED AND SWORN to before me this ____ day of
28 May, 1988.

Page 2 - AMENDED NTOICE OF TORT CLAIM
SETZER vs SKAMANIA COUNTY

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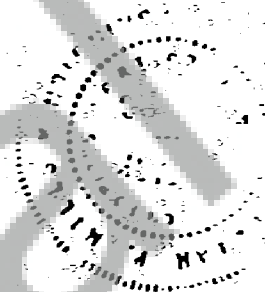
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William B. Mink
NOTARY PUBLIC for Washington
residing at N. D. Minkville
My commission expires 5/27/91
4/23/91

Presented by:

John V. Day

JOHN THOMAS DAY, P. S., INC.,
BY: JOHN THOS. DAY, #3099
Attorney for Claimant



Unofficial Copy

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