

130020

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SKAMANIA CO. WASH
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DEC 16 4 31 PM '97

P. Lowry
AUDITOR
GARY M. OLSON

Please Print or Type Information.

Document Title(s) or transactions contained therein:	
1.	<i>Notice of Claim (Claim for Damages)</i>
2.	
3.	
4.	
GRANTOR(S) (Last name, first, then first name and initials)	
1.	<i>Skamania County</i>
2.	
3.	
4.	
<input type="checkbox"/> Additional Names on page _____ of document.	
GRANTEE(S) (Last name, first, then first name and initials)	
1.	<i>Humason, Mitchell A.</i>
2.	
3.	
4.	
<input type="checkbox"/> Additional Names on page _____ of document.	
LEGAL DESCRIPTION (Abbreviated: I.E., Lot, Block, Plat or Section, Township, Range, Quarter/Quarter)	
<input type="checkbox"/> Complete legal on page _____ of document.	
REFERENCE NUMBER(S) Of Documents assigned or released:	
<input type="checkbox"/> Additional numbers on page _____ of document.	
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER	
<input type="checkbox"/> Property Tax Parcel ID is not yet assigned.	
<input type="checkbox"/> Additional parcel #'s on page _____ of document.	
The Auditor/Recorder will rely on the information provided on the form. The Staff will not read the document to verify the accuracy or completeness of the indexing information.	

Douglas B. Leightner, Jr.

Attorney at Law
P.O. Box 84335
Vancouver, WA. 98684-0335

(360)696-0686

FILED FOR RECORD
SKAMANIA CO. WASH
BY

Dec 16 4 31 PM '97

AUDITOR
GARY M. OLSON

December 15, 1997

Clerk of Board of County Commissioners
Board of County Commissioners
County of Skamania
240 NW Vancouver
Stevenson, WA. 98648-0790

RE: Notice of Claim
RCW 4.96, RCW 35.45, and
42 U.S.C. Sec. 1983

RECEIVED - 5 PM

DEC 15 1997

SKAMANIA COUNTY
AUDITOR

CLAIMANT: Mitchell A. Humason

RESIDENCE OF CLAIMANT FOR SIX MONTHS PRIOR TO DATE OF CLAIM:

- a. 10318 NE 84th Street
- b. Vancouver, WA.

RESIDENCE OF CLAIMANT AT TIME OF FILING CLAIM:

- a. Boston, MA.

DATE, TIME, AND PLACE OF INJURY:

- a. December 15, 1994
- b. Between 10:00 a.m. and 12:00 a.m.
- c. Residence located at 10318 NE 84th Street, Vancouver, WA.

NAMES OF ALL PERSONS INVOLVED, TO THE EXTENT KNOWN:

- a. Sgt. Rex Gunderson, Vancouver Police Department
- b. Det. Mary Parsons
- c. Clark County Sheriff
- d. Skamania County Sheriff
- e. City of Vancouver Police Chief
- f. Other unknown individual members of the Clark-Skamania Drug Task Force

CAUSE OF ACCIDENT:

- a. Refusal of the Clark-Skamania Drug Task Force personnel to timely return personal property seized pursuant to a search warrant. No criminal charges were ever filed against claimant and no illegal materials, evidence of a crime, or contraband was seized.
- b. Refusal of Clark-Skamania Drug Task Force personnel to voluntarily return personal property wrongfully retained except under terms and conditions onerous to claimant.
- c. As the result of the refusal of the Clark-Skamania Drug Task Force personnel to timely return claimant's personal

property without unreasonable preconditions to the return, claimant was forced, at his own expense, to employ the services of a private attorney and bring a court action for replevin in order to finally obtain return of the wrongfully withheld personal property.

d. Violation of claimant's civil rights occasioned by the acts and failures to act of the Clark-Skamania Drug Task Force.

NATURE AND EXTENT OF INJURIES AND DAMAGE:

- a. Loss of use of personal property
- b. Cost of obtaining return of personal property
- c. Emotional stress and damage
- d. Violations of civil rights
- e. Damage to premises and contents located at 10318 NE 84th Street, Vancouver, WA.
- f. Wrongful retention of important records critical to claimants continuing post graduate college education

CONDUCT AND CIRCUMSTANCES WHICH BROUGHT ABOUT INJURY AND DAMAGE:

- a. Warrantless pre-search of claimant's property by members of the Clark-Skamania Drug Force falsely posing as potential purchasers of claimants residence, which was for sale at the time.
- b. Obtaining a search warrant based upon alleged evidence obtained in violation of claimants civil rights.
- c. Taking and wrongfully retaining items of personal property belonging to claimant that had no rational relationship to any supposed criminal activity.
- d. Damage to the structure located at 10318 NE 84th Street, Vancouver, WA occasioned by the method of entry utilized.
- e. By obtaining the issuance of a search warrant when the personnel of the Clark-Skamania Drug Task Force knew, or should have known, that the person that was the subject of an investigation had not had any contact at the place and premises searched for months prior to the date the warrant was issued and the search conducted.

AMOUNT OF DAMAGES CLAIMED:
\$50,000.00

VERIFICATION:

Douglas B. Leightner, Jr., certifies under penalty of perjury under the laws of the State of Washington that I am the attorney for the above-named claimant, have read the foregoing Notice of Claim, know the contents therein, believe the same to be true and correct.

DATED at Vancouver, Clark County, Washington, this 15th day of December, 1997.

Douglas B. Leightner, Jr.
DOUGLAS B. LEIGHTNER, JR., WSBA #4960