



FILED  
SUPERIOR COURT  
THURSTON COUNTY, WA

2020 DEC 18 PM 1:28

Linda Myhre Enlow  
Thurston County Clerk

Hearing date: \_\_\_\_\_

Hearing time: \_\_\_\_\_

Judge/Calendar: \_\_\_\_\_

**Superior Court of Washington  
County of Thurston  
Family & Juvenile Court**

In re:

SELENA U. SMITH

Petitioner,

and

JAMES D. WELLS

Respondent.

No. 20-2-30788-34

**Motion for Order to Show  
Cause Re: Vacation of  
Judgment/Order  
(No Mandatory Form)**

**I. Relief Requested**

JAMES D WELLS

(Your Name)

respectfully moves the Court for an Order requiring

SELENA U. SMITH

(Opposing Party)

to appear and show cause why the Motion to Vacate

Judgment/Order(s) of the Court should not be granted.

**II. Statement of the Case and Grounds to Vacate the Order**

I am asking the Court to vacate the following Order(s) or parts of Order(s):

TO GRANT SELENA U. SMITH HER PROTECTION  
ORDER AGAINST MY PERSON, AS I WAS PRESENT  
IN COURT ON DEC. 18, 2020, DUE TO A CLERICAL  
ERROR I WAS GIVEN AN INCORRECT ZOOM ID CODE.  
THERE IS A VIDEO RECORD OF MY LOGIN AT 242-974-5214  
ONTIME AND READY FOR COURT  
The Order(s) to be vacated was/were entered on DEC. 17, 2020 [date(s)].

The Order(s) should be vacated because: I WAS PRESENT, ON TIME & READY TO STATE MY CASE. I'VE SPENT WEEKS PREPARING MY STATEMENTS AND REBUTTAL TO HER BASELESS AND FAR-FETCHED ALLEGATIONS. I NEED MY VOICE TO BE HEARD AS THE CHILDREN'S FATHER. SHE IS WRECKLESSLY DANGEROUS AND I NOW FEAR FOR THE CHILDREN'S SAFETY MORE THAN EVER. BECAUSE OF A CLERICAL ERROR PLACING ME IN THE WRONG MEETING. I DOUBLE CHECKED INFORMATION PROVIDED ME AND IT WAS A MATCH FOR THE COURT I ATTENDED. I FEEL SABOTAGED BY THE SAME INSTITUTION I SOUGHT OUT FOR PROTECTION AND RELIEF. I NEED THE OPPORTUNITY TO PRESENT MY CASE.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at J D W OLYMPIA, WA (City and State) on DEC. 17, 2020 (Date).

J D W  
Signature  
JAMES D WELLS  
Print or type name

### III. Evidence Relied Upon in Addition to Evidence in Court File

JAMES D. WELLS's Motion to Vacate Judgment/Order.  
(Your Name)

Declaration of: \_\_\_\_\_  
(Writer's Name)

Declaration of: \_\_\_\_\_  
(Writer's Name)

Other: VIDEO FILE ZOOM ID 9:00AM DEC. 17, 2020  
(Other Supporting Documents/Evidence)  
242-974-5214 ON COURT RECORD

#### IV. Authority

RESPONDENT

's (Indicate whether you are the Petitioner or Respondent)

Motion to Vacate Judgment/Order is made pursuant to one or more of the following:

- Civil Rule 60(a): Clerical mistake(s) in the Judgment, Order or other parts of the record;
- Civil Rule 60(b)(1): Mistake, inadvertence, surprise, excusable neglect or irregularity in obtaining the Judgment/Order;
- Civil Rule 60(b)(2): Erroneous proceedings against a minor or person of unsound mind and the condition of the defendant/respondent did not appear in the records nor was the error discovered during proceedings;
- Civil Rule 60(b)(3): Newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under CR 59(b);
- Civil Rule 60(b)(4): Fraud, misrepresentation or other misconduct of an adverse party;
- Civil Rule 60(b)(5): The Judgment/Order is void;
- Civil Rule 60(b)(6): The judgment has been satisfied, released or discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application;
- Civil Rule 60(b)(7): If the defendant was served by publication, relief may be granted as prescribed in RCW 4.28.200;
- Civil Rule 60(b)(8): Death of one of the parties before the Judgment in the action;
- Civil Rule 60(b)(9): Unavoidable casualty or misfortune preventing the party from prosecuting or defending;
- Civil Rule 60(b)(10): Error in judgment shown by a minor, within 12 months after arriving at full age;

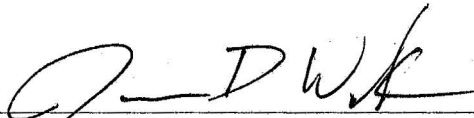
- Civil Rule 60(b)(11): Any other reason justifying relief from the operation of the judgment;
- [Any other relevant legal authority: specify]

**V. Proposed Order**

A proposed order accompanies this motion.

DATED: DEC. 17, 2020

Respectfully submitted,

  
\_\_\_\_\_  
Your Signature

JAMES D. WELLS  
\_\_\_\_\_  
Print or Type Name