



FILED
SUPERIOR COURT
THURSTON COUNTY, WASH.

2021 APR 30 AM 11: 28

Linda Myhre Enlow
Thurston County Clerk

Hearing Date: 4/30/21
Hearing Time: 9:00 a.m.
Judge/Calendar: Mary Sue Wilson

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

DANIELLE PIERCE, AMANDA
GLADSTONE, JANIE COMACK, and
LACY SPICER,

Plaintiffs,

v.

DEPARTMENT OF LICENSING, a
Washington state agency, and
TERESA BERNSTEN, in her official
capacity as Director of the Department
of Licensing,

Defendants.

NO. 20-2-02149-34

~~PROPOSED~~

ORDER GRANTING PLAINTIFFS'
MOTION FOR SUMMARY
JUDGMENT AND DENYING
DEFENDANTS' CROSS-MOTION
FOR SUMMARY JUDGMENT

M&W

This matter came before the Court on April 30, 2021, pursuant to Plaintiffs' Motion for Summary Judgment and Defendants' Cross-Motion for Summary Judgment. The Court has fully considered the pleadings and declarations on file herein regarding Plaintiffs' Motion and Defendants' Cross-Motion, including the following:

1. Plaintiffs' Motion for Summary Judgment;
2. Plaintiffs' Opening Brief in Support of Their Motion for Summary Judgment;
3. Declaration of Amanda Gladstone;

ORDER GRANTING PLFS' MOT. FOR SUMM. J. AND
DENYING DEFS' CROSS-MOTION FOR SUMM. J. - 1

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- 1 4. Declaration of Danielle Pierce;
- 2 5. Declaration of Janie Comack;
- 3 6. Declaration of Lacy Spicer;
- 4 7. Defendants' Opposition to Plaintiffs' Motion for Summary Judgment
- 5 and Cross-Motion for Summary Judgment;
- 6 8. Declaration of Dionne Padilla-Huddleston and Exhibits thereto;
- 7 9. Declaration of Carla Weaver and Attachments;
- 8 10. Amended Declaration of Schuyler Rue and Exhibit thereto;
- 9 11. Declaration of Haiping Zhang;
- 10 12. Declaration of Kevin Cottingham;
- 11 13. Declaration of Marianne Boggie;
- 12 14. Declaration of Suzanne Elsner;
- 13 15. Declaration of Lea Garner;
- 14 16. Declaration of Rhonda Hanowell;
- 15 17. Declaration of Deannie Martin;
- 16 18. Declaration of Paulette Revoir;
- 17 19. Declaration of Bruce Van Glubt;
- 18 20. Declaration of Sharon Whittaker;
- 19 21. Plaintiffs' Reply In Support of Motion for Summary Judgment and
- 20 Opposition to Defendants' Cross-Motion for Summary Judgment; and
- 21 22. Defendants' Reply.

22 Based on the foregoing, IT IS HEREBY ORDERED that Plaintiffs' Motion
23 for Summary Judgment is GRANTED. Defendants' Cross-Motion is DENIED.

24 Accordingly, the Court holds that RCW 46.20.289 is unconstitutional ^{as applied} ~~on its~~
25 ~~face~~ ^{to individuals who are indigent} and is therefore void and unenforceable.

26 The Court will enter such further relief, ~~including an order enjoining the~~

ORDER GRANTING PLFS' MOT. FOR SUMM. J. AND
DENYING DEFS' CROSS-MOTION FOR SUMM. J. - 2

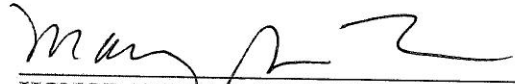
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Upon motion by either party.

MSW

~~further suspension of driver's licenses under RCW 46.20.289 and under any other statute that automatically suspends the driver's license of an individual who fails to pay a moving violation fine without a prior hearing to determine whether the driver has the financial ability to pay the fine.~~

SIGNED this 30 day of April, 2021.



HONORABLE MARY SUE WILSON
THURSTON COUNTY SUPERIOR COURT JUDGE

Partis participated by Zoom

Scaramastra
for Plaintiffs

Settem
for Defendants

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1 Presented by:

2 AMERICAN CIVIL LIBERTIES UNION OF
3 WASHINGTON FOUNDATION

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ORDER GRANTING PLFS' MOT. FOR SUMM. J. AND
DENYING DEFS' CROSS-MOTION FOR SUMM. J. - 4

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