



Lawsuit Update

Our lawyer has asked the court for a summary judgment. In short, TRC is trying to get a decision on the merits of the lawsuit now. The key dates in this process are as follows:

- May 23 – Canonica's Response to our Motion is due.
- May 27 – Our Reply is due
- June 3 – The hearing before Judge Appel at the Snohomish County Superior Court

(Summary judgments are described at this website: <http://www.trailofshame.com/I-Judicial-SJ-def.html>)

Trespass Event

As will be explained in the VP of Operations report, Scott Alan Canonica, known to TRC as Preston Canonica, returned to TRC property this past Sunday afternoon, contrary to the No Trespass warning issued against him. On Tuesday morning, a Sheriff's deputy took some of TRC's evidence about the trespass. We've been advised that Canonica will be charged, but not arrested.

A case number has been assigned to the trespass incident. The President's office will coordinate and communicate with all external parties on the matter.

Reference Information – Washington State Law

(<http://app.leg.wa.gov/RCW/default.aspx?cite=9A.52.070>)

Criminal Trespass in the First Degree

1. A person is guilty of criminal trespass in the 1st degree if he/she knowingly enters or remains unlawfully in a building.
2. Criminal trespass in the 1st degree is a gross misdemeanor and punishable by up to 365 days in jail.

Criminal Trespass in the Second Degree

1. A person is guilty of criminal trespass in the 2nd degree if he/she knowingly enters or remains unlawfully in or upon premises of another under circumstances not constituting criminal trespass in the 1st degree.
2. Criminal trespass in the 2nd degree is a misdemeanor and punishable by up to 90 days in jail.



Criminal Trespass - Defenses

In any prosecution under RCW 9A.52.070 and 9A.52.080, it is a defense that:

- 1) A building involved in an offense under RCW 9A.52.070 was abandoned;
or
- 2) The premises were at the time open to members of the public and the actor complied with all lawful conditions imposed on access to or remaining in the premises; or
- 3) The actor reasonably believed that the owner of the premises, or other person empowered to license access thereto, would have licensed him or her to enter or remain; or
- 4) The actor was attempting to serve legal process which includes any document required or allowed to be served upon persons or property, by any statute, rule, ordinance, regulation, or court order, excluding delivery by the mails of the United States. This defense applies only if the actor did not enter into a private residence or other building not open to the public and the entry onto the premises was reasonable and necessary for service of the legal process.

Signed,

Craig Maynard

Craig Maynard
President
Triangle Recreation Campground