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BEFORE THE HEARING EXAMINER OF THE CITY OF MERCER ISLAND

In Re The Appeal of:
PETER WEISS, as Owner of dog named
Whisky,

Appellant,

v.

CITY OF MERCER ISLAND,

Respondent.

No. APL23-007

MOTION FOR DISMISSAL
WITHOUT PREJUDICE

MOTION TO DISMISS

Pursuant to Hearing Examiner Rule of Procedure (RoP) 228(e), the Respondent has withdrawn the appealed notice of Potentially Dangerous Dog. Please see attached Exhibit A. Accordingly, pursuant to RoP 228(e), the appeal is now moot and shall be dismissed.

Accordingly, Respondent City of Mercer Island moves the Hearing Examiner to dismiss the instant appeal without prejudice.

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DATED this 19th day of September, 2023.

MADRONA LAW GROUP, PLLC

By: /s/ Eileen M. Keiffer
Eileen M. Keiffer, WSBA No. 51598
14205 SE 36th Street
Suite 100, PMB 440
Bellevue, WA 98006
Telephone: (425) 201-5111
Email: eileen@madronalaw.com

CITY OF MERCER ISLAND
OFFICE OF THE CITY ATTORNEY

By: /s/ Bio Park
Bio Park, WSBA No. 36994
9611 SE 36th Street
Mercer Island, WA 98040
Telephone: (206) 275-7652
Email: bio.park@mercerisland.gov

Attorneys for the City of Mercer Island

DECLARATION OF SERVICE

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I, Tori Harris, declare and state:

1. I am a citizen of the State of Washington, over the age of eighteen years, not a party to this action, and competent to be a witness herein.

2. On the 19th day of September, 2023, I served a true copy of the foregoing Motion for Dismissal Without Prejudice on the following parties using the method of service indicated below:

Peter Weiss 7204 76th Avenue SE Mercer Island, WA 98040 <i>Appellant</i>	<input checked="" type="checkbox"/> First Class, U.S. Mail, Postage Prepaid <input type="checkbox"/> Legal Messenger <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> E-Mail: weisspeter1@gmail.com
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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 19th day of September, 2023, at Austin, Texas.

/s/ Tori Harris
Tori Harris

EXHIBIT – A



King County

Regional Animal Services
of King County
21615 64th AVE S.
Kent, WA 98032
206.296.7387
Kingcounty.gov/pets

09/15/2023

To:

Peter Weiss
7204 76th AVE SE
Mercer Island, WA 98040

Dear Mr. Weiss:

Regional Animal Services of King County is rescinding the Potentially Dangerous Dog declaration for the dog "Whisky," issued on August 10th, 2023. This is related to activity A23-004852 where the dog "Whisky" bit a person causing injury.

A. Wilcox #55
Regional Animal Services
of King County.

