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**LEWIS COUNTY CORONER'S OFFICE
BEFORE THE CORONER**

In the Matter of
Ronda Reynolds, Deceased

№ INQ-2011-1
ORDER OVERRULING OBJECTION

On September 19, 2011, Barbara Thompson, through her counsel Royce Ferguson, filed a pleading styled "Objections and Motions of Interested Party Barb Thompson". Therein she responded to the motions of Ron Reynolds, David Reynolds, Jonathan Reynolds, and Joshua Reynolds to quash the subpoenas which I had issued to each of them. I rule upon those Motions in a separate Order.

In her pleading Mrs. Thompson objects, in her counsel's words, "to any aspect of these proceedings which would cause to be submitted to the inquest jurors the question—Whether the manner of Ronda Reynolds' death was suicide?" She contends that this Inquest is bound by a ruling made by His Honor Judge Hicks in *Thompson v. Wilson*, Lewis County Superior Court docket № 10-2-01044-1, barring my immediate predecessor from finding this deceased to have committed suicide unless a certain evidentiary test was satisfied.

1 I directed that Mrs. Thompson's pleading be forwarded to counsel representing
2 Ron Reynolds, David Reynolds, Jonathan Reynolds, and Joshua Reynolds. As it
3 addressed both the motions to quash and this Objection, I permitted these Persons
4 Especially Interested both to reply to Mrs. Thompson's response to their Motions to
5 Quash, and also to respond to Mrs. Thompson's Objections. Counsel representing the
6 latter three Reynolds gentlemen (the step-sons of the deceased) filed a reply and
7 response on September 20, 2011.
8

9 Mr. Dudenbostel, counsel for Deceased's husband, argues in his response that
10 this proceeding is independent of the *Thompson v. Wilson* litigation. He contends that
11 substantial evidence exists pointing to suicide, and that my jury needs to consider that
12 possible manner of death in order to bring closure to the question of the manner in
13 which the Deceased died.
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15 In this State a coroner is an independently elected public officer. The coroner
16 can be called to task by the courts for actions beyond the scope of his authority. The
17 Legislature has enacted a statute providing that a coroner's decisions concerning cause
18 and manner of death can be reviewed by the courts as to their accuracy. However, the
19 coroner is responsible for his policy choices not to the courts, but to the voters of his
20 county.
21

22 The doctrine of *res judicata* very clearly does not attach to a coronial
23 determination of cause or manner of death. A coroner is free to revise his own findings.
24 A coroner is free at any time to reexamine his predecessors' decisions with regard to
25 deaths which have occurred within the boundaries of his county. In so doing he is not
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1 bound by the prior determinations of his predecessors as to the cause or the manner of
2 those deaths.

3 This coroner was not a party to the proceedings in *Thompson v. Wilson*, Lewis
4 County Superior Court docket № 06-2-01044-1, which was a judicial review of my
5 immediate predecessor's several determinations over a period of years concerning the
6 manner of death of this Deceased. That proceeding has been appealed to the
7 Washington Court of Appeals. On June 16, 2011, the Court of Appeals stayed its
8 proceedings to permit this inquest to go forward. In the course of reaching that
9 decision, the appellate judges took note of the fact that Mr. Wilson no longer is Lewis
10 County's Coroner. They further noted from the bench that a newly elected Lewis
11 County Coroner intended to conduct this independent inquest. Had these judges
12 understood the trial judge's rulings in *Thompson v. Wilson* to preclude me from
13 conducting an inquest in the normal manner, or to preclude me and my inquest jury
14 from considering all possible manners of death, certainly they would have said so.
15
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17 In *Thompson v. Wilson*, former coroner Wilson chose to offer no evidence in
18 support of his various determinations over time that the Deceased either committed
19 suicide or died in an undeterminable manner. The only case was put on by Mrs.
20 Thompson, who champions the proposition that the Deceased was murdered. In this
21 proceeding evidence will be presented in a non-adversarial and fair manner, so as to
22 afford the jury an unbiased view of the totality of the evidence. It would be most
23 inappropriate to hobble the coroner's jury in the manner proposed by Mrs. Thompson.
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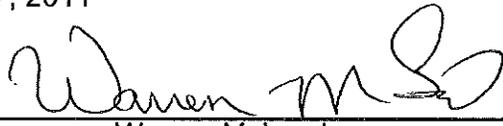
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Just as in any inquest, the jury in this proceeding will be instructed to consider all evidence they hear, fairly and fully; and then to return such verdict as they find appropriate. It would be presumptuous of me to deny my jurors the ability to make such ruling as to manner of death as they find the evidence to require. These coroner's jurors will be representatives of the people of this County, from whose number they are to be drawn. The Coroner will not so abridge their rights and their freedom of decision.

Accordingly, Barbara Thompson's objection is overruled.

Notwithstanding the title of her pleading, Mrs. Thompson's pleading set forth no motion upon which I can rule at this time. She is free to file such motions in this proceeding as she may see fit.

Dated September 27, 2011



Warren McLeod
Lewis County Coroner

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Certificate of Service

On this date I mailed a true copy of the above Notice, and true copies of the foregoing Order Quashing Subpoena to each of the following by prepaid First Class Mail:

Rick Cordes, Esq.
Attorney at Law
2625-B Parkmount Lane SW
Olympia, Washington 98502

Rayburn K. Dudenbostel, Esq.
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Royce Ferguson, Esq.
Attorney at Law
2931 Rockefeller Avenue
Everett, Washington 98201

Dated September 27, 2011


Dawn Harris
Chief Deputy Coroner
Clerk to the Inquest