

**SUPERIOR COURT OF THE STATE OF WASHINGTON
COUNTY OF KING**

In the Guardianship of:

Omana Thankamma.

An Incapacitated person

CASE NO. 18-04-05231-6 SEA

Joint Petition for Recusal

1. Synopsis

The undersigned four petitioners represent all of Omana Thankamma (AIP)'s family as son, daughter, brother and granddaughter. Three of these petitioners have never been before this Court ever in any proceeding. They are thus entirely within their rights to disqualify Commissioner Velategui, pursuant to to RCW 4.12.050. The role of the Commissioner as a vis-a-vis substitute for an elected Judge is made amply clear in RCW 2.24. Therefore all the provisions of Judicial conduct as well as remedies for Parties fearing discrimination are applicable to Commissioners in the same plain statutory language as they are to Judges.

These petitioners have therefore exercised their right to summarily disqualify the Commissioner by their Notice of Disqualification filed with the Clerk on 11/13/2019 [Exhibit 1]. By plain language of the statute, the Commissioner is

barred from any further participation on this matter, let alone issuing any orders, which shall be null and void by definition. The Commissioner has NOT SIGNED any discretionary orders that related to any of Mr. Jayakumar Nair (her brother) or her daughter Rajakumari or her granddaughter Sukanya Susheel, pursuant to CrR3.2.1.

Notwithstanding, the opposition Counsel and Clerk have indicated they are not willing to strike the hearing. This has prompted this joint petition for recusal.

[2. Complaint being investigated by WA State Commission for Judicial Conduct](#)

The Commissioner's racist rants from the bench, ridiculing and disparaging the nation of India (he has insulted our nation by stating that he did not believe there were any hospitals or nursing homes in a country of 1.4 billion people and the fifth largest economy in the world, and made several racist remarks about our culture). These comments and his illegal conduct denying Petitioner Jayakrishnan Nair of his Constitutional due process rights (fifth and fourteenth amendments).

Standard rules of service and process were bypassed in the most blatantly discriminatory way possible, and entirely unconscionable demands for personal service (despite evidence of King County e-Service, as in Exhibit 2) were imposed on only one party but not the other, in his order noting Calendar, which is in clear violation of the right on Mr. Nair's 14th amendment rights to not be discriminated based on race or national origin in any Court proceeding. Please further note that CrR3.2.1 specifically states that such orders setting calendar notes DO NOT immune disqualification of a Judge or Commissioner. Declarations of Mr. Young and Mr. Barrera on Omana's torture in illegal solitary confinement, held incommunicado, is on Exhibit 3, after they witnessed her most crucifying plight personally.

In the Court transcript for the day of Nov 6th hearing, Mr. Nair can be heard repeatedly requesting the Court for his right to provide a sworn-in testimony. Despite the fact that he was the petitioner, he was not allowed to speak first, or speak at all - again in violation of standard court procedure. His statements on record, as well as repeatedly stating that pleadings from Mr. Nair as being "inches thick" and "vexatious" further elucidate the fact that he has not read any of the submissions by Mr. Nair and is absolutely clueless about the facts of this case.

He has not addressed any of the grievous crimes alleged against the "guardian", including the collusion with Paramount Nursing home to commit her murder - as proven by her harassing emails to the petitioners about her intent to murder her as well as from the medical records from Paramedics who were called in by the undersigned Petitioner Rajakumari after finding her in the most horrid state near death covered with blisters and drenched in dried vomit and poop. The medical evidence conclusively corroborates that she was not receiving any food or medicine. In fact the Paramedics were stunned at the sight and had confirmed her blisters from bullosis diabeticorum, and having glucose over 400.

The Commissioner managed to overlook all the evidences, photos and several testimonies from witnesses, and not only not address these issues, but even go as far as most egregiously endorse and show "great appreciation and commendation" for the guardian's evil murder attempt. He simply ignored all the half a dozen state statutes she is in violation of, which is mentioned in the VAPAAs a matter of fact, it must be painfully noted that all the Commissioner managed to achieve was to embarrass himself through regurgitating the verbal diarrhea of Mr. Ermin Ciric, the attorney representing the guardian, who presented complete nonsense as anybody with a reasonable intelligence and has read all the evidence can understand.

3. Commissioner's Personal Conflict of Interest

Further to the above, the Commissioner has stated on record that his wife is a follower / devotee of a world renowned Spiritual Guru Mata Amritanandamayi Devi aka AMMA, who is famous as the "Hugging Saint" as she physically embraces and kisses all her devotees in maternal love [Exhibit 4]. AIP Thankamma and Amma have been friends and neighbors that have known each other for over 50 years. Amma had personally acted as a mediator for resuscitating the marriage of Mr. Nair with his ex-wife, and is close to our family. Commissioner expressed disgust at the way love is expressed platonically in a maternal relationship and insulted AMMA.

Notwithstanding the above, the Commissioner had, in open court, disapproved of our culture and ridiculed and mocked our religious beliefs. He has most scornfully and utterly disdainfully denigrated our culture and made insulting remarks like "if they want to hug and kiss their mothers, that should be left in India, but when they come to our country, they must act according to our culture".

4. Motion for Revision

Pursuant to RCW 2.24.050, that all decisions and conduct by Commissioners are subject to revision by a fully appointed Superior Court Judge, Plaintiffs have moved the Superior Court for re-evaluating his partisan conduct and procedural violations. The motion has been noted for Honorable Judge Tonya Thorp's calendar. Therefore it is mute and in bad faith to conduct any more hearings or rulings in this matter, and can only be viewed as a direct transgression of the Commissioner's limited authority. It is therefore in the best interest of all parties to let the Honorable Judge

Thorp make the final rulings on the Petition to Terminate Guardianship and the VAPA petition against the Guardian, at the upcoming hearing.

5. Conclusion and Prayer

For all the above reasons, it is humbly prayed that the Commissioner will act in good faith and ethically, and in the interest of judicial economy, by recusing himself from the hearing on the presentation motion for 11/14/2019, refraining from any interim (null, void and mute by definition) rulings in bad faith abusing his position.



Jayakumar Nair
Brother of AIP
11/13/2019



Rajakumari Susheelkumar
Daughter of AIP
11/13/2019



Sukanya Susheel
Granddaughter of AIP
11/13/2019



Jayakrishnan Nair
Son of AIP
11/13/2019