

FILED
SUPREME COURT
STATE OF WASHINGTON
6/14/2023 12:00 PM
BY ERIN L. LENNON
CLERK

Supreme Court No. 101765-1

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

THE STATE OF WASHINGTON,
Respondent,

v.

LOUIS NOBERTO MENDEZ,
Petitioner.

ANSWER TO PETITION FOR REVIEW

ERIC EISINGER
Prosecuting Attorney
for Benton County

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REGULATIONS AND COURT RULES

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I. ISSUES PRESENTED FOR REVIEW

None of the issues the defendant presented in his Petition for Review were raised in his direct appeal. Should the Court dismiss his Petition for Review?

II. STATEMENT OF THE CASE

The defendant on direct appeal raised two issues: 1. “Whether the trial court erred in entering a conviction for Count 2, third degree child molestation, after finding this count merged with count 1, third degree rape of a child?” 2. “Whether the trial court erred in entering a Sexual Assault Protection Order that expires ten years after the date of sentencing?”

He raises different issues in this Petition for Review. He alleges a time-for-trial violation, pretrial prosecutorial misconduct, insufficiency of evidence and failure to enter mens rea findings.

III. ARGUMENT

The additional allegations are inappropriate for a Petition for Review. RAP 12.1 (a). The defendant has the option of filing a Personal Restraint Petition. If the Court wants more information or argument from the State, the State respectfully requests the Court to so advise.

IV. CONCLUSION

Accordingly, the petition for review should be denied. This document contains 180 words, excluding the parts of the document exempted from the word count by RAP 18.17.

RESPECTFULLY SUBMITTED this 14th day of June, 2023.

ERIC EISINGER
Prosecutor



Terry J. Bloor,
Deputy Prosecuting Attorney
WSBA No. 9044
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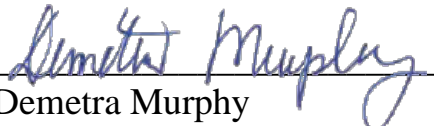
CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on this day I served, in the manner indicated below, a true and correct copy of the foregoing document as follows:

Louis Noberto Mendez
3303 W. 7th Avenue
Kennewick, WA 99336

U.S. Regular Mail,
Postage Prepaid

Signed at Kennewick, Washington on June 14, 2023.


Demetra Murphy
Appellate Secretary

BENTON COUNTY PROSECUTOR'S OFFICE

June 14, 2023 - 12:00 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 101,765-1
Appellate Court Case Title: State of Washington v. Louis Noberto Mendez
Superior Court Case Number: 19-1-00740-4

The following documents have been uploaded:

- 1017651_Answer_Reply_20230614114457SC771609_6116.pdf
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