

**FILED**

SEP 24 2013

COURT OF APPEALS  
DIVISION III  
STATE OF WASHINGTON  
By \_\_\_\_\_

No. 89228-8

Supreme Court of the State of Washington

No. 29021-2-III

Court of Appeals, Division III of the State  
of Washington

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State of Washington, Respondent

v.

Rex Gregory, Petitioner

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Petition for Review

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Rex Gregory, Petitioner  
Pro se

**FILED**

OCT -1 2013

CLERK OF THE SUPREME COURT  
STATE OF WASHINGTON

E CRF

## Table of Contents

Item	Page
I Table of Cases	1,2
II Identity of Petitioner (Part A)	3
III Citation to Court of Appeals Decision (Part B)	3
IV Issues Presented for Review (Part C)	4-8
V Statement of the Case (Part D)	9
VI Argument (Part E)	9-10
VII Conclusion (Part F)	10-11
VIII Appendix	12

## Table of Authorities

<u>Table of Cases</u>	<u>Page</u>
Beckman ex rel. Beckman v. State, Dept. of Social and Health Services, 102 Wash. App. 687, 11 P.3d 313 (2000)	7
Clowes v. Terminix Int'l, Inc., 109 NJ 575, 538 A2d 794, 52 BNA FEP Cas 1608, 47 CCH EPD ¶ 38223, 82 ALR 4th 1 (1988)	8
Draper v. Washington, 372 U.S. at 495, 83 S.Ct. at 778, 9 L.Ed.2d 899 (1963)	5
Durand v. HIMC Corp., 151 Wash. App. 818, 214 P.3d 189, review denied 168 Wash.2d 1020, 231 P.3d 164 (2009)	7
In re Brett, 142 Wash.2d at 882-83, 16 P.3d 601 (2001)	6
Mayer v. Chicago, 404 U.S. at 195, 92 S.Ct. at 415 (1971)	5
Shumway v. Payne, 136 Wash.2d 383, 964 P.2d 349 (1998)	6
State v. A.N.J., 225 P.3d 956 (2010)	6
State v. Atteberry, 554 P.2d 1053 (1976)	4
State v. Classen, 176 P.3d 582 (2008)	5
State v. Garza, 994 P.2d 868 (2000)	7
State v. Jackson, 87 Wash.2d at 565, 554 P.2d 1347 (1976)	5
State v. Johnson, 194 P.3d 1009 (2008)	5
State v. Larson, 62 Wash.2d 64, 381 P.2d 120 (1963)	5
State v. Little, 358 P.2d 120 (1961)	4
State v. McCreven, 284 P.3d 793 (2012)	4
State v. Stallworth, 577 P.2d 617 (1978)	4
State v. Thomas, 852 P.2d 1130 (1993)	4, 5
<u>Constitutional Provisions</u>	<u>Page</u>
U.S.C.A. Const. Amend. VI	6, 7
U.S.C.A. Const. Amend. XIV	4, 6

Table of Authorities (Continued)

<u>Statutes</u>	<u>Page</u>
18 U.S.C.A. Section 3006 A (c)	6
42 U.S.C.A. Chapter 126 § 12202	8

<u>Regulations and Rules</u>	<u>Page</u>
Courtroom Rule 8.3 (b)	7
ER 612	4
RAP 9.4	5
RPC 1.2	5
RPC 1.16	5
RPC 1.3	5
RPC 3.4	4
Washington Court General Rule 33	7

## A. Identity of Petitioner

Rex Gregory, pro se, asks this court to accept review of the Court of Appeals decision terminating reconsideration designated in Part B of this petition.

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## B. Court of Appeals Decision

Request for Extension of Time for Motion to  
Reconsider  
Dated 24 MAY 13

Denial of Motion to Reconsider  
Filed 18 JUL 13

A copy of the decision is in the Appendix, page A-4. A copy of the order denying petitioner's Motion to Reconsider is in the Appendix, pages 13.

### C. Issues Presented for Review

A. Mr. Liedkie gave copies of the prior mistrial's transcripts to at least 1 witness. (Transcripts pages 648, 649.)

ER 612 has several associated cases under the heading 'Notes of Decisions.' This includes McCreeven, which requires the trial court to fulfill a three prong activity. Two of those prongs: '(1) the witness's memory needs refreshing,' and '(3) the trial court is satisfied that the witness is not being coached" were not done on the record or at all.

Both Stallworth and Little state 'Use of notes to refresh memory of witnesses must be closely supervised by trial courts.'

Little also states that a witness is not "coached" if 'the witness is using the notes to aid, and not to supplant, his own memory.' at 521.

Despite his answers to questions in the prior mistrial, Richard Muszynski altered his answer to conform with Joel Hastings's answer. (Transcripts pages 648, 649, 745, 747.)

RPC 3.4, comment 1 states in part, '(f)air competition in the adversary system is secured by prohibitions against... improperly influencing witnesses.'

B. Petitioner has disputed the veracity of the trial record for over 2 years. (Letters in Appendix, pages A5-29.)

Atterberry, along with U.S.C.A. Const. Amend. XIV show that the State may use any means of reporting trial proceedings as long as it affords adequate and effective appellate review to indigent defendants. Petitioner's trial and appellant counsel are two separate attorneys - Rick Laws and Dennis Morgan. (Appendix, page A-6.)

Thomas says, '(g)enerally, as a matter of federal constitutional law, where the "grounds of appeal... make out a colorable need for a complete transcript," the State bears the burden of showing that "only a portion

### C. Issues Presented for Review (continued)

of the transcript or an 'alternative' will suffice for an effective appeal on those grounds.' Mayer v. Chicago, 404 U.S. at 195, 92 S.Ct. at 415. In Larson, it says, '(s)ince counsel representing the defendant on appeal did not represent the defendant at the trial, he was unable to determine satisfactorily what errors to assign for the purpose of obtaining an adequate review on appeal...'

Johnson maintains that the '(r)ecord in a criminal case must be of sufficient completeness for appellate review of potential errors...' which is mirrored by Classen.

Thomas goes on to state, '... alternative methods of reporting trial proceedings are constitutionally permissible "if they place before appellate court equivalent report of events at trial from which contentions arise."' State v. Jackson, 87 Wash.2d at 565, 554 P.2d 1347 (Quoting Draper v. Washington, 372 U.S. at 495, 83 S.Ct. at 778, 9 L.Ed.2d 899)'. RAP 9.4 says, '(t)he parties may prepare and sign an agreed report of proceedings setting forth only so many of the facts averred and proved or sought to be proved as are essential to the issues presented for review.'

---

C. RPC 1.1 states, 'A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for representation.'

Comment [1] in RPC 1.3 states in part, '(a) lawyer should pursue a matter on behalf of a client despite... personal inconvenience to the lawyer ... A lawyer must also act with commitment and dedication to the interests of the client and with diligence in advocacy upon the client's behalf.'

Comment [1] in RPC 1.16 says in part, '(a) lawyer should not

### C. Issues Presented for Review (continued)

accept representation in a matter unless it can be performed completely...

A.N.J. states in part, '... in some times and places, inadequate funding and troublesome limits on indigent counsel have made the promise of effective assistance of counsel more myth than fact, more illusion than substance. Public funds for appointed counsel are sometimes woefully inadequate... It is clear, even if not calculated, that the prosecution benefits from a system that discourages vigorous defense...' and continues [168 Wn.2d 99]: '... we have already held that the failure to investigate, at least when coupled with other defects, can amount to ineffective assistance of counsel. In re Brett, 142 Wash.2d at 882-83, 16 P.3d 601.'

In part, U.S.C.A. Const. Amend. VI states, 'In all criminal prosecutions, the accused shall enjoy the right... to have the Assistance of Counsel for his defense.'

U.S.C.A. Const. Amend. XIV in part states, '... no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law...'

---

D. 18 U.S.C.A. Section 3006 A (c) reads in part as follows: [a] person for whom counsel is appointed shall be represented at every stage of the proceedings from his initial appearance before... the court through appeals, including ancillary matters appropriate to the proceedings."

In part, Shumway says, '(e)xtraordinary circumstances' for purpose of rule limiting extension of time to file notice of appeal to those



### C. Issues Presented for Review (continued)

cases involving extraordinary circumstances and to prevent gross miscarriage of justice...'

Durand states in part, 'Court of Appeals would exercise its discretion to review issues raised by employer, ... though employer, as appellant frequently failed to assign error to trial court's rulings, did not cite authority for arguments, improperly made arguments in the statement of the case...'

Beckman ex rel. says in part, '(e) extraordinary circumstances sufficient to allow extension of time within which party must file a notice of appeal are circumstances wherein the filing, despite reasonable diligence, was defective due to excuseable error or circumstances beyond the party's control; in such a case, the lost opportunity to appeal would constitute a gross miscarriage of justice, because of the appellant's reasonably diligent conduct.'

In part, Garza says, '(e) effective representation requires that a criminal defendant be permitted to confer in private with his or her attorney.

U.S.C.A. Const. Amend. 6... ' and also, '(to support dismissal of charges in furtherance of justice, a defendant first must show arbitrary action or governmental misconduct; second, defendant must demonstrate that arbitrary action or misconduct resulted in prejudice affecting his right to a fair trial. CrR 8.3 (b).'

Washington Court General Rule 33 states in part:

Requests for accomidation by persons with disabilities

(a)(1) 'Accomidation' means measures to make each court service, program, or activity, when viewed in its entirety, readily accessable to and useable by a person with a disability, and may include but is not limited to:

(A) making modifications in policies, practices, and procedures;...

### C. Issues Presented for Review (Continued)

(C) as to otherwise unrepresented parties to the proceedings, representation by counsel, as appropriate or necessary to making each service, program, or activity, when viewed in its entirety readily accessible to and useable by a person with a disability.

Clowes 'defined handicapped as meaning suffering from any... mental or psychological disability resulting from... neurological conditions...'

42 U.S.C.A. Chapter 126 § 12132 says in part, 'no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity...'

42 U.S.C.A. § 12102(1) in part states, '(t)he term "disability" means... (A) a... mental impairment that substantially limits one or more major life activities of [an] individual; (B) a record of such an impairment...'

42 U.S.C.A. § 12102(2)(A) continues, '(f)or purposes of paragraph (1), major life activities include, but are not limited to... speaking, ... learning, ... concentrating, thinking, communicating...'

42 U.S.C.A. § 12102(2)(B) adds, '(f)or purposes of paragraph (1), a major life activity also includes the operation of major bodily functions, including but not limited to, ... neurological, brain... functions...'

## D. Statement of the Case

1. Should an attorney or prosecutor be allowed to "refresh" a witness's memory with papers out of court, without the knowledge of opposing counsel and with no supervision by the trial court, especially when the witness's memory is supplanted by what is studied in the papers?
2. Should indigent appellant be forced to proceed through appeal with a transcript that does not contain most of the errors occurring during court proceedings?
3. Should indigent appellant/defendant be forced to proceed in any court functions - from inception through appeal - with counsel that is neither vigorous nor competent?
4. Should indigent appellant with problems concentrating, thinking, and communicating be required to submit to a deadline when said appellant is pro se, has little knowledge or experience with legal matters, and heavy thought worsens his problems to the extent of overnight observation in the prison's infirmary?

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## E. Argument

1. As it appears that prosecutors/attorneys are basically given a free hand to allow their witnesses to memorize themselves to consistency - the truth be damned - this has

## E. Argument (continued)

become a matter of substantial interest to the public that needs to be resolved by the Supreme Court.

2. As the only current alternative to an "agreed report of proceedings" is to ask for a mistrial, the court and prosecutor need merely do nothing to force an appellant to ask for mistrial if issues necessary and vital to an adequate appeal are "left out" of the court's trial transcripts. This subject is of great import to the public and must be resolved by the Supreme Court.
3. Counsel appointed to indigent appellants/defendants seem more and more disinterested in fighting for their clients' rights. This flies in the face of the Constitution of the United States and it is up to the Supreme Court to correct it.
4. The Court of Appeals has authority to exercise its discretion to review issues improperly raised and/or may grant an extension of time. As this should be used to assist those who are disabled especially those with any form of mental deficiency but was not the case here, this is a matter of substantial public interest that should be determined by the Supreme Court.

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## F. Conclusion

This court should accept review for the reasons indicated in Part E and grant petitioner's request for adequate legal representation throughout future proceedings

## F. Conclusion (continued)

in this matter, a hearing to determine the nature and extent of any/all missing portions of the trial transcripts or that petitioner's affidavits stand as part of the record, that petitioner's appeal be allowed to include all additions to the record from the aforementioned hearing/affidavits, that counsel for indigent defendants/appellants not withdraw until new counsel is appointed or defendant/appellant notifies the court that he wishes to proceed pro se, that any witnesses utilizing papers to "memorize themselves to consistency" have their entire testimony stricken and not be allowed on the witness list for the offending party in future proceedings, that any party refreshing a witness's memory with documents out of court notify opposing parties, and that Washington courts automatically grant time extensions to any inmate confined in a Secure Management Unit or equivalent / Infirmary / Hospital for the duration of their confinement there plus 2 weeks (or until they receive all of their legal property) unless said confinement occurs more than once in 6 months and the inmate is found guilty of infractions / law-breaking in 2 or more of the aforementioned incidents where said infractions or law-breaking are in relation to the originating incident (i.e., starting a fight and getting one's own nose broken).

Date 20 SEP 13

Respectfully submitted,

M.M. W

Rex Gregory, Petitioner  
Pro se

Renee S. Townsley  
Clerk/Administrator

(509) 456-3082  
TDD #1-800-833-6388

*The Court of Appeals  
of the  
State of Washington  
Division III*

500 N Cedar ST  
Spokane, WA 99201-1905

Fax (509) 456-4288  
<http://www.courts.wa.gov/courts>



July 18, 2013

Rex Gregory  
#339379  
P.O. Box 2049 KB-59  
Airway Heights, WA 99001-2049

**E-mail**  
Benjamin Curler Nichols  
Curtis Lane Liedkie  
Asotin County Prosecutors Office  
PO Box 220  
Asotin, WA 99402-0220

CASE # 290212  
State of Washington v. Rex Gregory  
ASOTIN COUNTY SUPERIOR COURT No. 091001776

Dear Mr. Gregory and Counsel:

Enclosed is a copy of the Order Denying Motion for Reconsideration.

A party may seek discretionary review by the Supreme Court of the Court of Appeals' decision. RAP 13.3(a). A party seeking discretionary review must file a Petition for Review, an original and a copy of the Petition for Review in this Court within 30 days after the Order Denying Motion for Reconsideration is filed (may be filed by electronic facsimile transmission). RAP 13.4(a). The Petition for Review will then be forwarded to the Supreme Court.

If the party opposing the petition wishes to file an answer, that answer should be filed in the Supreme Court within 30 days of the service.

Sincerely,

Renee S. Townsley  
Clerk/Administrator

RST:sh  
Attachment

AL

FILED

JUL 18 2013

COURT OF APPEALS  
DIVISION III  
STATE OF WASHINGTON

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION THREE


THE STATE OF WASHINGTON	)	No. 29021-2-III
	)	
Respondent,	)	
	)	
v.	)	ORDER DENYING
	)	MOTION FOR
REX D. GREGORY,	)	RECONSIDERATION
	)	
Appellant.	)	
	)	

THE COURT has considered appellant's motion for reconsideration and is of the opinion the motion should be denied. Therefore,

IT IS ORDERED, the motion for reconsideration of this court's decision of December 12, 2012 is hereby denied.

DATED: July 18, 2013

FOR THE COURT:

  
 \_\_\_\_\_  
 KEVIN M. KORSMO  
 Chief Judge

Renee S. Townsley  
Clerk/Administrator

(509) 456-3082  
TDD #1-800-833-6388

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of the  
State of Washington  
Division III*

500 N Cedar ST  
Spokane, WA 99201-1905

Fax (509) 456-4288  
<http://www.courts.wa.gov/courts>



May 24, 2013

Rex Gregory  
#339379  
P.O. Box 2049 KB-59  
Airway Heights, WA 99001-1899

CASE # 290212  
State of Washington v. Rex Gregory  
ASOTIN COUNTY SUPERIOR COURT No. 091001776

Dear Mr. Gregory:

Pursuant to your recent letter requesting an additional extension of time in which to file a motion for reconsideration, the following notation ruling was entered:

**May 22, 2013**

**Given the Court has granted four extensions previously and the original due date for the Motion for Reconsideration was January 16, 2013, the request for extension is granted in part. The Motion for Reconsideration is now due to be filed not later than May 31, 2013. No further extensions will be granted.**

**Renee S. Townsley  
Clerk**

Sincerely,

Renee S. Townsley  
Clerk/Administrator

  
Jyne C. Shahan, Senior Case Manager

**E-Mail**

c: Benjamin Curler Nichols  
Curtis Lane Liedkie  
Asotin County Prosecutors Office  
PO Box 220  
Asotin, WA 99402-0220



Renee S. Townsley  
Clerk/Administrator

(509) 456-3082  
TDD #1-800-833-6388

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of the  
State of Washington  
Division III*

500 N Cedar ST  
Spokane, WA 99201-1905

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July 10, 2013

Rex Gregory  
#339379  
P.O. Box 2049 KB-59  
Airway Heights, WA 99001-1899

CASE # 290212  
State of Washington v. Rex Gregory  
ASOTIN COUNTY SUPERIOR COURT No. 091001776

Dear Mr. Gregory:

We have received your correspondence of July 1, 2013 and July 9, 2013 regarding your filing a final supplement or amendment to your Motion for Reconsideration. Please be advised the Motion for Reconsideration which you filed on May 31, 2013 has been circulated to a panel of judges for consideration. The Court will not be accepting any supplement or amendment to the Motion.

You will be notified once a decision has been entered.

Sincerely,

Renee S. Townsley  
Clerk/Administrator

RST:jcs

**E-Mail**

c: Benjamin Curler Nichols  
Curtis Lane Liedkie  
Asotin County Prosecutors Office  
PO Box 220  
Asotin, WA 99402-0220

Rene S. Townsley

193AN11

Court of Appeals, Div. III

P.O. Box 2159

Spokane, WA 99210

Case #29021-2-III

State of Washington v. Rex Gregory

Asotin County Superior Court No. 09-1-00177-6

Dear Madam Clerk:

I am disputing the veracity of the court transcripts. I hereby request the audio recordings of all hearings and trials of which I or any of my cases have been a part. This includes my first hearing on 23 September, 2009 and the restraining order hearing between Matt & Charleesa Grayson and myself (I believe in October, 2009). I am requesting the audio recordings so that my Statement of Additional Grounds for Review may be as complete and factual as possible instead of relying only upon memory for those parts missing from the transcripts.

I further ask that my "30 day countdown clock" be stopped at least until I receive the audio recordings.

c: Dennis W. Morgan

Attorney at Law

120 W. Main

Ritzville, WA 99169

Respectfully,

M. Gregory

Rex Gregory 339379

A5

Dennis W. Morgan  
120 W. Main Ave.  
Ritzville, WA 99169

25 JAN 11


Case #290212  
State v. Gregory  
Asotin County Superior Court 091001776

Mr. Morgan,

There are multiple accuracy issues with the transcripts in my case(s). Several issues are not present for which a basis for appeal should exist. Please file whatever motions are appropriate to get these discrepancies fixed and a true and proper transcript sent. I would prefer a typed copy of any material not present or a new full copy instead of an audio transcript.

I asked Rick Laws, my trial attorney, to fill out a witness statement answering several questions that refer to missing information that should have been in the transcripts. As I can only contact him by letter and am out of envelopes after this letter, can your office ensure that at least one copy of that witness statement is forwarded to me? Also, why is Curt Liedkie no longer on the mail list?

Thank you again for your time and effort.

Sincerely,  
  
Rex Gregory  
339379

Post Script: I got a second letter from the appellate court, basically a copy. I'm including it to you in case it was meant for you. Is this some kind of procedural violation?

**DENNIS W. MORGAN**  
ATTORNEY AT LAW

Please  
respond to:



**120 W. MAIN**  
**RITZVILLE, WA 99169**

(509) 659-0600/Fax (509) 659-0601

Please  
respond to:



**PO BOX 1019**  
**REPUBLIC, WA 99166**

(509) 775-0777/Fax (509) 775-0776

February 10, 2011

Rex Gregory #339379  
Airway Heights Correction Center  
PO Box 1899, NB-26  
Airway Heights, Washington 99001-1899

Re: *State of Washington v. Rex Gregory*  
Asotin County No. 09 1 00177 6 & 09 1 00150 4  
Court of Appeals No. 29021-2-III

Dear Mr. Gregory:

This letter is in response your January 25, 2011 request for the audio tapes from your trials. Please be advised that the Office of Public Defense (OPD) will not pay for copies of the audio tapes. You will have to make arrangements on your own to secure the copies if you want them.

I do not intend to contest the contents of the transcripts. The transcripts, as prepared, constitute the record from the respective trials. I was not the trial attorney. I am unable to ascertain whether or not the transcripts accurately reflect what is on the audio tapes. The only way to do that is to listen to the audio tapes.

Deputy Prosecutor Liedkie is back on your case. Asotin County had, for a number of years, retained outside counsel to handle their appeals. This is the reason that Teresa Chen was involved initially.

If you can get Attorney Laws to listen to the audio tapes and compare them to the transcripts then he can prepare whatever declaration he deems necessary to correct any deficiencies. I do not intend to do so.

Thank you

Respectfully,

Dennis W. Morgan  
DWM:cj



Rick Laws  
901 Sixth St.  
Clarkston, WA 99403

11 FEB 11

Ref. Letter dated 19 JAN 11

Mr. Laws;

I am awaiting your response to my letter dated 19 JAN 11 wherein I asked you to fill out a witness statement as to several events not covered in the transcripts of my trial in Asotin County, case # 09-1-00177-6, State of Washington v. Rex Gregory.

A response of some kind would be appreciated even if you are somehow unable or unwilling to make a witness statement. I have tried contacting you by telephone, however, your office does not accept collect telephone calls.

If you need any more information, feel free to contact me as I keep copies of all correspondances.

Thank you for your time.



Rex Gregory 339379 NB-26  
Airway Heights Correctional Center  
P.O. 2049  
Airway Heights, WA 99001

Rick Laws  
901 Sixth Street  
Clarkston, WA 99403

23 FEB 11

Ref. Letter dated 19 JAN 11

Mr. Laws;

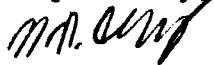
You represented me in cases #09-1-00150-4 and #09-1-00177-6  
State of Washington v. Rex Gregory.

I had requested a witness statement from you concerning events  
that were not in the transcripts of the trial #09-1-00177-6.  
Unless altered, the audio of the trial would differ substantially  
in respect to certain events I'd asked about previously. As the  
Office of Public Defense will not pay for me to receive the audio  
of the trial, I am asking for your help in determining the exact  
differences.

I realize that you are very busy, but I can find no other way to  
gain access to the audio of the trial. If you are unable to listen  
to the audio of the trial or cannot do a witness statement, or will  
take longer than a week for either of these, please let me know as  
soon as possible as time may be in short supply.

Thank you for your time.

Respectfully,



Rex Gregory 339379 NB-26  
Airway Heights Correctional Center  
P.O. Box 2049  
Airway Heights, WA 99001

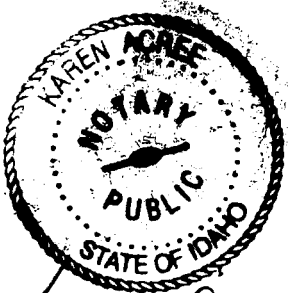
I recall Curt Liedkie asking JoDee Gregory about whether her feelings (toward her husband) had changed. She answered "Yes," and then I recall objections, but I don't recall whether she was required to testify further.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

2/28/2011  
(Date and Place)

Mary Louise Gregory  
(Signature)

Mary Louise Gregory



*Karen Acree*  
exp 5/7/2016

# ORIGINAL Copy

The following are events that were in hearings that were not transcribed or were left out of the transcripts of WA v. Rex Gregory 09-1-00177-6 or the hearings leading up to that trial. Events are listed in order or as close to it as possible.

In a Protective Order hearing in October 2009, the Defendant stated he "won't be able to go home or visit (his) sister-in-law (due to the 200' distance requirement)." Judge Lutz replied, "You should have thought of that before."

After the Mistrial in December 2009, Judge Lutz decided to keep all evidentiary rulings made by Judge Acey (who had been removed from proceedings at the Defendant's request) despite Defense's objection to some of the evidence. Judge Lutz refused to hear any objections or arguments.

Judge Lutz was asked to recuse himself but merely adjourned court for a week, then continued pretrial hearings. Judge Lutz held no hearings or "Q and A" session to investigate the request to recuse.

During a Pretrial hearing, Curt Liedkie yelled out, "He (the Defendant) is a CHILD MOLESTER!" Mr. Liedkie knew the Press was present. Nothing was said to him by the Judge for his behavior.

During WA v. Rex Gregory, Judge Lutz was talking about witness and victim rights for several minutes; at the end of which he stated, "This will be the last trial for the Defendant win, loose, or hung jury. Even the Defendant has rights. Ha ha ha ha."

Following a break during the Re-Cross of S.A.O., Defense Counsel Rick Laws repaired his mistake on S.A.O.'s prior testimony as Prosecutor Curt Liedkie requested during the break.

When Defense Counsel learned S.A.O. had been given a transcript of the previous mistrial to use as a take-home study guide, and was in the midst of objecting, Prosecutor Curt Liedkie yelled over his objection in full view and hearing of the Jury. Nothing was said to the Prosecutor by the Judge for his disruptive behavior in open court.

The prosecutor asked JoDee Gregory, "You used to trust your husband but something happened since January (2010), didn't it?" Defense objected and was over-ruled. The prosecutor re-asked the question and JoDee Gregory answered "Y-yes," while sobbing theatrically.

Date: 7 MAR 11 Place: Airway Heights, WA X: DM/Luz/ Rex Gregory



KLEW

2626 Seventeenth Street

Lewiston, ID 83501

21 APRIL

To whom it may concern;

I would like to know if any video or audio was recorded of either a hearing on 22 FEB 10 (State of Washington v. Rex Gregory #177-6) or of Jodee Gregory's testimony in that trial given on 25 MAR 10.

Additionally, I am inquiring as to whether this is available online, and the link to it, or the cost of a video copy (if available) or an audio copy (of video or audio), and the cost of shipping as far as Riverview, WA.

Thank you.

Respectfully,

*M. Gregory*

Rex Gregory 339379

CRCC NB-26

P.O. Box 2049

Airway Heights, WA 99001

P.S. I am including a self-addressed stamped envelope for convenience.

Benjamin C. Nichols  
Asotin County Prosecuting Attorney  
P.O. Box 220  
Asotin, WA 99402

26 APR 11

Mr. Nichols;

It is my understanding that anyone in public office would want to ensure the professionalism of the employees in their office and the accuracy of the documents they produce.

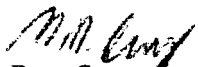
Your office has not been complying with D.O.C. policy 450.100 by not having "Legal Mail" on the outside of any envelopes sent to me. If your office does not have a stamp to use, a pen would suffice.

The transcripts for hearings leading up to, and the transcripts for the trial of State of Washington V. Rex Gregory 09-1-00177-6 all have inconsistencies with actual events. I would think the assistant prosecutor, Curt Liedkie, would want this corrected as soon as it was noticed and would not take advantage of what amounts to tainted evidence. However, Mr. Liedkie has not only taken advantage of these missing portions, but lied to the Appellate Court when he stated that "no objection was ever raised" on the time-to-trial violation he allowed into court during the 22 FEB 10 hearing. Rick Laws **did** object to this violation, citing that it was 70 days due and Mr. Liedkie told Judge Lutz that if he allowed the cases to be joined, he would then have 5 additional days to file the required paperwork. Mr. Liedkie should remember this, but it is very different from what he has told the Appellate Court in each of his Brief of Respondent that was filed by your office.

I would hope that you/your office would take care of each of these problems as soon as possible.

Thank you.

Respectfully, \_



Rex Gregory 339379  
AHCC NB-26  
P.O. Box 2049  
Airway Heights, WA 99001

c.c. Dennis W. Morgan  
120 W. Main Ave.  
Ritzville, WA 99169

**COPY**

**DENNIS W. MORGAN**  
ATTORNEY AT LAW

Please  
respond to:



**120 W. MAIN**  
**RITZVILLE, WA 99169**

(509) 659-0600/Fax (509) 659-0601

Please  
respond to:



**PO BOX 1019**  
**REPUBLIC, WA 99166**

(509) 775-0777/Fax (509) 775-0776

May 9, 2011

Rex Gregory #339379  
Airway Heights Correction Center  
PO Box 2049, NB-26  
Airway Heights, Washington 99001

Re: *State of Washington v. Rex Gregory*  
Asotin County No. 09 1 00177 6 & 09 1 00150 4  
Court of Appeals No. 29021-2-III

Dear Mr. Gregory:

You're cutting your own throat. The Asotin County Prosecuting Attorney returned your letter of April 26, 2011 to my office. Unless you get yourself under control, you will probably lose this appeal on all issues.

The letter to the prosecutor is accusatory in nature. This does not benefit anyone. If Mr. Laws, your trial attorney, wishes to file some type of affidavit concerning Mr. Liedkie, he should do so. He should copy me with that paperwork.

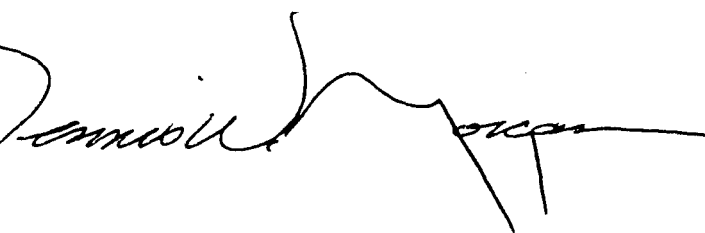
Neither your recollection, your step-mother's recollection or another person's recollection will suffice to replace what is in the transcript.

If you want to pay for the CD's from the trial, you can do so. You can then compare the CDs with the transcripts.

As it stands now, if you want me to withdraw as your attorney of record I will do so.

Thank you.

Respectfully,

  
Dennis W. Morgan  
DWM:cj

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 Rick Laws  
 Rick Laws Law Office  
 901 Sixth Street  
 Clarkston, WA 99403

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STREET / Calle <b>901 Sixth Street</b>		COUNTRY / Pais			
CITY / Ciudad <b>Clarkston</b>					
<input type="checkbox"/> OUTSIDE USA / Fuera De Estados Unidos					

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 41.88, and RCW 40.14.

# COPY

## Declaration

I, Rex Gregory, declare that on 7 AUG, 2012, I deposited the foregoing letter dated and originally sent 29 FEB, 2012, or a copy thereof, in the internal mail system of Airway Heights Correction Center and made arrangements for postage, addressed to:

Richard Laws  
Richard Laws Law Office  
901 Sixth Street  
Clarkston, WA 99403

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated at Airway Heights, WA on 7 AUG, 2012.

*Rex Gregory*  
Rex Gregory 339379 KB-59  
Airway Heights Correction Center  
P.O. Box 2049  
Airway Heights, WA 99001-2049

COPY

Declaration

I, Rex Gregory, declare that on 29 February, 2012, I deposited the foregoing letter, or a copy thereof, in the internal mail system of Airway Heights Correction Center and made arrangements for postage, addressed to:

Richard Laws  
Richard Laws Law Office  
901 Sixth Street  
Clarkston, WA 99403

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated at Airway Heights, WA on 29 February, 2012.



Rex Gregory 339379 KB-59

Airway Heights Correction Center

P.O. Box 2049

Airway Heights, WA 99001-2049

COPY

Richard Laws

29 February, 2012

Richard Laws Law Office

901 Sixth Street

Clarkston, WA 99403

Ref. Letters dated 19 JAN 11; 11 FEB 11; 23 FEB 11.

Mr. Laws;

You represented me in cases 09-1-00150-4 and 09-1-00177-6 State of Washington v. Rex Gregory.

I have sent several letters to your office requesting that you make a witness statement concerning several events during and prior to each of the aforementioned trials. Additionally, I made the effort to set up a collect call to your office. You did not respond to any letter. Your office did not accept the call. If you continue to be nonresponsive, it will force me to file a grievance against you with the Washington State Bar Association and/or the American Bar Association.

Please submit to me in a Witness Statement or Sworn Statement what you recall of the following events:

1. You told me in a meeting before trial 09-1-00150-4 that Curt Liedkie's second plea bargain consisted of 1 year local jail time and closing all open cases against me, but if I refused the offer I would be charged with 3 counts of child molestation.

2. Your objection to Curt Liedkie's time-to-trial violation on or about 22 February, 2010, and Judge Lutz's decision to grant the joinder which, as Curt Liedkie stated in response to your timely objection, would allow him an additional 5 days to file the kidnapping charge.

3. Between trial 09-1-00150-4 and 09-1-00177-6, I ordered you to ask Judge Lutz to recuse himself. When you asked Judge Lutz to recuse himself he recessed court for a week but never held a meeting or hearing on the motion to recuse. Court reconvened on Monday the following week per Judge Lutz's order but no mention was made of the break or the motion to recuse.

4. During the voir dire of trial 09-1-00177-6, you stated to me that we would only be allowed 3 preemptory challenges when choosing the jury. When the alternates were chosen, one of the two alternates was the individual who was the one that had argued that a non-testifying defendant was guilty. When I told you that I wanted him removed, you replied that we couldn't get rid of any alternates.

5. Serena O'Connor admitted in front of the jury that Curt Liedkie gave her a set of transcripts from trial 09-1-00150-4 to study. You began an objection and Curt Liedkie yelled over you, as I've paraphrased, "No. No! You won't make it look like I did something bad! I did nothing wrong. I can give witnesses anything I want to refresh their memory..."



6. Shalene Halliday stated during Curt Liedkie's direct that she and I had had sex "2 or 3 times." Near the beginning of your cross-examination, Shalene Halliday stated that we had had sex "6 or 7 times" which she restated at your prompting and you restated in several questions to her later.

7. JoDee Pierson, formerly JoDee Gregory, was asked near the end of Curt Liedkie's cross examination if "something" had happened since January, 2010 that made her no longer trust me. You objected but were over-ruled by Judge Lutz, then Curt Liedkie restated his question which JoDee Gregory tearfully answered, "Y-yes."

I will wait 2 weeks from the date of receipt for this letter for your response before I will consider this a further avoidance of contact with me. At that point, I will contact the Washington State Bar Association and/or the American Bar Association.

Thank you for your time.

*Rex Gregory*

Rex Gregory 339379 KB-59  
Airway Heights Correction Center  
P.O. Box 2049  
Airway Heights, WA 99001-2049

COPY

County Clerk  
Asotin County Courthouse  
P.O. Box 159  
Asotin, WA 99402-0159

23 AUG 12

Dear Clerk,

The CD labeled 3/25-(9-1-177-6) 12/2-(9-1-150-4) is a copy of the CD 3/23-3/24-(9-1-177-6). I am returning the extraneous copy mislabeled 3/25-(9-1-177-6) 12/2-(9-1-150-4) and need a correct copy mailed to me; please try to have all audio complete and understandable as the Defense Attorney is nearly inaudible (and incomprehensible) and most of the audio for the Prosecutor is barely understandable (some is not).

Thank you for your time.

Sincerely,

*Rex Gregory*

Rex Gregory 339379 KB-59  
Airway Heights Correction Center  
P.O. Box 2049 Legal Mail  
Airway Heights, WA 99001-2049

✓mae 9/18/2012

**ASOTIN COUNTY CLERK'S OFFICE  
POST OFFICE BOX 159  
135 2<sup>ND</sup> STREET  
ASOTIN, WA 99402  
PHONE (509) 243-2081  
FAX (509) 243-4978**

**Marie Eggart  
Asotin County Clerk**

**Sheila Stachofsky  
Deputy Clerk**

**McKenzie Kelley  
Chief Deputy Clerk**

**Betty Weissenfels  
Collection Assistant**

**April 18, 2013**

**Rex Gregoy  
D.O.C. #339379 KA-06  
AHCC P.O. Box 2049  
Airway Heights, WA 99001-2049**

**RE: Asotin County Case # 09-1-00177-6 & 09-1-00150-4**

**Dear Mr. Gregory:**

**Thank you for your letter in regards to your previous CD requests.**

**After we received your August 23, 2012, letter regarding the incorrect CD, we burned a new copy of a CD with the hearings for 3/25/2010 (Case # 09-1-00177-6) and 12/2/2009 (Case # 09-1-00150-4) and deposited it in the mail on September 28, 2012, at no cost due to our error. I have enclosed a copy of the letter you forwarded with the initials and date it was complete. If you would like another completed CD, we would request another written request and \$10 to complete that CD.**

**In regards to the audio being complete, that is the complete record that we have provided you. Based on what it may be played on, some microphones may not be as loud as others.**

**If you have any other questions, please let me know.**



**McKenzie Kelley  
Chief Deputy Clerk**

# COPY

## Declaration

I, Rex Gregory, declare that on 2 MAY 13, I deposited the foregoing Challenge to the completeness and veracity of the Record, or a copy thereof, in the internal mail system of Airway Heights Correction Center and made arrangements for postage addressed to:

Clerk Linda Hough  
Asotin County Court  
P.O. Box 159  
Asotin, WA 99402

Clerk Renee S. Townsley  
Court of Appeals Division III  
500 North Cedar Street  
Spokane, WA 99201

Asotin County Prosecutor  
P.O. Box 220  
Asotin, WA 99402

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated at Airway Heights, WA on 2 MAY 13.

*Rex Gregory*  
Rex Gregory

COPY

2 MAY 13

Linda Hough  
Asotin County Court Clerk  
P.O. Box 159  
Asotin, WA 99402

Re: Asotin County Superior Court \*09-1-00177-6  
\*09-1-00150-4  
Court of Appeals \*29021-2-III

Madam Clerk:

I am challenging the completeness and veracity of the records provided both to Dennis W. Morgan, formerly my appellate attorney, and myself. Please note that the portions of the record I am alleging are missing/alterd seem to be tailored by a party or parties to deny the appellant/defendant his substantive rights and heavily prejudice the appellant's effective assistance of council on his direct appeal as well as a fair appeal.

I am including 4 pages describing events that were not in the "verbatim" transcripts. One of the 9 incidents may not have been requested by former appellate counsel as it was part of a Protective Order hearing although it does bear on judge Lutz's neutrality.

As several incidents describe possible judicial misconduct by judge Lutz - including not having ordered a hearing

after being asked to recuse - I ask that all proceedings take place in Spokane County, with a judge from Spokane County presiding, and that I be physically present, with legal representation, for all proceedings

Known witnesses may include: Charleesa Grayson, Matt Grayson, Norm Pierson, Amanda Hunter, JoDee Pierson (formerly JoDee Gregory), Officer O'Malley, Curt Liedkie, Richard Laws, Ray Lutz, the jury and alternates, as well as reporters from The Lewiston Morning Tribune and KLEW News.

Thank you for your prompt attention to this matter.

Respectfully submitted

*M. Gregory*

Rex Gregory 339379

AHCC KA-06

P.O. Box 2049

Airway Heights, WA 99001-2049

COPY

- 1) In a Protective Order hearing in October, 2009 for S.H. by Matt and Charlesa Grayson:

Rex Gregory stated, "I won't be able to go home or visit my sister-in-law (due to the protective order's 200' distance requirement)."

Judge Lutz replied, "You should have thought of that before."

- 2) In a pretrial hearing for trial #09-1-00150-4 (in October or November, 2009):

Curt Liedkie yelled, "He (the defendant) is a child molester!" No reprimand or sanction was given for the statement or behavior. The press was present.

- 3) In a pretrial hearing (December, 2009 or January, 2010):

Judge Lutz stated he would keep all rulings made by judge Acey despite defense's wish to exclude S.A.Q.'s cumulative and prejudicial interview video in the new trial.

- 4) In a pretrial hearing in February, 2010 (Time to Trial day #70 for charge joined originating in trial #09-1-00150-4):

Richard Laws objected to filing kidnapping charge due to 60-day time limit.

Curt Liedkie stated, "Your honor, if the charges are

(#4 continued)

combined, it gives me 75 days, so I'd have 5 days left."

Judge Lutz then combined the cases to bypass the time to trial violation.

5) In a pre-trial hearing (January or February, 2010):

Judge Lutz stated to Richard Laws, "Mr. Laws, it sounds almost like you're asking me to recuse myself. Heh. Heh. Heh. Heh."

Richard Laws replied, "Well, uhm, your honor, uh, if you're going to, uhm, put it that way, uh, then I guess, uhm - I am."

Judge Lutz then recessed the hearing "until next Monday." No hearing was made on the motion to recuse, nor did the judge make any statement

6) During Trial #09-L-00177-6, or a pre-trial hearing (February or March, 2010):

Curt Liedkie talked about his fear that the defense may ask for a mistrial and stated, "I don't want the witnesses to have to go through trial after trial after trial."

Judge Lutz talked about witness rights for a moment then stated, "This will be the last



(\*6 continued)

trial for the defendant: win, loose, or hung jury.  
Even the defendant has rights. Ha ha ha ha."

7) During Trial \*09-1-00177-6, immediately following a break during S.A.O.'s Cross-Examination (Page 843 after Line 5 before Line 6):

Richard Laws repaired his mistake on S.A.O.'s prior testimony as Curt Liedkie had requested during the break (Page 840 Lines 13-14, 16-18).

8) During Trial \*09-1-00177-6, following a break during S.A.O.'s Cross-Examination (Page 843 following \*7, above):

Richard Laws approached S.A.O. with a copy of the transcripts from trial \*09-1-00150-4 and asked her, "Have you ever seen this before?"

S.A.O. responded, "Yes."

Mr. Laws stated, "What? Who gave this to you?"

S.A.O. replied, "He did (pointing at Curt Liedkie).  
The prosecutor."

Mr. Laws asked, "Curt Liedkie?"

S.A.O. stated, "Yes."

Mr. Laws said, "Your honor, I have to ob-"

(\*B continued)  
Curt Liedkie yelled, "No!"

Mr. Laws continued, "-ject-"

Curt Liedkie continued his interruption, "NO!  
You're NOT going to make it look like I did  
something bad! I did nothing wrong! I can show  
witnesses anything I want to refresh their  
memory."

9) During Trial \*09-1-00177-6 during prosecution's  
Cross-Examination of J. L. G:

Curt Liedkie asked, "You used to trust your  
husband but something happened since (early 2010),  
didn't it?"

Richard Laws objected and was over-ruled by  
judge Lutz, whereupon Curt Liedkie reasked his  
question.

J. L. G. replied (while sobbing theatrically), "Y-yes"

I declare that the foregoing is true and correct to the  
best of my knowledge, under penalty of perjury under  
the laws of the State of Washington.

Dated at Airway Heights, WA on 2 MAY 13.

Rex Gregory

**FILED**

**DEC 27, 2012**

**In the Office of the Clerk of Court  
WA State Court of Appeals, Division III**

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION THREE**

THE STATE OF WASHINGTON,	)	No. 29021-2-III
	)	
Respondent,	)	
	)	
v.	)	UNPUBLISHED OPINION
	)	
REX D. GREGORY,	)	
	)	
Appellant.	)	

KORSMO, C.J. — This appeal challenges just one of Rex Gregory’s six convictions for sexual encounters with children. We agree with his argument that the evidence did not support the conviction for second degree kidnapping and reverse that count.

**FACTS**

Mr. Gregory’s four convictions for first degree child molestation of a different victim are not at issue and will not be further discussed. He also was convicted of second degree child rape and second degree kidnapping with sexual motivation of S.H. She is developmentally delayed and was 14 at the time of the charged incident.

Mr. Gregory developed a sexual relationship with S.H. who lived in the neighborhood. The relationship came to light when S.H.’s brother found the two having

No. 29021-2-III  
State v. Gregory

sexual intercourse in the back of a minivan parked in Mr. Gregory's carport. The van was backed into the spot so that the front of the van faced the street. A neighbor walking by heard noises from the van but continued on.

S.H.'s brother went looking for his sister who had been walking the dog. He saw the dog tied up to the carport and walked there to investigate. Then he saw the pair having intercourse with their legs hanging out the open rear hatch door of the vehicle. S.H. saw her brother and promptly terminated the encounter with Mr. Gregory.

She later testified that she had gone to Mr. Gregory's house. Because his wife was home asleep, he had asked her to go to the van. The two went out to the van and engaged in sexual intercourse until her brother arrived. This incident led to the two charges involving S.H. After the jury found the defendant guilty on all six counts, the trial court sentenced Mr. Gregory using an offender score of 15 resulting from the five other current offenses. He then timely appealed to this court.

#### ANALYSIS

Mr. Gregory focuses his appeal solely on the kidnapping conviction and its related enhancement from the sexual motivation finding.<sup>1</sup> Since our resolution of his evidentiary sufficiency challenge is dispositive, that is the only argument we need address.

---

<sup>1</sup> Mr. Gregory pro se filed a Statement of Additional Grounds that raises several issues. Some of them are resolved by our ruling and the others lack sufficient analysis or citation to consider. RAP 10.10(c). It will not be further addressed here.

No. 29021-2-III  
State v. Gregory

Very well-settled standards govern review of evidentiary sufficiency challenges. We review such challenges to see if there was evidence from which the trier of fact could find each element of the offense proven beyond a reasonable doubt. *Jackson v. Virginia*, 443 U.S. 307, 319, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979); *State v. Green*, 94 Wn.2d 216, 221-22, 616 P.2d 628 (1980). The reviewing court will consider the evidence in a light most favorable to the prosecution. *Id.*

The crime of second degree kidnapping as charged here requires proof that the defendant intentionally abducted S.H. Clerk's Papers (CP) at 73; RCW 9A.40.030. "Abduct" means to "restrain a person by either (a) secreting or holding him in a place where he is not likely to be found, or (b) using or threatening to use deadly force." Former RCW 9A.40.010(2) (1975). "Restrain" in turn "means to restrict a person's movements without consent and without legal authority in a manner which interferes substantially with his liberty." Former RCW 9A.40.010(1) (1975). The restraint is "without consent" if accomplished by force or threat, or with the "acquiescence of the victim, if he is a child less than sixteen years old." *Id.*

The sole element at issue in this case is whether, or not Mr. Gregory "abducted" S.H. He argues that he neither "restrained" nor "abducted" S.H. He contends that there was no "restraint" because there was no restriction placed on S.H. that substantially

No. 29021-2-III  
State v. Gregory

interfered with her liberty. We need not address that claim because we agree that, even if he did restrain S.H., Mr. Gregory did not “abduct” her.

As charged here, the State needed to establish that Mr. Gregory secreted or held S.H. “in a place where she was not likely to be found” in order to establish the “abduct” element.<sup>2</sup> The prosecution argues that whether the minivan was a place where S.H. was not likely to be found was a factual question for the jury and that the evidence supported that determination, pointing to the photographs admitted at trial that showed the back of the van was not easily visible due to the placement of the car and adjoining structures and trees.

We do not believe that evidence shows that the minivan was itself a place where she was unlikely to be found. The vehicle was parked in the public view and had not been used to transport S.H. The location of S.H. within the minivan was not easily observed until one got close to the vehicle, as her brother did. Still, passersby could hear her and see the vehicle, and the dog she was walking was tied to the carport sheltering the minivan. The exposed nature of the vehicle parked in her own neighborhood precluded a finding that it was a place S.H. was unlikely to be found. The back of the vehicle

---

<sup>2</sup> There was no allegation, and no evidence presented, that suggested Mr. Gregory threatened the use of deadly force to abduct S.H.

provided some privacy and served as little more than an additional room for the couple to meet in, but it was not in the nature of a place of confinement.

Automobiles can serve as places where a person is secreted for purposes of the kidnapping statute. *E.g.*, *State v. Whitney*, 44 Wn. App. 17, 720 P.2d 853 (1986) (victim held under dashboard covered by a coat and driven a short distance), *aff'd*, 108 Wn.2d 506, 739 P.2d 1150 (1987); *State v. Harris*, 36 Wn. App. 746, 677 P.2d 202 (1984) (victim restrained long time in vehicle driven a great distance and eventually stopped in a dead-end street). However, this automobile was not. No attempt was made to conceal or hold S.H. there. It simply was the location defendant chose for the illegal tryst.

The fact that a crime occurs in a private location chosen by the defendant does not itself make that location a place used to secrete the victim. There must be some indicia of confinement beyond the mere privacy afforded by the location. We conclude that a car parked in a carport that was itself accessible to others does not constitute a place where the victim was unlikely to be found. The evidence of abduction was insufficient to support the second degree kidnapping conviction.

The conviction for second degree kidnapping with sexual motivation is reversed. The offender score for the other offenses would therefore drop from 15 to 12, but there would be no change in the sentencing range for the minimum term of confinement in the other counts. The case is remanded for correction of the judgment and sentence to reflect

No. 29021-2-III  
State v. Gregory

the reversal of the kidnapping conviction and the associated sexual motivation finding.

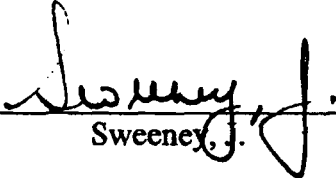
In all other respects, the judgment is affirmed.


Affirmed in part, reversed in part, and remanded.

A majority of the panel has determined this opinion will not be printed in the Washington Appellate Reports, but it will be filed for public record pursuant to RCW 2.06.040.

  
Korsmo, C.J.

WE CONCUR:

  
Sweeney, J.

  
Siddoway, J.





OFFENDER I.D. DATA:  
GREGORY, Rex D.  
339379  
9/14/1973

**HEALTH STATUS REPORT**

FACILITY  
AHCC

LIVING UNIT  
AHCC-INF

DATE  
10/3/2012

**1. PURPOSE** (Check one box for A and one box for B)

- A.  Initial Evaluation  Change in Status  Work/School/Assignment  Transfer/Transport  Other
- B.  Medical  Dental  Mental Health  Food Service  DNR  Camp  Work Release  
 Other (specify):

**2. RESTRICTIONS/LIMITATIONS** (Check as applicable – Use Comments section for additional clarification)

**A. Housing Restrictions/Limitations** **Expire**

- Single Cell \_\_\_\_\_
- No Upper Bunk \_\_\_\_\_
- Lower Tier \_\_\_\_\_
- Limited Stairs – Specify \_\_\_\_\_

**B. Assignment/Work/Transportation/Activity**

- Bed Rest \_\_\_\_\_
- Lay In \_\_\_\_\_
- Meals In \_\_\_\_\_
- Restricted to Living Area/Unit \_\_\_\_\_
- Kitchen Clearance \_\_\_\_\_
- Release for Work \_\_\_\_\_
- Restrict Lifting – lbs. \_\_\_\_\_
- Restrict Standing – min. \_\_\_\_\_
- Restrict Sitting –min. \_\_\_\_\_
- No Machine Operation \_\_\_\_\_

**Expire**

- No Stairs, may do limited steps \_\_\_\_\_
- No Steps \_\_\_\_\_
- Elevator \_\_\_\_\_

**Expire**

- No work on Scaffolding/Ladders \_\_\_\_\_
- No Uneven Ground or Steep Hills \_\_\_\_\_
- No DNR (Dept. of Natural Resources) \_\_\_\_\_
- No Food Service \_\_\_\_\_
- Work-Hour Adjustment – Specify \_\_\_\_\_
- Work Restrictions – Other-Specify \_\_\_\_\_
- No Restrictions/Limitations/Holds \_\_\_\_\_
- Restrictions/Special 10/31/2012
- Requirements – Specify \_\_\_\_\_
- Other Pass – Specify \_\_\_\_\_

**C. Dietary** **Expire**

- Blue Snack \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Blue Snack w/Milk \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Blue Snack X2 \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Bran \_\_\_\_\_
- Clear Liquid Diet \_\_\_\_\_
- Crackers \_\_\_\_\_
- Ensure or Boost Liquid Supplement \_\_\_\_\_
- Fortified Beverage Pkt. \_\_\_\_\_
- Full Liquid Diet \_\_\_\_\_

**Expire**

- Hard Boiled Eggs X2 \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Mechanical Soft Diet \_\_\_\_\_
- Mainline Alternative \_\_\_\_\_
- Metabolic (Lighter Fare) Diet \_\_\_\_\_
- Milk – Specify Time\* \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Milk X 2 – Specify Time\* \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- No Peanut Diet \_\_\_\_\_
- No Soy Diet \_\_\_\_\_
- No Tomato Diet \_\_\_\_\_

*State law (RCW 70.02; RCW 70.24.105; RCW 71.05.390) and/or federal regulations (42 CFR Part 2; 45 CFR Part 164) prohibit disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law.*

Name: GREGORY, Rex D.

DOC #: 339379

Date of Birth: 9/14/1973

- Gluten Free Diet \_\_\_\_\_
- Green Snack \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Green Snack X 2 \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Green Snack w/Rice Krispy's \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Green Snack w/Rice Krispy's X 2 \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Hard Boiled Eggs \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_

- Puree Diet \_\_\_\_\_
- Renal or Hepatic Diet – Specify\* \_\_\_\_\_
- Renal Snack \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Renal Snack X 2 \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Yellow Snack \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Yellow Snack X 2 \_\_\_\_\_
- Breakfast  Lunch  Dinner \_\_\_\_\_
- Other – Specify Diet\* \_\_\_\_\_

- D. Durable Medical Equipment**      **Expire**
- Ace Wrap \_\_\_\_\_
  - Brace \_\_\_\_\_
  - Cane ID#: \_\_\_\_\_
  - Cotton Blanket - # \_\_\_\_\_
  - Crutches ID #: # \_\_\_\_\_
  - Hearing Aid \_\_\_\_\_
  - Orthotics – Specify \_\_\_\_\_
  - Prosthetics – Specify \_\_\_\_\_
  - Shower Chair ID #: \_\_\_\_\_
- E. Allergies**
- Bee Stings \_\_\_\_\_
  - Latex \_\_\_\_\_
  - Peanuts \_\_\_\_\_

- Expire**
- Special Shoes \_\_\_\_\_
  - Walker ID#: \_\_\_\_\_
  - Wheelchair ID#: \_\_\_\_\_
  - Wheelchair Pusher Required \_\_\_\_\_
  - Wedge \_\_\_\_\_
  - Extra Pillow - # \_\_\_\_\_
  - Glucose Meter \_\_\_\_\_
  - Container/Lancets/Test Strips \_\_\_\_\_
  - Electric Shaver \_\_\_\_\_
  - Ice \_\_\_\_\_
- F. Other**
- Metal Implants – Specify \_\_\_\_\_
  - Other - Specify \_\_\_\_\_

**3. COMMENTS** (e.g., restrictions not listed above, equipment issue date if different than date of HSR, snack time etc.)

**Assign/Work/Tmsprt/Activity: No vigorous activity or lifting more than 15pounds**

Unless otherwise indicated, HSRs expire one (1) year from the date written. It is the offender's responsibility to request renewal of an HSR at least 30 days before expiration.

HEALTH SERVICES PROVIDER (Signature and Title)	DATE	ALTERNATE HEALTH SERVICES STAFF	DATE
Conner, Sandra A 	10/3/2012		

- DISTRIBUTION:**  Health Record (Original)    Offender    Shift Sergeant    Laundry/Clothing    Supply Tech
- Central File    Recreation    Unit Sergeant    Dietary    Other:

State law (RCW 70.02; RCW 70.24.105; RCW 71.05.390) and/or federal regulations (42 CFR Part 2; 45 CFR Part 164) prohibit disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law.



OFFENDER I.D. DATA:
GREGORY, Rex D.
339379
9/14/1973

HEALTH STATUS REPORT

FACILITY
AHCC

LIVING UNIT
AHCC-K

DATE
11/28/2012

1. PURPOSE (Check one box for A and one box for B)

- A. Initial Evaluation Change in Status Work/School/Assignment Transfer/Transport Other
B. Medical Dental Mental Health Food Service DNR Camp Work Release
Other (specify):

2. RESTRICTIONS/LIMITATIONS (Check as applicable - Use Comments section for additional clarification)

A. Housing Restrictions/Limitations Expire

- Single Cell
No Upper Bunk
Lower Tier 11/28/2013
Limited Stairs - Specify

B. Assignment/Work/Transportation/Activity

- Bed Rest
Lay In
Meals In
Restricted to Living Area/Unit
Kitchen Clearance
Release for Work
Restrict Lifting - lbs.
Restrict Standing - min.
Restrict Sitting -min.
No Machine Operation

- No Stairs, may do limited steps
No Steps
Elevator

- No work on Scaffolding/Ladders
No Uneven Ground or Steep Hills
No DNR (Dept. of Natural Resources)
No Food Service
Work-Hour Adjustment - Specify
Work Restrictions - Other-Specify
No Restrictions/Limitations/Holds
Restrictions/Special
Requirements - Specify
Other Pass - Specify

C. Dietary Expire

- Blue Snack
Breakfast Lunch Dinner
Blue Snack w/Milk
Breakfast Lunch Dinner
Blue Snack X2
Breakfast Lunch Dinner
Bran
Clear Liquid Diet
Crackers
Ensure or Boost Liquid Supplement
Fortified Beverage Pkt.
Full Liquid Diet

- Hard Boiled Eggs X2
Breakfast Lunch Dinner
Mechanical Soft Diet
Mainline Alternative
Metabolic (Lighter Fare) Diet
Milk - Specify Time\*
Breakfast Lunch Dinner
Milk X 2 - Specify Time\*
Breakfast Lunch Dinner
No Peanut Diet
No Soy Diet
No Tomato Diet

State law (RCW 70.02; RCW 70.24.105; RCW 71.05.390) and/or federal regulations (42 CFR Part 2; 45 CFR Part 164) prohibit disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law.

Name: GREGORY, Rex D.

DOC #: 339379

Date of Birth: 9/14/1973

<input type="checkbox"/> Gluten Free Diet <input type="checkbox"/> Green Snack <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Green Snack X 2 <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Green Snack w/Rice Krispy's <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Green Snack w/Rice Krispy's X 2 <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Hard Boiled Eggs <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner	<input type="checkbox"/> Puree Diet <input type="checkbox"/> Renal or Hepatic Diet – Specify* <input type="checkbox"/> Renal Snack <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Renal Snack X 2 <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Yellow Snack <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Yellow Snack X 2 <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Other – Specify Diet*
<b>D. Durable Medical Equipment</b> <b>Expire</b> <input type="checkbox"/> Ace Wrap <input type="checkbox"/> Brace <input type="checkbox"/> Cane ID#: <input type="checkbox"/> Cotton Blanket - # <input type="checkbox"/> Crutches ID #: # <input type="checkbox"/> Hearing Aid <input type="checkbox"/> Orthotics – Specify <input type="checkbox"/> Prosthetics – Specify <input type="checkbox"/> Shower Chair ID #:	<b>Expire</b> <input type="checkbox"/> Special Shoes <input type="checkbox"/> Walker ID#: <input type="checkbox"/> Wheelchair ID#: <input type="checkbox"/> Wheelchair Pusher Required <input type="checkbox"/> Wedge <input type="checkbox"/> Extra Pillow - # <input type="checkbox"/> Glucose Meter <input type="checkbox"/> Container/Lancets/Test Strips <input type="checkbox"/> Electric Shaver <input type="checkbox"/> Ice
<b>E. Allergies</b> <input type="checkbox"/> Bee Stings <input type="checkbox"/> Latex <input type="checkbox"/> Peanuts	<b>F. Other</b> <input type="checkbox"/> Metal Implants – Specify <input type="checkbox"/> Other - Specify

**3. COMMENTS** (e.g., restrictions not listed above, equipment issue date if different than date of HSR, snack time etc.)

Housing Restrictions/Limitations: low-tier until 11/28/13  
GREGORY, Rex D.  
339379  
9/14/1973

Unless otherwise indicated, HSRs expire one (1) year from the date written. It is the offender's responsibility to request renewal of an HSR at least 30 days before expiration.

HEALTH SERVICES PROVIDER (Stamp/Print and Initial)	DATE	ALTERNATE HEALTH SERVICES STAFF	DATE
Sassone, Justin W	11/28/2012		

**DISTRIBUTION:**  Health Record (Original)  Offender  Shift Sergeant  Laundry/Clothing  Supply Tech  
 Central File  Recreation  Unit Sergeant  Dietary  Other:

State law (RCW 70.02; RCW 70.24.105; RCW 71.05.390) and/or federal regulations (42 CFR Part 2; 45 CFR Part 164) prohibit disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law.



OFFENDER I.D. DATA:  
**GREGORY, Rex D.**  
 339379  
 9/14/1973

**HEALTH STATUS REPORT**

FACILITY AHCC	LIVING UNIT AHCC-K	DATE 11/1/2012
------------------	-----------------------	-------------------

**1. PURPOSE** (Check one box for A and one box for B)

- A.  Initial Evaluation  Change in Status  Work/School/Assignment  Transfer/Transport  Other
- B.  Medical  Dental  Mental Health  Food Service  DNR  Camp  Work Release  
 Other (specify):

**2. RESTRICTIONS/LIMITATIONS** (Check as applicable – Use Comments section for additional clarification)

<p><b>A. Housing Restrictions/Limitations</b>      <b>Expire</b></p> <input type="checkbox"/> Single Cell _____ <input checked="" type="checkbox"/> No Upper Bunk      11/1/2013 _____ <input type="checkbox"/> Lower Tier _____ <input type="checkbox"/> Limited Stairs – Specify _____ <p><b>B. Assignment/Work/Transportation/Activity</b></p> <input type="checkbox"/> Bed Rest _____ <input type="checkbox"/> Lay In _____ <input type="checkbox"/> Meals In _____ <input type="checkbox"/> Restricted to Living Area/Unit _____ <input type="checkbox"/> Kitchen Clearance _____ <input type="checkbox"/> Release for Work _____ <input type="checkbox"/> Restrict Lifting – lbs. _____ <input type="checkbox"/> Restrict Standing – min. _____ <input type="checkbox"/> Restrict Sitting –min. _____ <input type="checkbox"/> No Machine Operation _____		<p><b>Expire</b></p> <input type="checkbox"/> No Stairs, may do limited steps _____ <input type="checkbox"/> No Steps _____ <input type="checkbox"/> Elevator _____ <p><b>Expire</b></p> <input type="checkbox"/> No work on Scaffolding/Ladders _____ <input type="checkbox"/> No Uneven Ground or Steep Hills _____ <input type="checkbox"/> No DNR (Dept. of Natural Resources) _____ <input type="checkbox"/> No Food Service _____ <input type="checkbox"/> Work-Hour Adjustment – Specify _____ <input type="checkbox"/> Work Restrictions – Other-Specify _____ <input type="checkbox"/> No Restrictions/Limitations/Holds _____ <input type="checkbox"/> Restrictions/Special _____ <input type="checkbox"/> Requirements – Specify _____ <input type="checkbox"/> Other Pass – Specify _____
<p><b>C. Dietary</b>      <b>Expire</b></p> <input type="checkbox"/> Blue Snack _____ <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner _____ <input type="checkbox"/> Blue Snack w/Milk _____ <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner _____ <input type="checkbox"/> Blue Snack X2 _____ <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner _____ <input type="checkbox"/> Bran _____ <input type="checkbox"/> Clear Liquid Diet _____ <input type="checkbox"/> Crackers _____ <input type="checkbox"/> Ensure or Boost Liquid Supplement _____ <input type="checkbox"/> Fortified Beverage Pkt. _____ <input type="checkbox"/> Full Liquid Diet _____		<p><b>Expire</b></p> <input type="checkbox"/> Hard Boiled Eggs X2 _____ <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner _____ <input type="checkbox"/> Mechanical Soft Diet _____ <input type="checkbox"/> Mainline Alternative _____ <input type="checkbox"/> Metabolic (Lighter Fare) Diet _____ <input type="checkbox"/> Milk – Specify Time* _____ <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner _____ <input type="checkbox"/> Milk X 2 – Specify Time* _____ <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner _____ <input type="checkbox"/> No Peanut Diet _____ <input type="checkbox"/> No Soy Diet _____ <input type="checkbox"/> No Tomato Diet _____

*State law (RCW 70.02; RCW 70.24.105; RCW 71.05.390) and/or federal regulations (42 CFR Part 2; 45 CFR Part 164) prohibit disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law.*

Name: GREGORY, Rex D.

DOC #: 339379

Date of Birth: 9/14/1973

<input type="checkbox"/> Gluten Free Diet <input type="checkbox"/> Green Snack <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Green Snack X 2 <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Green Snack w/Rice Krispy's <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Green Snack w/Rice Krispy's X 2 <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Hard Boiled Eggs <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner	<input type="checkbox"/> Puree Diet <input type="checkbox"/> Renal or Hepatic Diet – Specify* <input type="checkbox"/> Renal Snack <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Renal Snack X 2 <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Yellow Snack <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Yellow Snack X 2 <input type="checkbox"/> Breakfast <input type="checkbox"/> Lunch <input type="checkbox"/> Dinner <input type="checkbox"/> Other – Specify Diet*
<b>D. Durable Medical Equipment</b> <b>Expire</b> <input type="checkbox"/> Ace Wrap <input type="checkbox"/> Brace <input type="checkbox"/> Cane ID#: <input type="checkbox"/> Cotton Blanket - # <input type="checkbox"/> Crutches ID #: # <input type="checkbox"/> Hearing Aid <input type="checkbox"/> Orthotics – Specify <input type="checkbox"/> Prosthetics – Specify <input type="checkbox"/> Shower Chair ID #:	<b>Expire</b> <input type="checkbox"/> Special Shoes <input type="checkbox"/> Walker ID#: <input type="checkbox"/> Wheelchair ID#: <input type="checkbox"/> Wheelchair Pusher Required <input type="checkbox"/> Wedge <input type="checkbox"/> Extra Pillow - # <input type="checkbox"/> Glucose Meter <input type="checkbox"/> Container/Lancets/Test Strips <input type="checkbox"/> Electric Shaver <input type="checkbox"/> Ice
<b>E. Allergies</b> <input type="checkbox"/> Bee Stings <input type="checkbox"/> Latex <input type="checkbox"/> Peanuts	<b>F. Other</b> <input type="checkbox"/> Metal Implants – Specify <input type="checkbox"/> Other - Specify

3. COMMENTS (e.g., restrictions not listed above, equipment issue date if different than date of HSR, snack time etc.)

Housing Restrictions/Limitations: No ladders  
 GREGORY, Rex D.  
 339379  
 9/14/1973

Unless otherwise indicated, HSRs expire one (1) year from the date written. It is the offender's responsibility to request renewal of an HSR at least 30 days before expiration.

HEALTH SERVICES PROVIDER (Stamp/Print and Initial)	DATE	ALTERNATE HEALTH SERVICES STAFF	DATE
Sassone, Justin W	11/1/2012		

**DISTRIBUTION:**     Health Record (Original)     Offender     Shift Sergeant     Laundry/Clothing     Supply Tech  
 Central File     Recreation     Unit Sergeant     Dietary     Other:

State law (RCW 70.02; RCW 70.24.105; RCW 71.05.390) and/or federal regulations (42 CFR Part 2; 45 CFR Part 164) prohibit disclosure of this information without the specific written consent of the person to whom it pertains, or as otherwise permitted by law.

COPY

Disability Determination Services  
1330 N. Washington #2028  
Spokane, WA 99201-2341

17JUL13

Greetings

Around February/March, 2013, I was given a memory test by Nathan Henry, Psy D. I have since tried several times to obtain a copy of the results but so far have only gotten your address.

I would like a copy of my memory test results.

Additionally, excepting agencies your office is required by law to provide my medical information to, I do not want my medical information released to anyone not listed here: myself, Ryan Gregory (brother), Susan Porter (sister), Mary Lou Gregory (step-mother), and any attorney that is expressly representing myself.

Thank you for your time and quick response to my request.

*Rex Gregory*

Rex Gregory #339379

AHCC KB-28

P.O. Box 2049

Airway Heights, WA 99001-2049

WASHINGTON STATE DEPARTMENT OF CORRECTIONS

AHCC W 11819 SPRAGUE AVE AIRWAY HEIGHTS WA 99001  
PR. SASSONE, JUSTIN (P) AHCC-INF  
DOC # 339379 RX 48947133-0  
GREGORY, REX D  
VALPROIC ACID 500MG CAP #14  
GEN FOR DEBAKENE  
NDC: 00591-013-01 JAD11  
TAKE 1 CAPSULE BY MOUTH TWICE DAILY (ISSUE 1 WEEK)  
Drug Exp. 02/16/2014  
Order Exp. 01/17/2015  
Custody Exp. 11/11/2014

Warning: State or federal law prohibits transfer of this drug to any person other than the person for whom it was prescribed.



(8) Refills

		16	
30		15	
29		14	
28		13	
27		12	
26		11	
25		10	
24		9	



## ASOTIN COUNTY JAIL

## GRIEVANCE FORM

Rex Gregory

TO: JAIL COMMANDER, ASOTIN COUNTY SHERIFF'S DEPARTMENT

## COMPLAINT(S):

I'm not sure why you think my housing status is at my own request or that I'm not segregated. You declared me as being "separated" from the barracks on 17 Nov, 09, on a grievance form you numbered 111809. On 20 Nov, 09, on an unnumbered grievance form, you said I was then in a "single occupancy cell" although I got a cellmate at about 10:30 PM that same evening, and an additional one at about 3 AM on 28 Nov, 09. On another unnumbered grievance form, your only response was "You are going to be segregated," at which time I was moved into the JUV cell - all on 30 Nov, 09.

In total, there are 11 times I've been without <sup>at least 1 hour</sup> out time for 72+ hours. Including those times, there's been over 50 days where I've had less than 1 hour of out time - for most of those days, no out time was given. It's still over 50 days if I disclude days with any out time and the days I know of where I was mis logged as having had out time or mis logged as having refused out time. I've kept track.

At least half the times I didn't get a news paper that I've kept track of - and all the times for the past 2 months - I'd asked at least once, usually more. Since moving to E. I so, I'd asked at least the evening shift for that days paper and the next morning's shift, at dinner and breakfast.

Recently, all my out time is in the morning, before (when I get it) was generally during lunch. I'd put in multiple kites asking to make a legal call during normal business hours when people might answer. (ie, 9-11; 1-4) I have yet to make contact, or be released to use any phone during those hours. In addition, I've been told that no one is allowed out time when South Rec is out (lunch time). Did this come into effect so that I would never have a chance to use the phone, or merely to keep my out time to 1 hour? At least I've been allowed to go outside twice in two weeks which far surpasses the first 4 months in the Jurinite cell - 0.



PRISONER'S SIGNATURE

4 May, 2010

DATE

ACTION TAKEN BY JAIL COMMANDER:

WHATEVER RESPONSE I COULD GIVE WOULD BE  
EXTRANEIOUS AT THIS POINT.

CAPT. SINGLETON

To whom it may concern,

I have a "conditions of confinement" case to bring against Asotin County, WA. I had written a total of 4 grievances about the days I'd not been given out time to include ~~XXX~~ 11 DIFFERENT times with 73+ hours with less than 1 hour of out time (9 of those had no out time) and 60 days that I'd kept track of with less than one hour of out time. I'd not been in trouble the entire time I was in Asotin County Jail.

Lonnie Cox was my cell mate the first time we hadn't been given out time for 73+ hours with no out time. I don't know if he filed a grievance, but I do know that he pleaded guilty to manufacture of meth with a child present in the first quarter of 2010.

I'd kept a written calendar with annotations from 17 Dec. (~~XXXX~~ sketchy until mid Feb.) until leaving ACJ. Generally, I'd annotated when I was allowed out time and also when I was returned to my cell. With few exceptions, my out time was in the booking room, so I was able to see the time on the computer in that room and also use it to determine how accurate the time the officers gave me when I asked was. (They were always within 20 minutes over, but never under any time I'd ask them.) I usually rounded my "leaving times" down to the nearest 5 minutes and my "in times" to up the nearest 5 minutes, which made it easier to remember times.

On my 2nd grievance, I was moved to another room to "make it easier to get out time", but the 2nd day after the move began my 10th 72+ hours with no out time.

After my 3rd grievance, at least one officer began logging that I'd had out time when I hadn't. That should have been entered into their log as I complained to an officer on swing shift. Also, Officer Rudy began trying to trick me into saying I'd refused out time or requested segregation (I hadn't).

As long as my sister-in-law kept the paperwork, or gave it to my stepmother, I had many different grievances and even kites saying I'd be given out time (which didn't happen).

So far, I'd only let Captian Singleton, the JAIL Commander, know about asking the officers about times, but not about seeing the time on the computer.

I do have my last grievance form with me. The only response is: "Whatever response I could give would be extraneous at this point". It doesn't have a number to go with it - I doubt the Jail kept a copy of it.

Sincerely,  
Rex Gregory  
339379



BB

OFFENDER'S KITE

PAPELETA DE PETICIÓN DEL INTERNO

OFFENDER NAME (PRINT) NOMBRE DEL INTERNO (LETRA DE MOLDE) Rex Gregory		
DOC NUMBER/NÚMERO DOC -339379	UNIT, CELL/UNIDAD, CELDA SMU B-3	DATE/FECHA 24 JUN 13
DESIRE INTERVIEW WITH OR ANSWER FROM/DESEA ENTREVISTA CON O RESPUESTA DE SMU Sgt		

REASON/QUESTION RAZÓN/PREGUNTA

Interpreter needed for \_\_\_\_\_ (language).  
 Necesito intérprete para \_\_\_\_\_ (Idioma).

I need the address to the Court of Appeals so I can inform them of my lack of access to my legal property.

SIGNATURE/FIRMA *[Signature]* DAYS OFF/DÍAS LIBRES

RESPONSE RESPUESTA

600 University St.  
One Union Square  
Seattle, WA. 98101-1176

RESPONDER/PERSONA QUE RESPONDE *[Signature]* DATE/FECHA 6/26/13



OFFENDER'S KITE

PAPELETA DE PETICIÓN DEL INTERNO

OFFENDER NAME (PRINT) NOMBRE DEL INTERNO (LETRA DE MOLDE) Rex Gregory		
DOC NUMBER/NÚMERO DOC 339379	UNIT, CELL/UNIDAD, CELDA SMU B-3	DATE/FECHA 26 JUN 13
DESIRE INTERVIEW WITH OR ANSWER FROM/DESEA ENTREVISTA CON O RESPUESTA DE CC3 E. Fox		

REASON/QUESTION RAZÓN/PREGUNTA

Interpreter needed for \_\_\_\_\_ (language).  
 Necesito intérprete para \_\_\_\_\_ (Idioma).

On 30 MAY 13, I mailed an incomplete Request to Reconsider to the Appellate Court. There are 30 days to file an ammendment to a motion. That time is up on 30 or 29 JUN 13. I need ALL of my legal materials and, upon completion of the ammended motion, access to a photocopier.

Also being forced to prove a court deadline takes time from my deadline - materials should be provided unless AHCC proves there is NOT a deadline.

SIGNATURE/FIRMA *[Signature]* DAYS OFF/DÍAS LIBRES

RESPONSE RESPUESTA

CO lode will assist you.

RESPONDER/PERSONA QUE RESPONDE *[Signature]* DATE/FECHA 6/26/13



POSTAGE TRANSFER
Transferencia de fondos para el franqueo



PLEASE WITHDRAW SUFFICIENT FUNDS FROM MY ACCOUNT TO COVER THE COST OF MAILING THE ATTACHED LETTER/PACKAGE. IF NO BOX IS CHECKED, THE WITHDRAWAL WILL BE PROCESSED FROM MY SPENDABLE ACCOUNT.

Haga el favor de retirar los fondos suficientes de mi cuenta para cubrir el costo de enviar esta carta/paquete. Si no he marcado ninguna caja, se hará el retiro de mi cuenta gastable.

Form with fields: FUNDS ON HOLD, POSTAGE ACCOUNT, INDIGENT, LEGAL MAIL, PROPERTY, POSTAGE DUE, OFFENDER NAME (Rex Gregory), DOC NUMBER (339379), OFFENDER SIGNATURE (M/M Com), HALL/UNIT (SMU B-7), DATE (26 JUN 13), INSURED, CERTIFIED ONLY, CERTIFIED & RETURN RECEIPT, US POSTAL SERVICE, 1ST CLASS, PARCEL POST, INSURANCE, GROUND COURIER, NAME (Clark Renee S. Tamsky), STREET (500 North Cedar Street), CITY (Spokane), STATE (WA), ZIP (99201), COMMENTS (1 page, unstamped, sent evening of 26 JUN 13)

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.

DOC 02-003 ES (Revised 6/10/10)

White - Inmate Banking Canary - Mail Staff Pink - Offender

OFFENDER'S KITE
Department of Corrections
PAPELETA DE PETICIÓN DEL INTERNO

OFFENDER NAME (PRINT) NOMBRE DEL INTERNO (LETRA DE MOLDE)
Rex Gregory
DOC NUMBER/NÚMERO DOC 339379
UNIT, CELL/UNIDAD, CELDA B-3
DATE/FECHA 24 JUN 13
DESIRE INTERVIEW WITH OR ANSWER FROM/DESEA ENTREVISTA CON O RESPUESTA DE Segregation Sergeant

REASON/QUESTION RAZÓN/PREGUNTA
Interpreter needed for (language) Necesito intérprete para (idioma)

I need my legal materials so I can send an addendum of my request for reconsideration to the Appellate Court THIS WEEK. I am not allowed additional time and this is my last week to send anything in. I asked for my legal work when I got in here and have heard nothing yet on it - I NEED ACCESS TO THE COURT.

SIGNATURE/FIRMA
RESPONSE RESPUESTA
DAYS OFF/DÍAS LIBRES

All legal access requests must be approved by CC3 F. Fox & you must prove a court deadline.

RESPONDER/PERSONA QUE RESPONDE
DATE/FECHA 6-24-13

Distribution: WHITE/YELLOW-Responder, YELLOW-Return to Offender with Response, PINK-Offender keeps
Distribución: BLANCA/AMARILLA-Persona que responde, AMARILLA-Devuelve al interno con respuesta, ROSA-Interno
DOC 21-473 E/S (Rev. 09/21/11) DOC 390,565, DOC 450,500

# KING UNIT COUNSELOR REQUEST FORM

If you would like to see your Counselor/CUS or have a question for them, please fill out this form and slide it under your Counselor's/CUS's door during an open movement time.

DATE: 3 JUL 13

NAME: Rex Gregory

DOC: 339379

TIER/CELL: KB-28

WORK SCHEDULE:

BRIEF REASON FOR REQUEST/COMMENTS: Work, and why does C/O Hare mix legal work with other items (including altering the order of pages in transcripts) and why has Sgt Adams denied me retrieving my legal property when he knows I am LATE for a deadline?  
I also must make legal photocopies immediately.  
I need this form back after you're done with the future appointment.

Do you need an appointment?  YES  NO

Response:

Property is not at work today. Kiosk me or Deshazer over the weekend & we can check with property on Monday.

X R Gregory

Staff Signature

# KING UNIT COUNSELOR REQUEST FORM

If you would like to see your Counselor/CUS or have a question for them, please fill out this form and slide it under your Counselor's/CUS's door during an open movement time.

DATE: 4 JUL 13

NAME: Rex Gregory

DOC: 339379

TIER/CELL: KB-28

WORK SCHEDULE: None

BRIEF REASON FOR REQUEST/COMMENTS:

I am now on cell confinement. I NEED to get 7 legal photocopies made. Also, Sgt Adams in Property did not allow me to get any of my legal property even when (most or all) the legal materials I needed were in my hands. The female C/O told me the next call-out was 12:50 - there wasn't one.

I need to get this back as soon as I see you for the photocopies

Do you need an appointment?  YES  NO

Response:

copies made. We can't check on legal work until Monday.

X R Deaton

Staff Signature

**FILED**

SEP 24 2013

COURT OF APPEALS  
DIVISION III  
STATE OF WASHINGTON  
By \_\_\_\_\_

## Declaration of Mailing

I, Rex Gregory, declare that on SEP13, I deposited the foregoing Petition for Review, or a copy thereof in the internal mail system of Airway Heights Correction Center and made arrangements for postage addressed to

Clerk Renee S. Townsley  
Court of Appeals, Division III  
500 North Cedar Street  
Spokane, WA 99210

Asotin County Prosecutor  
P.O. Box 220  
Asotin, WA, 99402

**FILED**

OCT - 1 2013

CLERK OF THE SUPREME COURT  
STATE OF WASHINGTON

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated at Airway Heights, WA on 20 SEP 13

*M.M. Way*

Rex Gregory 339379

AHCC KB-28

P.O. Box 2049

Airway Heights, WA 99001-2049