

**FILED**

**JUN 11 2008**

COURT OF APPEALS  
DIVISION III  
STATE OF WASHINGTON  
By JMO



COURT OF APPEALS  
DIVISION THREE  
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON

Plaintiff,

v.

JERRY ALLEN HERRON,

Defendant.

Case No. 263541

STATEMENT OF ADDITIONAL  
GROUNDS FOR REVIEW

I, Jerry Allen Herron, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this State of Additional Grounds for Review when my appeal is considered on the merits.

**Additional Ground 1**

On approximately June 14, 2007, I filed a Motion in Limine for an order allowing evidence of juvenile adjudications for a Theft 3 charge and a Vehicle Prowl 2 charge of witness Kristen Beck. The basis of the Motion was ER 609(d) since conviction on these offenses would be admissible to attack the credibility of an adult, and the admission of the evidence was necessary for a fair determination of my guilt of innocence. A critical issue at trial was the credibility of the alleged victim, Kristin Beck (formerly Wooltering). Evidence of adjudications on these charges would have been important impeachment evidence, especially given the fact that she had a history of not telling the police the truth. The court improperly denied this motion and disallowed evidence of those two adjudications at trial.

**Additional Ground 2**

I proposed a jury instruction for Assault in the Fourth Degree. The court disallowed that jury instruction. I think the jury could have found an assault occurred rather than a rape.

DATED

6/09/08

Jerry Allen Herron  
Jerry Allen Herron

STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW

Page 1 of 1

Court of Appeal's

Reason: Statement of Additional Grounds For Review.  
To Whom this Concern's:

Thankyou Very Much For  
Your Time AND Consideration you  
have given My APeAL.

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COURT OF APPEALS  
DIVISION II  
STATE OF WASHINGTON  
By 

Sincerely

