No. 45568-4-II

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

STATE OF WASHINGTON,

Respondent,

v.

OSCAR RAUL MORENO VARGAS.,

Appellant.

ON APPEAL FROM THE
SUPERIOR COURT OF THE STATE OF WASHINGTON,
PIERCE COUNTY

The Honorable Katherine Stolz, Trial Judge

KATHRYN RUSSELL SELK
WSBA No. 23879
Counsel for Appellant

RUSSELL SELK LAW OFFICE
Post Office Box 31017
Seattle, Washington 98103
(206) 782-3353

TABLE OF CONTENTS

TABLE OF AUTHORITIES

WASHINGTON SUPREME COURT

WASHINGTON COURT OF APPEALS

FEDERAL CASELAW

RULES, STATUTES AND CONSTITUTIONAL PROVISIONS

A. ASSIGNMENTS OF ERROR

1. There was insufficient evidence to prove all the essential elements of the charged crime of voyeurism.

2. The trial court erred as a matter of law in failing to comply with RCW 10.01.160(3) when imposing discretionary legal financial obligations.

B. ISSUES PERTAINING TO ASSIGNMENTS OF ERROR

1. Did the prosecution fail to prove all the essential elements of the crime of voyeurism when the evidence did not show that the viewing was for more than a brief period of time or in other than a casual or cursory manner?

2. Under RCW 10.01.160(3), did the trial court err as a matter of law in failing to determine the defendant's actual ability to pay and the potential effect of the imposition on the indigent defendant before imposing discretionary legal financial obligations?

C. STATEMENT OF THE CASE

1. Procedural Facts

Appellant Oscar R. Moreno Vargas was charged by information with voyeurism and second-degree malicious mischief. CP 1-2; RCW 9A.44.115(2)(a); RCW 9A.48.080(1)(b). Trial was held before the Honorable Katherine Stolz on October 7, 8, 9, 10, 14 and 15, 2013.[1] The trial judge dismissed the malicious mischief charge for lack of evidence. RP 181, 284. The jury convicted Moreno Vargas of voyeurism. CP 57.

On October 18, 2013, Judge Stolz imposed a standard-range sentence. CP 64-77. Moreno Vargas appealed and this pleading follows. See CP 78.

[1]The verbatim report of proceedings in this case consists of several chronologically paginated volumes which will be referred to herein as "RP."

2. Testimony at trial

Melissa Geffre had just started her shift as "service supervisor" at an Albertson's grocery store on Milton Way in Pierce County, Washington, at about 7 p.m. on June 9, 2013, when she went to do a "bathroom check" to make sure the courtesy clerks were keeping the bathroom clean. RP 49. She went into the women's room and decided to use the facilities herself. RP 49-50. The bathroom had two stalls and Geffre could tell that there was someone in the first stall, so she went into the second. RP 49.

Geffre noticed from the shoes of the person which she could see under the stall that they were facing the toilet like a man. RP 49. She thought that was "kind of weird" but still went into the stall. RP 49. She did not hear anyone urinating or defecating in the next stall. RP 56-57.

Geffre put down a sanitary cover on the toilet, pulled down her pants and sat down to go to the bathroom. RP 52-53. She started to go and then noticed the shoes in the stall next door move towards the wall or partition between the two restrooms. RP 53. Geffre described a gap by the back wall of the partition which was maybe an inch or two inches. RP 53-54.

The toilet seat where she sat was not directly aligned with the crack. RP 77.

Geffre said that, when the feet started moving towards the wall she heard a sound, which she described as "some type of rubbing or some type of noise like that." RP 54-55. On cross-examination, she conceded that, although she heard a noise, she was not actually truly sure what was

making it. RP 78.

Geffre had to lean back a little to see through the crack but when she did, she said, she saw a "shadow" and saw someone's eyes. RP 56-57, 77. On cross-examination, however, she backtracked, saying she had seen "probably just one eye, yeah." RP 77. She then said she was not a "hundred percent sure if it was two eyes" or one. RP77-78.

Geffre stopped going to the bathroom, hollered, "[w]hat are you doing," then jumped up and went to leave the bathroom. RP 56-57. Geffre saw the man in the other stall and said he seemed to be having a little trouble getting out his stall's open door. RP 57-58. She said the man was trying to pull up his pants and they were up to about his thighs. RP 58. Geffre claimed that she saw some of his penis and, as he ran out, his bare bottom. RP 58.

At trial, Geffre testified that she saw a tattoo or something similar on the man's bottom. RP 58, 72-73. She admitted, however, that she had told defense counsel prior to trial that she was "a hundred percent certain" she saw a tattoo on the man's behind and that it was on the left "cheek." RP 73.

Geffre ran after the man, about three feet behind. RP 59-60. She said the man had an "orangish" shirt and probably brown or tan shoes. RP 60. Once shown her statement, however, she said the shoes which she had said she had seen under the stall door were actually both light brown and tan. RP 72.

Geffre stopped chasing when the man reached the door and left the store. RP 61. She remembered talking to a male customer and then she

went to call police. RP 61. That customer, Matthew Casmier, testified that he heard a loud bang come from the restroom and saw a man running towards him. RP 155-57. He also heard the store clerk yell something. RP 157. The man was wearing light pants and an orange shirt and appeared to be grasping at his waistband of his pants with his left hand. RP 157. After the man ran out of the store, Casmier realized the clerk was saying something about calling the police. RP 158.

Casmier got his son into the back of their minivan and drove in the direction he had seen the man, then saw what he thought was the same guy, running at "full speed," towards a nearby McDonald's fast food restaurant. RP 159. Casmier parked in the restaurant parking lot, told his son and wife to stay in the car and then went inside to search for the man. RP 159-60. When he did not see him, Casmier decided to go into the bathroom and saw that the door to the stall was locked. RP 160-61. He looked underneath the stall and saw a pair of feet, which he opined were not positioned as if the toilet was being used. RP 160-61.

Casmier went out to tell his wife what was going on to have her relay it to the police but noticed a police car arrive so he waved it down. RP 160-61. Inside was Milton Police Department officer Chris Alexander, who had responded to Geffre's 9-1-1 call and was looking around the area. RP 100-108. Casmier told the officer about being at the Albertson's and seeing the man run away but said he did not see the man inside the restaurant. RP 108. He also told the officer that a stall in the men's bathroom was locked. RP 108.

Alexander went into the restaurant and did not see anyone who

looked like the suspect description, so he went into the men's bathroom, which had only one stall. RP 110. Although the stall was just like other bathroom stalls and he could have seen, the officer did not bend over to look to see if there were shoes or anything showing under the stall. RP 111-12. Instead, the officer just knocked on the stall door. RP 111. When there was no response, the officer then announced, "police department" or "police officer," but there was still no response. RP 111-12.

Officer Donald Hobbs of the City of Milton police also responded and went to the McDonald's, joining Alexander in the bathroom. RP 163-70. When Hobbs arrived, Alexander told him there was someone in the stall who was not coming out so Hobbs pulled himself up over the top of the stall and looked down. RP 169. Inside the stall was a man sitting on the toilet. RP 170.

Hobbs admitted that he could not say whether the man had his pants up or down. RP 170.

Ultimately, Alexander went to speak to a McDonald's manager and found out the managers did not have keys to the bathroom stalls. RP 112. The manager, however, sent a male employee into the bathroom to have him crawl under the stall door, in case "some kid had possibly locked the stall and climbed under." RP 111-12. When the employee started crawling under the stall, he got about to his shoulders and then turned back and told the officer there was someone inside the stall. RP 113.

The officer had the employee back out and the officer then knocked on the door and announced himself again. RP 113. There was no initial response but on the second knock, a voice said something like,

"[j]ust a minute." RP 113. The officer estimated that it was about five minutes before the man, later identified as Oscar Moreno Vargas, came out of the stall. RP 114. According to Alexander, Moreno Vargas was wearing an orange shirt that was inside out and backwards. RP 114.

The officer placed Moreno Vargas in handcuffs and had him stand next to the patrol car while Geffre and Casmier were brought by and identified him as the man they thought they had seen. RP 114-15. After conducting some investigation at Albertson's he finally took Moreno Vargas to jail. RP 124-25. The officer saw what he said was "[f]resh spit" on the floorboard of his patrol car between Moreno Vargas' feet. RP 124-25.

Oscar Moreno Vargas, whose first language was Spanish, testified with the help of an interpreter and explained that he went into the Albertson's to use the bathroom because he had diarrhea. RP 187-88. Once he entered the store, he asked someone where to find the bathroom and she told him where to go, so he thanked her and went. RP 188-89. There was no one else in the bathroom when he went inside and suffered a little more from his diarrhea for a few minutes. RP 189. He was through when he heard someone come in and start using the other stall. RP 189, 214.

Moreno Vargas suddenly wondered which bathroom he was in so he looked through the little gap quickly to see who was next door. RP 189. 90. He saw a girl who was shifting her weight back and looked right at him. RP 190. He got so scared he panicked and just ran out of there. RP 190. He thought his pants were all the way up at that point. RP 190.

Moreno Vargas admitted looking into the stall for a moment and seeing a woman looking back. RP 214. He said she said something like, "really?" RP 214.

Moreno Vargas was already standing at that time because he was done. RP 214. Scared, he ran out of the store, feeling like he was being chased but not looking back. RP 190-91. Moreno Vargas said he did not run to his car because he felt someone was running after him on foot. RP 219. He tripped, dropped his cell phone, then got back up and saw a McDonald's, so he went into the bathroom and stayed there. RP 191.

Moreno Vargas sat on the toilet in McDonald's for a few minutes, trying to calm down. RP 191. Moreno Vargas was really scared and felt like he needed to go to the bathroom and urinate. RP 191. Someone came and pushed on the door and then left. RP 191-92. A moment later someone looked underneath the stall, then knocked and told him to come out. RP 192-93. He came out and was arrested.

Moreno Vargas freely admitted that he was in the women's bathroom but explained that he had made a mistake. RP 192-93. He was not familiar with the grocery store and went where he had been told by the store worker when he asked where to find the restroom. RP 188-89. Moreno Vargas admitted he understood enough English to know the words "bathroom," "restroom" and "men" and knew that urinals were in men's restrooms, not women's, as well as what the bathroom symbols for men and women usually look like. RP 205-206. He did not, however, see the sign outside the restroom or did not really notice it because he went in so fast due to his condition. RP 208-209. He explained that he went where

the worker told him the bathroom was and did not check. RP 209.

In fact, his diarrhea was so strong he had soiled himself in the grocery store parking lot just before he went in to go to the bathroom. RP 192-93, 213. Pictures of his underwear showing that he had soiled them were admitted at trial. RP 193-94, 212-13.

D. ARGUMENT

1. THERE WAS INSUFFICIENT EVIDENCE TO PROVE ALL THE ESSENTIAL ELEMENTS OF THE CHARGED CRIME

Under both the state and federal due process clauses, the state has the burden of proving each element of the crime charged beyond a reasonable doubt. See In re Winship, 397 U.S. 358, 364, 90 S. Ct. 1068, 25 L. Ed. 2d 368 (1970); State v. Hanna, 123 Wn.2d 704, 710, 871 P.2d 135 (1994), reversed on other grounds on petition for writ of habeus corpus sub nom Hanna v. Riveland, 87 F.3d 1034 (9th Circ. 1996); 14th Amend.; Art. 1, § 3. When the prosecution fails to meet that burden, reversal and dismissal with prejudice is required. See Jackson v. Virginia, 443 U.S. 307, 319, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979).

In this case, this Court should reverse the conviction for voyeurism, because there was insufficient evidence to prove all the essential elements of the crime, beyond a reasonable doubt. Evidence is sufficient if, when taken in the light most favorable to the state, a rational trier of fact could have found the defendant guilty beyond a reasonable doubt. See Jackson, 443 U.S. at 319; State v. Green, 94 Wn.2d 216, 221-22, 616 P.2d 628 (1980), reversed in part and on other grounds by Washington v. Recuenco, 548 U.S. 212, 126 S. Ct. 2546, 165 L. Ed. 2d

466 (2006).

To prove voyeurism as charged in this case, the prosecution must prove that a 1) defendant knowingly viewed a second person or their intimate parts, 2) without the other person's knowledge or consent, 3) for the purposes of arousing or gratifying the sexual desire of any person and either 4a) that the viewing occurred in a place where someone has a reasonable expectation of privacy or 4b) that the intimate areas of the second person where viewed under circumstances where she had a reasonable expectation of privacy. RCW 9A.44.115(2). Further, the viewing must be "for more than a brief period of time, in other than a casual or cursory manner." See State v. Fleming, 137 Wn. App. 645, 154 P.3d 304 (2007).

Here, there was insufficient evidence to prove anything other than a brief viewing. Fleming, supra, is instructive. In that case, the defendant was seen in drinking and was so intoxicated that a bartender would not serve him. 137 Wn. App. at 646. He was accused of voyeurism after he went into a bathroom where a woman had gone into a stall already. The woman saw shoes facing the toilet, then saw them disappear, then heard a sound above her. 137 Wn. App. at 657. She looked up and saw the defendant starting at him. 137 Wn. App. at 657. He then stuck out his tongue at her, still staring. She yelled at him to leave her alone and pulled up her pants. She then told him she had a cell phone and was going to call police. He then climbed down and ran out and she did, too. In finding that there was more than just a "brief" or "casual or cursory" viewing, the court focused on all of the details of the encounter, noting that, while it did

not last long, a reasonable jury could have found it was not so brief, casual or cursory that it did not amount to voyeurism. 137 Wn. App. at 648-49.

Here, in contrast, the defendant was not standing on the toilet, looking over the top of the stall, down at someone going to the bathroom in another stall, staying long enough to stare and then stick his tongue out and only leaving when the woman in questions threatened to get out her cell phone and make a call to police. Instead, the defendant was seen peeking through a crack in a toilet stall for a half-second. That evidence was insufficient to prove voyeurism, beyond a reasonable doubt, and this Court should so hold and should reverse and dismiss the conviction.

2. THE TRIAL COURT ERRED IN FAILING TO COMPLY WITH STATUTORY REQUIREMENTS IN IMPOSING LEGAL FINANCIAL OBLIGATIONS

Under the Sentencing Reform Act (SRA), the sentencing court's authority to order a defendant in a criminal case to pay court costs is wholly statutory. See, State v. Curry, 118 Wn.2d 911, 918, 829 P.2d 166 (1992); RCW 9.94A.760. Where a court acts without statutory authority in ordering a sentence, that issue may be raised for the first time on appeal. See State v. Ford, 137 Wn.2d 427, 477-78, 973 P.2d 452 (1999); State v. Bahl, 164 Wn.2d 739, 744, 193 P.3d 678 (2008). Here, the court acted outside its statutory authority in ordering recoupment of discretionary costs at sentencing.

a. Relevant facts

At sentencing, the court noted that the prosecution was requesting, as part of the sentence, "the standard fines and costs." RP 288. The prosecutor explained that this involved a $500 crime victim penalty

assessment, $200 "court costs," $100 for "DNA" and "$2,000 DAC recoupment after trial," as well as potential future restitution. RP 289-90.

Because Moreno Vargas had already served more than the standard range, the court released him with credit for time served, noting that there was an "immigration hold." RP 289-90. The court also ordered the requested costs but only $1,500 for the DAC recoupment. RP 289-90. In ordering the amounts paid, the court said, "all of these are probably moot." RP 290.

At that point, counsel asked the court to reduce the recoupment to $1,000 because counsel was the second attorney, "didn't have it [the case] all that long" and the case did not take as much as "compared to a regular trial." RP 290. The court stuck with its initial decision to "order $1,500 rather than $2,000." RP 290. The court said, "[i]t was a trial." RP 290. The judge again declared, however, "as I said, it's sort of academic." RP 290. Counsel then asked for an order authorizing an appeal at public expense, saying, "[h]e has no significant assets at all at this point," to which the court responded, "I didn't think he did." RP 290.

b. The trial court failed to follow the statutory requirements in ordering discretionary costs

The trial court failed to comply with the statutory requirements in imposing discretionary legal financial obligations. Under RCW 10.01.160(1), a trial court can order a defendant convicted of a felony to repay court costs as a part of a judgment and sentence, but another subsection of the same statute prohibits a court from entering such an order without considering the defendant's financial situation:

> The court shall not order a defendant to pay costs unless the defendant is or will be able to pay them. In determining the amount and method of payment of costs, the court shall take account of the financial resources of the defendant and the nature of the burden that payment of costs will impose.

RCW 10.01.160(3).

Here, no such findings were actually made in relation to the specific facts and circumstances of this case. In a pre-printed portion of the judgment and sentence, the document provided:

> ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS. The court has considered the total amount owing, the defendant's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood the defendant's status will change. The court finds that the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.

CP 68. Boilerplate language also imposed interest "from the date of the judgment until payment in full." CP 70.

There was no evidence, however, to support this declaration, apparently pre-printed on *every* judgment and sentence in the county. Such a "boilerplate" finding is not evidence that the trial court actually gave independent thought and consideration to the facts of the particular case. See, e.g., Dependency of K.N.J., 171 Wn.2d 568, 257 P.3d 522 (2011). Indeed, there is not even a "box" next to the preprinted language for the judge to "check off" if she makes the relevant finding in the particular case - the "boilerplate" finding is presumptively entered in *every* case, regardless of the evidence or circumstances involved.

Thus, the "boilerplate" language did not amount to a proper finding by the court sufficient to show compliance with the mandates of RCW 10.01.160(3). See, e.g., State v. Bertrand, 165 Wn. App. 393, 404 n. 13,

267 P.3d 511 (2011), review denied, 175 Wn.2d 1014 (2012). The Supreme Court has held that there is no constitutional requirement that a court enter formal, specific findings regarding ability to pay, but where, as here, an unnecessary finding is made in "boilerplate" language, that "finding" is subject to this Court's scrutiny. See Curry, 118 Wn.2d at 918; Bertrand, 165 Wn. App. at 404 n. 13. The trial court's "boilerplate" "finding," included by virtue of being in the judgment and sentence in every case, was unsupported by the record and wholly improper.

There was thus no true finding or consideration under RCW 10.01.160(3) before imposition of the costs in this case. Notably, the trial court was clearly aware that Mr. Moreno Vargas did not have the ability to pay and likely would not, given the judge's comments at sentencing.

Importantly, there is a serious question about whether recoupment of costs ordered paid under RCW 10.73.160 remains constitutional. It was upheld in State v. Blank, 131 Wn.2d 230, 237, 930 P.2d 1213 (1997), because of the fact that it was believed that the trial court must consider ability to pay and because procedures for modification of the financial obligation existed for those with the inability to pay. The failure to include a pre-imposition consideration of ability to pay was upheld because the defendant might later acquire the means to pay but could raise an objection to enforcement later based on inability to pay and/or ask for "remission" of those costs later. 131 Wn.2d at 242-43. And the Supreme Court specifically required that "ability to pay (and other financial considerations) must be inquired into before enforced payment or imposition of sanctions for nonpayment" and relied on the remission

procedures in concluding that RCW 10.73.160 was not unconstitutional. 131 Wn.2d at 246-47.

Now, however, we know that, in fact, the remission process is broken, as are many of the protections detailed in Blank. The imposition of costs and their substantial impact on the lives of indigents has recently been detailed at length by the ACLU, which discovered that lower courts in this state are requiring people to give up public assistance and other public monies given to cover their basic needs in order to pay LFO's and even imprisoning poor people for failure to pay on such debt. *See* ACLU/Columbia Legal Services Report: Modern-Day Debtors' Prisons: The Ways Court-Imposed Debts Punish People for Being Poor (February 2014).[2]

Similarly, a study from the Washington State Minority and Justice Commission examined the impact of such costs, finding that the imposition of them reduces income, worsens credit ratings, makes it more difficult to secure stable house, hinders "efforts to obtain employment, education, and occupational training" and has other serious effects "which in turn prevents people from restoring their civil rights" and becoming full members of society. *See* Washington State Minority and Justice Commission, The Assessment and Consequences of Legal Financial Obligations in Washington State (2008).[3]

Further, once such an order is entered, the defendant may be

---

[2]Available at aclu-wa-org/news/report-exposes-modern-day-debtors-prisons-washington.

[3]Available at http://www.courts.wa.gov/committee/pdf/2008LFO_report.pdf.

subject to arrest for failure to pay and is immediately liable not only for the amount ordered but also to pay the astronomical interest rate of 12%. RCW 10.82.090.

The Supreme Court has a similar issue before it in State v. Blazina, 174 Wn. App. 906, 301 P.3d 492, review granted, 178 Wn.2d 1010 (2013), in which the defendant did not object to the trial court's failure to comply with the requirements of RCW 10.01.160. This Court also recently held, in State v. Lundy, 176 Wn. App. 96, 108, 308 P.3d 755 (2013), that a lower court order imposing legal financial obligations is not "ripe for review" until the prosecution tries to enforce them, as Division One held in State v. Calvin,176 Wn. App. 1, 302 P.3d 509 (2013) (as amended 10/22/13), review granted, __ Wn.2d __ (2014) (currently stayed pending Blazina).

Regarding the latter issue, however, our courts have repeatedly held that a defendant may challenge sentencing rulings for the first time on appeal when the ruling in question is in violation of statutory requirements. See, e.g., State v. Paine, 69 Wn. App. 873, 884, 850 P.2d 1369 (1993) ("when a sentencing court acts without statutory authority in imposing a sentence, the error can be addressed for the first time on appeal"). And the Supreme Court has rejected the idea that challenges to sentencing conditions are not "ripe" where, as here, the issues are primarily legal, do not require further factual development and involve a final decision of the court. Bahl, 164 Wn.2d at 751. Here, the order of costs is immediately enforceable as of the day of its entry and starts gathering interest upon that date and the issue is legal - did the trial court

act outside its statutory authority in ordering costs? No further factual development or proceedings are required for that question to be answered by this Court.

Notably, in its decision in Calvin, Division One focused solely on whether there was a *factual* issue with the trial court's decision below, finding that the failure to identify such a dispute below had waived the issue on appeal. The issue here, however, is legal - did the trial court act outside its statutory authority in failing to comply with RCW 10.01.160 in imposing the discretionary legal financial obligations. See, e.g., State v. Burns, 159 Wn. App. 74, 77, 244 P.3d 988 (2010).

RCW 10.01.160(3) mandates that a court "shall not order a defendant to pay costs" unless and until the court finds the defendant "is or will be able to pay them," and further that the court "shall" take the defendant's financial resources and the nature of the financial burden into account before imposing it. Here, the state provided no evidence establishing ability to pay, nor did it ask to have the trial court make any determination under RCW 10.01.160 in asking for imposition of the costs. This Court should hold that the trial court failed to comply with statutory requirements in imposing the discretionary costs for attorney's fees in this case, and should reverse.

E. CONCLUSION

For the reasons stated herein, this Court should reverse and dismiss the voyeurism conviction and, in the alternative, should hold that the trial court erred as a matter of law in imposing discretionary legal costs without proper consideration of the financial circumstances of the defendant as required by RCW 10.01.160.

DATED this 3rd day of June, 2014.

Respectfully submitted,

/s/ Kathryn Russell Selk
KATHRYN RUSSELL SELK, No. 23879
Counsel for Appellant
RUSSELL SELK LAW OFFICE
Post Office Box 31017
Seattle, Washington 98103
(206) 782-3353

CERTIFICATE OF SERVICE BY MAIL

Under penalty of perjury under the laws of the State of Washington, I hereby declare that I sent a true and correct copy of the attached Appellant's Opening Brief to opposing counsel at the Pierce County Prosecutor's office, first class postage prepaid to 946 County City Building, 930 Tacoma Ave. S, Tacoma, Wa. 98402, and to Mr. Oscar Moreno Vargas, DOB 5/12/89, Northwest Detention Center, 1623 E. J. Street, Tacoma, WA. 98421.

DATED this 3rd day of June, 2014.

/s/ Kathryn Russell Selk
KATHRYN RUSSELL SELK, No. 23879
Counsel for Appellant
RUSSELL SELK LAW OFFICE
Post Office Box 31017
Seattle, Washington 98103
(206) 782-3353

RUSSELL SELK LAW OFFICES

June 03, 2014 - 4:31 PM

Transmittal Letter

Document Uploaded: 455684-Appellant's Brief.pdf

Case Name: State v. Moreno Vargas
Court of Appeals Case Number: 45568-4

Is this a Personal Restraint Petition? Yes ■ No

The document being Filed is:

Designation of Clerk's Papers Supplemental Designation of Clerk's Papers

Statement of Arrangements

Motion: ____

Answer/Reply to Motion: ____

■ Brief: __Appellant's__

Statement of Additional Authorities

Cost Bill

Objection to Cost Bill

Affidavit

Letter

Copy of Verbatim Report of Proceedings - No. of Volumes: ____
Hearing Date(s): _____

Personal Restraint Petition (PRP)

Response to Personal Restraint Petition

Reply to Response to Personal Restraint Petition

Petition for Review (PRV)

Other: _____

Comments:

No Comments were entered.

Sender Name: K A Russell Selk - Email: karecrire@aol.com

A copy of this document has been emailed to the following addresses:

pcpatcecf@co.pierce.wa.us