

GROUND 1

As mentioned, Before I Even Sought To obtain A Medical Cannabis License I Had Discussed And Gained Permission For The use of medical Cannabis From my Community Therapist, Mr. Dan Dewalsche. Throughout our Discussion I Had Informed Mr. Dewalsche of The Injuries I Sustained As Result of The Accident I Was Involved In And How Those Injuries Effect My Daily Life. I Had Also Informed Him That my Primary Concerns And one of The more important Reasons For my Intention To use Medical Cannabis is Because I Was Taking Tramadol, A Pharmaceutical Pain Medication, And Due To The Insufficiency of The Tramadol, my Primary Care Physician Was Going To Put me on A Pain management Program Where I Would Be Started on Low Doses of Narcotic Pain Medication.

Because I Am Aware of The Dangers of Narcotic Medication And The Negative Effects Caused From The use of such medications, I Had Decided To Practice Caution And Responsibility By Choosing Not To Take Narcotic Pain Medication And To seek Healthier And safer Alternatives. I Believed By Doing so I would Be Demonstrating my Desire To show The Court my Commitment To The Program And my Effort At Practicing Responsibility. After my Explanation, Mr. Dewalsche Told me That He Had other People In Grouptherapy with similar Circumstances And He Had No Problem with my use of medical Cannabis As Long As I Have A Recommendation From A state Licensed Practitioner And That I use The Cannabis Responsibly.

As my Therapist with Credentials In Psychotherapy And The Rehabilitation of Sex offenders, Knowing what

IS Positive And what IS Negative For The Rehabilitation of sex offender's Throughout The Treatment Process, would He Not Have Agreed To Allow me To use Medical Cannabis For Medical Purposes Had He Felt It would Cause Hindrance Throughout The course of My Treatment?; AS A Professional In His Field of Expertise For Countless years No Doubt, Could we Not Agree That He knew what He was Doing when He Agreed To Allow me To use Medical Cannabis? As Defendant In This case Granted The Privilege of A SSOsa, would This Court Truly Believe That I would Be Foolish Enough To Violate The Conditions of My Suspended Sentence with The Severity of Facing 131.9 month's To Life on An Indeterminant Sentence Had I Honestly Believed what I was Doing was wrong?, That IS Not The Case In This Matter.

After Leaving Mr. Dewalsche's office I Had An Appointment within The Same week with A Practitioner Liscensed In The Field Concerning medical Cannabis. UPon Reviewing My Medical Records Concerning My Conditions, The Practitioner Agreed That The use of Medical Cannabis IS Most Definatly A Safer And Healthier Alternative To Pharmaceutical Pain Medications And Thereby ISSUED me A Medical Cannabis Liscense. I would Like To Point out Briefly For The Court That A Medical Cannabis Liscense IS A Legal Document And The use of Medical Cannabis IS Permissable By Washington State Law For Patients with Debilitating And Chronic Conditions.

Because The Facility I chose IS under Direct Compliance of Washington state Law And Serves only Medical Cannabis Patients with Documentation on File, Rendering The

Cannabis Regulated By That Facility, A Controlled Substance As Dictated By Washington State Law, And Leaving Me In Complete Compliance With The Conditions Set Forth In Appendixes F, G, And H.

In Appendix G it states that that the defendant is to comply with all treatment provider, CEO, and requirements and conditions set forth by Michael A. Compte's evaluation. This directive in particular is contradictory. When a SOSA is recommended by both parties to the court, they must first have the defendant evaluated. In this case they chose Mr. Compte. At the end of the evaluation Mr. Compte sent his report to both parties recommending that I not use alcohol, marijuana, or other mind altering substances. Does this directive abstain me from using the psychoactive medications prescribed by my doctor to stabilize my psychological health?, they too are mind altering, but the court has no issue with using them.

Mr. Compte is not my treatment provider and was only authorized to give his opinion. My therapist, Mr. Dewalsche felt comfortable with my use of medical cannabis and gave me permission to use it and that further shows my compliance. Under RCW 9A.670(3), Mr. Compte can only recommend prohibitions to crime related or precursor activities that led to the offense that I committed. Nowhere in my psychosexual evaluation did Mr. Compte recognize marijuana as a precursor or crime related activity.

Did the court abuse its discretion by imposing directives prohibiting my use of medical cannabis obtained with a lawful prescription?, according to the SOSA statute, they did. Does a court abuse its authority by revoking a

Ssosa Sentence For Holding A Defendant Responsible For Violating A Condition That Was Imposed Outside The Sentencing Guidelines Set Forth By The Ssosa Statute?, Is It Common Practice of law For A Court To Impose Contradictory, And unconstitutionally vague Sentences And Then Hold Defendants Responsible For Legal Errors Conducted By The Court?

What I Did was wrong your Honor, The crime I committed should have never happened and I wish I could change things but the harshness of reality dictates that we cannot change the transgressions of our past but a man has the ability to shape his future. Had I not been sincere in my amenability to confront and overcome this program so that I can become a responsible member to society, I would not have passed the polygraph examination or Mr. Compton's approval for the treatment. I beg this court with deepest sincerity to recognize the legal errors conducted by the court and to realize my honesty because truth is never frail, and it is the most powerful reliance that we can depend on.

I beseech a reinstatement of my Ssosa, the chance I deserve to prove that I can succeed. This declaration I swear under oath before the honor of the laws of the state of Washington.

Signed This 19th Day of August, 2015

Paul M. Rutnick
Defendant/Appellant