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2 SUPREME COURT
3 STATE OF WASHINGTON
4 6/13/2019 1:44 PM
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9 Supreme Court No. 97045-9
Court of Appeals No. 34670-6-III

10
11 State of Washington)
12 vs.) Statement of Additional Authority and
13 Josephine Johnson) Certificate of Service
14 _____)
15

16 Pursuant to RAP 10.8, Petitioner submits the following additional authority in support of her Petition
17 for Review. The case below relates to the trial court’s refusal to instruct on self-defense.

18 *State v. Tullar*, Court of Appeals No. 35956-5-III, Slip Op. (Wash. Ct. App. June 11, 2019):

- 19
20 1. A person is entitled to self-defense instructions even after withdrawing the defense, if the
21 person requests instructions on self-defense during a conference at the conclusion of the
22 evidence.
23 2. A person is entitled to instructions on self-defense even if she or he does not testify to
24 subjective fear of injury, if the person’s fear can be established through other evidence.

25 **I certify that on June 13, 2019, I delivered an electronic version of this document to the Grant
26 County Prosecuting Attorney (at kmccrae@grantcountywa.gov and gdano@grantcountywa.gov)
27 and to using the Court’s filing portal (with permission).**

28 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF
29 WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

30 *Statement of Add’l Authority- 1*

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Signed this June 13, 2019 at Olympia, Washington



Jodi R. Backlund, WSBA No. 22917
Attorney for Defendant/Appellant

Statement of Add'l Authority- 2

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Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 97045-9
Appellate Court Case Title: State of Washington v. Josephine Ellen Johnson
Superior Court Case Number: 14-1-00826-3

The following documents have been uploaded:

- 970459_State_of_Add_Authorities_20190613134022SC884083_4142.pdf

This File Contains:

Statement of Additional Authorities

The Original File Name was 970459 State v Josephine Johnson Statement of Additional Authority.pdf

A copy of the uploaded files will be sent to:

- backlundmistry1@gmail.com
- gdano@grantcountywa.gov
- kmccrae@grantcountywa.gov

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