

WASHINGTON STATE COURT OF APPEALS DIVISION THREE

CASE SUMMARIES FOR ORAL ARGUMENT

The following summaries are drawn from briefs and lower court judgments. The summaries have not been reviewed for accuracy by the judges and are intended to provide a general idea of facts and issues presented in the cases. The summaries should not be considered official court documents. Facts and issues presented in these summaries should be checked for accuracy against records and briefs, available from the Court, which provide more specific information.

Date of Hearing: Monday, January 25, 2021

Location: Spokane, 500 North Cedar

Video Oral Argument

10:00 a.m.

1) No.: 36634-1-III

Case Name: State of Washington v. John T. Hobbs

County: Yakima

Case Summary: A jury convicted John Hobbs of violating a domestic violence no contact order. On appeal, Mr. Hobbs alleges a violation of his constitutional speedy trial rights, challenges the timing of his trial under CrR 3.3, and challenges the inclusion of out-of-state convictions in his offender score.

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10:30 a.m.

2) No.: 37206-5-III

Case Name: State v. Washington v. Jacob N. Cox

County: Walla Walla

Case Summary: A jury convicted Jacob Cox of rape in the second degree. At trial, the court excluded evidence offered by Mr. Cox, limited cross-examination of the State's crime lab analyst, and limited the scope of closing argument. On appeal, Mr. Cox challenges these rulings, and other aspects of the trial, including: the "reasonable doubt" jury instruction, and claims prosecutorial and judicial misconduct.

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11:00 a.m.

3) No.: 37236-7-III

Case Name: Angelina DeMaine, et al. v. First Amer. Title Ins. Co., et al.

County: Spokane

Case Summary: Angelina DeMaine suffered personal injury after falling on property owned by the City of Spokane. In addition to suing the City, Ms. DeMaine also sued the adjacent private property owner and its tenant. The trial court dismissed the claim against the adjacent property owner and tenant under CR 12(c) and CR 12(h)(2). Ms. DeMaine appeals.

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