

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

COURT OF APPEALS
DIVISION II
11 JUL -8 PM 3:41
STATE OF WASHINGTON
BY [Signature]
DEPUTY

STATE OF WASHINGTON

v.
JEFFREY REED

No. 41167 - 9 - II

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

A. Admission of evidence by the court of Property illegally seized and secured from the person of the defendant at the time of his arrest in violation of his 4th amendment rights to wit: A cell phone that was later established to be the property of Albert Watts.

B. on the grounds that state in closing argument violated the courts Pre-trial ruling in limine to which the state had stipulated and in doing so shifted the burden of proof to the defense and made reference to the defendants Silence by statements suggesting that the evidence was not disputed.

C. Failure of the court to give proposed and requested instruction advising the jury as to the lesser crime of Rendering Criminal Assistance and the definition of Rendering Criminal Assistance thus preventing defendant from arguing his theory of the case as to count 1 based upon facts and law.

D. Failure of the court to give that proposed and requested instruction advising the jury that the mere act of driving away with knowledge that a crime had been committed by an occupant of the vehicle is not sufficient by itself to establish accomplice liability pursuant to the holding in State v. Robinson 73 Wn. App. 851 at p. 857 - (Wash. App. Div. 1 1994) 872 P.2d 43 (1994) thus preventing defendant from arguing his theory of the case as to consent based upon facts and law.

E. Ineffectiveness of counsel, 1. my attorney Michael Foister did very little cross examination of any witnesses and did not ask Jay Alie any questions at all. 2. He refused to question the jury after the trial saying he finds it fruitless even after I requested him to. 3. overall he did very little of anything throughout the trial.

F. The denial of a fair trial due to prejudicial admission of evidence; Failure to suppress evidence derived from illegal search; Violation of in limine order by Sgt. Jay Alie during his testimony.

G. The denials of numerous motions for mistrial based on conduct that occurred throughout my trial and cumulative error that exist in the record of my case.

Date. 7-2-2011

Paffrey Reed