

No. 69293-3-1

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

STATE OF WASHINGTON,

Respondent,

v.

ROBERT BERG,

Appellant.

STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW

COURT OF APPEALS DIVISION ONE
STATE OF WASHINGTON
2013 MAY 22 PM 4:51

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Washington Appellate Project

SUPPLEMENT TO BRIEF OF APPELLANT

Now comes before you, the appellants, Robert Ralph BERG, under case No. 69293-3-I, on May 9, 2013, at 11:47AM, and I am coming before you under RCW 10.10, Rules of the 30 days notice to support the Brief of Appellant from Thomas M. Kemmerow (WSBA 21518), Washington Appellant Project. The conviction and sentence that was placed upon Robert R. Berg was ineffective of counsel by Matthew Pang of the Public Defenders Office who was to ensure that his Due Process Rights were protected under the 5TH and 14TH Amendment of the U.S. Constitution, of which he did not do. Not only was the defendant wrongly accused, convicted, and sentenced to the D.O.C., he was also placed on 18 months of parole, which is longer than the sentence of the S.R.A. of 1983.

I, Robert R. Berg, did inform my Public Defender at sentencing that Chavez, 52 Wn. App. 796, 764 P.2d 659 (1988), properly interpreted, this statute of conviction states that the parties did not bring to the courts attention that the convictions run concurrently, not consecutively.

Bringing before the court the Sentencing Reform Act of 1981 RCW 9A.94A.360, the offenders score, is measured on the horizontal axis of the sentencing grid. The offenders score was improperly computed by (1) using a 1994 charge of assault that was never brought back into court for re-sentencing, therefore, it should never have been used to compute my offenders score, and thereby, causing me an injustice; and (2) that any condition stating that I am not to leave the county, is to apply only to those with sexual convictions, of which I have none.

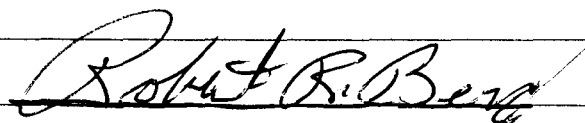
CONCLUSION

The Federal Public Denfenders, Western

District of Washington, copy of Thomas W. Hillier II, dated January 13, 2000, Mr. Michael J. Gaines, Chairman, United States Parole Commission, 550 Friendship Blvd., Ste. 420, Chevy Chase, Maryland, 20815-7286 via facsimile; with respect Robert R. Berg in connection with C.F.R. § 2.48(e) and 18 U.S.C. § 4214 (a)(1)(A)(i)-(iv).

In closing I'd like to thank the court for hearing me, and ask for a dismissal from D.O.C. due to the fact that my 4th Amendment Right of the U.S.C. and my 8th Amendment Right under Cruel and Unusual Punishment, and being my civil rights, I feel that they were not protected for me, by my counsel. I would also like to ask the court to dismiss this case, or at the least, that I be given a new trial.

Respectfully,


Robert R. Berg

Date ~~5~~ 5-20-13