

IN THE SUPREME COURT STATE OF WASHINGTON

AUG 14 2015

E OF

Ronald R. Carpenter
Clerk

STATE OF WASHINGTON
v Respondent

COURT OF APPEALS NO. 46514-1-11

92071-1

JOEL PAUL REESMAN
Appellant

MOTION FOR DISCRETIONARY
REVIEW AND SHOW CAUSE FOR LATE
FILING OF DISCRETIONARY REVIEW

Comes now appellant Joel Paul Reesman and respectfully asks this court allow him to file late discretionary review due to Ineffective ASSISTANCE OF APPELLATE COUNSEL.

FACTS

1. On July 7, 2015 the court of appeals remanded the above cause for factual hearing because the trial court did not comply with CR 7.8C.
2. The court of appeals opinion was that Mr. Reesman's SA6 contained assertions that were outside the scope of review and the remaining claim are meritless.
3. Mr. Reesman's SA6 is specifically based on ground six Ineffective Assistance of Appellate Counsel of which the appellate court's fails to mention or consider.

ARGUMENT

Mr. Reesman has told the appellate court numerous times in letters and his SA6, that appellate counsel's assistance was continually ineffective. Throughout the appeal process See ground six. Most important to the timely filing of discretionary review is that Mr. Reesman wrote a letter to Mr. Tiller 5 days after the court of appeals decision asking him what are we going to do next? Mr. Tiller 1 month later, sends Mr. Reesman a letter stating that he had 30 days to file a discretionary review. Mr. Tiller waited until it was too late to file discretionary review

Discretionary Review was due August 7, 2015. Mr. Reesman received the letter 2 days after the filing deadline on August 9, 2015. Mr. Tiller's actions and inactions throughout the entire appeal process denied Mr. Reesman effective counsel and is now directly the reason why he now has to ask this court for a 30 day extension to file discretionary review or except his SAB as review.

CONCLUSION

Mr. Reesman's SAB grounds 1-6 ^{is} are his discretionary review. Mr. Reesman asks this court to ask the court of appeals send a copy of his SAB and 30 pages of attachments to this court, moreover Mr. Reesman asks this court allow him to proceed in discretionary review because the reason, the cause of his untimely motion is ineffective assistance of appellate counsel.

Thank you for your consideration.

Submitted by
Joel Paul Reesman
CBCC #316821
1830 Eagle Crest Way
Clallam Bay Wa. 98326

Dated this 11th day of August 2015

Note: Mr. Reesman can provide this court a copy of Mr. Tiller's late information about filing deadline if requested.
(See enclosed letter.)

THE TILLER LAW FIRM
ATTORNEYS AT LAW

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August 7, 2015

Mr. Joel Reesman, DOC #316821
Clallam Bay Corr. Center, Unit A Tier 4
1830 Eagle Crest Way
Clallam Bay, WA 98326

LEGAL MAIL/SPECIAL MAIL

RE: *State of Washington vs. Joel Reesman*
Court of Appeals No: 46514-1-II
Clark County Superior Court No. 07-1-01092-1

Dear Mr. Reesman:

I have received your letter dated July 9 regarding a stay. I can't control movements within the DOC, but your probably won't be transported until at least the time for filing a Petition for Discretionary review has expired, which is 30 days after the date of the court's ruling, which was July 7, 2015.

Regarding your question about the CrR 7.8, the court will either hear it on the merits and then schedule it for a hearing on your withdrawal of plea, or convert it to a PRP.

If you have any other questions, please let me know and I will do my best to answer them.

Very truly yours,

THE TILLER LAW FIRM



PETER B. TILLER

PBT/kee