Supreme Court No.92534-8
Court of Appeals No. 32059-6-III

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON
Plaintiff/Respondent

v.

MICHAEL W. ROBISON
Defendant/Petitioner

APPEAL FROM THE SUPERIOR COURT
OF SPOKANE COUNTY

ANSWER TO DEFENDANT'S PETITION FOR REVIEW

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INDEX

TABLE OF AUTHORITIES

WASHINGTON CASES

FEDERAL COURT CASES

OTHER

I. IDENTITY OF RESPONDENT

The Plaintiff, State of Washington, is the respondent in this case.

II. STATEMENT OF RELIEF SOUGHT

Respondent requests denial of Defendant Robison's petition for review.

III. ISSUES PRESENTED

1. Did the defendant fail to preserve the issue of evidence of his drug use, where his lawyer failed to contemporaneously object to the testimony during cross-examination?

2. Did the trial court abuse its discretion when it found the defendant "opened the door" to evidence of his prior drug use during cross-examination?

3. Does a defendant have a Fifth Amendment privilege to lawfully refuse the execution of a search warrant for his DNA?

4. Did the "abiding belief in the truth" language in the trial court's reasonable doubt instruction improperly misstate the jury's role and encourage the jury to undertake an impermissible search for the truth?

IV. COUNTER STATEMENT OF THE CASE

The defendant was convicted by a jury of robbery in the first degree. CP 52. On direct appeal, he argued the trial court erred when it permitted the State to elicit testimony about his prior drug use; that his

Fifth Amendment Right against self-incrimination was violated when the State implied he refused a request to provide a DNA sample; and that the trial court's use of the optional "abiding belief" language in its reasonable doubt instruction impermissibly implied that the jury must search for the truth.

In an unpublished decision, the court of appeals affirmed the conviction. *State v. Robison*, No. 32059-6-III, 2015 WL 6161465 (Wash. Ct. App. Oct. 20, 2015).

a. Substantive facts.

On January 9, 2011, Shannon Callant was working alone during the evening hours at a Baskin-Robbins ice cream shop in Spokane. RP 113-17. A man entered the business, yelling very loudly and aggressively, and waiving a gun. RP 118, 123. The suspect[1] ultimately pointed a gun at Ms. Callant's face and demanded money. RP 118-19. Ms. Callant became very frightened and gave the suspect money from the till. RP 119, 121, 123. The suspect fled. The police responded within several minutes. RP 125.

Scott Coldiron was eating in a restaurant located close to the Baskin-Robbins. RP 140. He was alerted to the robbery while inside the

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[1] The suspect was wearing a sweatshirt with the hood pulled up, with a red stocking cap covering his face. RP 120.

restaurant. RP 141. He gave chase to the suspect. RP 144. After a foot chase ended, he observed an older Toyota type vehicle driven by a younger female on the roadway. RP 146. Later, Mr. Coldiron retraced the suspect's escape route with the police. RP 149.

After the robbery, a canine tracked from the Baskin-Robbins after the incident to an area where the suspect's clothing had been discarded. RP 294-302. The canine officer was confident the scent the dog alerted to at the Baskin-Robbins was the same scent the dog alerted to on the suspect's clothing. RP 307.

Officers collected the suspect's clothing, including a pair of gloves, a black billed hat, red ski mask gray sweatpants, and an Airsoft pistol[2] in close proximity in an alley, approximately one block from the business. RP 167-68, 178-80, 183.

The red ski mask and gloves found by police were submitted to the WSP crime laboratory for analysis. RP 211. The DNA analysist found a major contributor and a trace contributor on the gloves and mask. RP 213, 216. The major contributor matched the defendant, with the estimated probability of selecting an unrelated random individual from the U.S. population was at 1 to 140 quadrillion. RP 225.

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[2] The weapon appeared realistic. RP 181-82.

When the defendant committed the robbery, Breanne Snyder was dating the defendant. RP 35, 41. She had previously developed a drug addiction following an injury. RP 38. Ms. Snyder remembered discussing a plan with the defendant to commit a robbery to obtain additional pills or money for pills. RP 43. That discussion took place on the day of the robbery. RP 43.

Ms. Snyder identified the Airsoft pistol found by the police as the weapon used in the robbery at the Baskin-Robbins. RP 51-52. She also identified the defendant as the person using the Airsoft gun at the time of the robbery. RP 52. According to Ms. Snyder, the defendant owned a white Tacoma pickup. RP 44.[3]

b. Procedural history.

During a pretrial hearing, the trial court ruled the State could elicit testimony from Ms. Snyder that she and the defendant needed money for

[3] From the pickup truck, Ms. Snyder saw the defendant aggressively hold the gun up to the employee working inside the Baskin-Robbins. RP 53-56. Ms. Snyder maneuvered the pickup truck around behind the Baskin-Robbins in order to pick up the defendant. RP 56-57. Approximately ten minutes after the robbery, she observed the defendant in different clothing. RP 58. The defendant entered the pickup and the pair fled the area. RP 58-59.

drugs.[4] Later, and shortly before trial, the parties argued various motions in limine. RP 8-17. The trial court reiterated that Ms. Snyder could testify she and the defendant needed money for drugs. RP 18. However, the court held the state was precluded asking whether the defendant was addicted to or had an addiction to drugs. RP 18. The state had argued the motive for the robbery was to obtain ready cash for the purchase of more drugs.[5]

At the time of trial, during cross-examination, the deputy prosecutor asked the defendant several questions about Ms. Snyder's drug addiction and the need to acquire additional drugs for her habit. RP 380-81.

> Q. [Deputy Prosecutor]: You knew that [Ms. Snyder] had a drug problem?
>
> A. [Defendant]: Yes.
>
> Q. [Deputy Prosecutor]: You knew she used heroin?

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[4] The defendant has not supplied a report of proceedings or a record of the trial court's previous rulings on this issue. The State's argument is in reference to only the trial court's remarks during the motions in limine.

[5] This Court has previously found: "It seems to be common knowledge that narcotic addiction may lead an addict to resort to criminal activities to support the habit. Clearly motive evidence introduced to establish a causal link between a drug habit and a consequential robbery is properly admissible." *Renneberg*, 83 Wn.2d 735, 743 n. 1, 522 P.2d 835 (1974). However, evidence of drug use on other occasions, or of drug addiction, is generally inadmissible on the ground that it is impermissibly prejudicial. *Id.* at 737.

A. [Defendant]: I did not know she used heroin.

Q. [Deputy Prosecutor]: But you knew she took opiates?

A. [Defendant]: Yes.

Q. [Deputy Prosecutor]: You knew that she was addicted to those things?

A. [Defendant]: I did not know that she was addicted to them.

Q. [Deputy Prosecutor]: You never observed her being strung out?

A. [Defendant]: No.

Q. [Deputy Prosecutor]: You never observed her being high?

A. [Defendant]: No.

Q. [Deputy Prosecutor]: Why were you dating a drug addict?

A. [Defendant]: I wouldn't consider she was a drug addict at the time when we were together.

Q. [Deputy Prosecutor]: Well, sir, you just said you knew she was addicted to drugs?

A. [Defendant]: Okay. I am sorry.

Q: [Deputy Prosecutor]: So why were you dating somebody who was addicted to drugs?

A. [Defendant]: I was hoping she would change her ways.

Q. [Deputy Prosecutor]: What steps were you taking to help her change her ways?

A. [Defendant]: Try to get her to go to meetings and not hang out with people she was hanging out with.

Q. [Deputy Prosecutor]: Like you?

A. [Defendant]: I am not a drug addict.

Q. [Deputy Prosecutor]: What about at the time?

A. [Defendant]: I was not at the time.

Q. [Deputy Prosecutor]: You didn't use drugs at the time that you were with Ms. Snyder?

A. [Defendant]: I used them a little bit here and there, but I was not a drug addict.

Q. [Deputy Prosecutor]: What did you use?

A. [Defendant]: I used opiates.

Q. [Deputy Prosecutor]: Like she did?

A. [Defendant]: Not like she did, but I used opiates, yes.

Q: [Deputy Prosecutor]: I don't mean like she did in terms of the amount; I am saying the same type of opiates that she used?

A. [Defendant]: Yes.

Q. [Deputy Prosecutor]: In what form would you take those opiates?

A. [Defendant]: Would I take them?

Q. [Deputy Prosecutor]: Correct.

A. [Defendant]: I would just swallow them.

[Defense Attorney]: Your Honor, if I could ask – he doesn't understand what an opiate is. I don't think an opiate is heroin.

[Deputy Prosecutor]: Your Honor, he hasn't made that indication.

THE COURT: Do you understand what an opiate is?

THE WITNESS: [Defendant]: Yes.

THE COURT: Proceed.

[Deputy Prosecutor]: So in what form would these opiates come that you would get your hands on?

A: [Defendant]: In pill form.

Q: [Deputy Prosecutor]: What were the store names or the prescription names of the opiates that you would use?

A: [Defendant]: Roxy and Oxy.

Q: [Deputy Prosecutor]: You would consume these –

[Defense Attorney]: I am going to object to this line of questioning, Your Honor, because it is the subject of a pre-trial ruling by the court.[6]

THE COURT: The door is opened. Overruled.

[Deputy Prosecutor]: You would use these items with Ms. Snyder?

A: [Defendant]: On occasions.

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[6] After the defendant's attorney finally objected, he did not move to strike the testimony, request a curative instruction, or move for a mistrial.

Q: [Deputy Prosecutor]: How did you think that using these items with Ms. Snyder was going to assist her in getting her over her drug addiction?

A: [Defendant]: I don't know.

RP 380-83.

V. ARGUMENT

A. BY NOT TIMELY OBJECTING, THE DEFENDANT WAIVED ANY ISSUE REGARDING ADMISSION OF HIS PRIOR DRUG USE AT THE TIME OF TRIAL. MOREOVER, THE TRIAL COURT DID NOT ABUSE ITS DISCRETION WHEN IT ALLOWED TESTIMONY REGARDING HIS PRIOR DRUG USE.

Standard of review.

The admissibility of evidence is within the discretion of the trial court. *State v. Atsbeha,* 142 Wn.2d 904, 913, 16 P.3d 626 (2001). This court reviews a trial court's ruling to admit or exclude evidence for an abuse of discretion. *State v. Fisher*, 165 Wn.2d 727, 745, 202 P.3d 937, 946 (2009).

The defendant asserts the court of appeals decision is in conflict with this Court's prior decisions and appellate court rulings pursuant to RAP 13.4(b)(1) and (2). *See*, Pet. for Rev. Br. at 8.

More specifically, the defendant complains the trial court erred when it allowed, without objection, evidence of the defendant's drug use after the defendant's unsolicited statement during cross-examination that

he was not a "drug addict." A similar claim was squarely addressed and dismissed by this Court in *State v. Weber,* 159 Wn.2d 252, 272, 149 P.3d 646 (2006).

In *Weber,* the defendant argued that the prosecutor committed misconduct by disregarding a pretrial order that excluded certain evidence.[7] *Id.* at 272. At trial, Weber's attorney did not object to the previously excluded testimony, request a curative instruction, or move for a mistrial. *Id.* at 274.

This Court found that, in general, to preserve an issue for appeal, a party must object[8] to inadmissible evidence when it is offered during trial, even when the trial court previously excluded it through a pretrial order. *Id.* at 272.[9] This gives the trial court the opportunity to determine whether the evidence is covered by the pretrial order and, if so, whether the court

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[7] In *Weber*, the trial court excluded testimony that a police officer previously met the defendant while investigating a crime involving the defendant's brother and any evidence of gang membership. *Id.* at 648.

[8] "The decision of when or whether to object is a classic example of trial tactics." *State v. Madison,* 53 Wn. App. 754, 763, 770 P.2d 662 (1989), *review denied*, 113 Wn.2d 1002 (1989). This Court presumes that the failure to object was the product of legitimate trial strategy or tactics, and the defendant is obligated to rebut this presumption. *In re Pers. Restraint of Davis,* 152 Wn.2d 647, 714, 101 P.3d 1 (2004).

[9] Only the losing party to a pretrial order has a standing objection that preserves the issue for appeal. *State v. Kelly,* 102 Wn.2d 188, 193, 685 P.2d 564 (1984); *State v. Sullivan,* 69 Wn. App. 167, 171, 847 P.2d 953, *review denied,* 122 Wn.2d 1002 (1993).

can cure any potential prejudice through an instruction. *Id.*[10] An exception to the objection requirement occurs where "an unusual circumstance exists 'that makes it impossible to avoid the prejudicial impact of evidence that had previously been ruled inadmissible.'" *Id.* (citation omitted).

For instance, when the other party's questions are "in deliberate disregard of the trial court's ruling, or an objection by itself would be so damaging as to be immune from any admonition or curative instruction by the trial court." *Id.* (internal quotation marks omitted).

Here, the State's cross-examination of the defendant was not a deliberate disregard of the trial court's pretrial ruling because the defendant opened the door to the questions to his prior drug use by his unsolicited remark during cross-examination of his good character – that he was not a "drug addict".[11] If the defendant "opens the door," and

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[10] Without such a rule, "there is great potential for abuse when a party does not object because [a] party so situated could simply lie back, not allowing the trial court to avoid the potential prejudice, gamble on the verdict, and then seek a new trial on appeal." *Weber*, 159 Wn.2d at 271-72 (internal quotation marks omitted).

[11] The defendant's reliance on *State v. Vy Thang,* 145 Wn.2d 630, 41 P.3d 1159 (2002), is unpersuasive and contrary to his argument that the evidence should not have been introduced at all. In *Thang*, this Court concluded the defendant was not foreclosed from seeking review of the admission of a prior offense, where the defendant introduced the evidence first. *Thang,* 145 Wn.2d at 646–49. This Court held "[a] defense lawyer who introduces preemptive testimony *only after losing a battle to exclude it* cannot be said to introduce the evidence voluntarily." *Id.* at 648. Here,

presents evidence of his past good behavior, he may, in doing so, invite the state to legitimately impeach the implication or assertion of his good behavior. *See, State v. Renneberg*, 83 Wn.2d 735, 738, 522 P.2d 835 (1974); *State v. Studebaker*, 67 Wn.2d 980, 986, 410 P.2d 913 (1966); *State v. Emmanuel*, 42 Wn.2d 1, 14, 253 P.2d 386 (1953); *State v. Ternan*, 32 Wn.2d 584, 591, 203 P.2d 342 (1949). The rationale underlying this "open door" policy was expressed in *Michelson v. United States*, 335 U.S. 469, 69 S.Ct. 213, 220, 93 L.Ed. 168 (1948): "The price a defendant must pay for attempting to prove his good name is to throw open the entire subject which the law has kept closed for his benefit and to make himself vulnerable where the law otherwise shields him."[12]

As discussed above, the defendant did not preserve the issue for review because he did not object. Moreover, the State did not deliberately disregard the pretrial order during cross-examination because the

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introduction of the evidence was not a preemptive strike elicited during direct examination, but rather, the testimony was volunteered by the defendant during cross-examination. Respectively, the defendant "did not lose the battle" with respect to admission of this evidence and introduce it to lessen its impact. The trial court initially ruled in his favor and excluded it.

[12] Evidence admissible "through the open door" is still subject to exclusion on grounds of prejudice or other grounds specified in ER 403. *State v. McFadden,* 63 Wn. App. 441, 450–51, 820 P.2d 53 (1991), *review denied*, 119 Wn.2d 1002 (1992).

defendant opened the door to such questioning after he initially proclaimed his good character, asserting he was not a drug addict.

The court of appeals did not err in holding that the trial court did not abuse its discretion because its decision is not contrary to any holding of this Court or the appellate courts. This court should deny review.

B. THE DEFENDANT DOES NOT HAVE A CONSTITUTIONAL RIGHT TO REFUSE EXECUTION OF A SEARCH WARRANT FOR HIS DNA.

The defendant argues the appellate court erred when it found no evidence of a violation of the defendant's Fifth Amendment privilege against self-incrimination wherein the defendant argued below that it was insinuated by the State during trial that he would have refused to provide a DNA sample if he had not been compelled to do so by a search warrant. The court of appeals found the State did not impermissibly imply the defendant would have refused to consent to a DNA sample. *State v. Robison*, *supra*.

At the time of trial, Detective Martin Hill of the Spokane Police Department testified that a court authorized a search warrant to obtain a DNA buccal swab from the defendant. RP 350. At this time during trial, the following exchange took place. *Robison* at 5.

> Q: [Deputy Prosecutor]: Without the search warrant, could you have obtained DNA from Mr. Robison? Let me state that question a better way.

Without the search warrant, could you have forced Mr. Robison to give you DNA?

A: [Detective]: I could not.

RP 350.

During this same line of questioning, the exchange continued:

Q: [Deputy Prosecutor]: Was Mr. Robison cooperative in that endeavor?

A: [Detective]: Absolutely, he was.

RP 351.

During direct examination of the defendant, the following interchange occurred between his lawyer, Mr. Collins, and the defendant:

Q: [Defense Attorney] Did you have any misgivings about doing that when you did it?

A: [Defendant]: No, not at all.

Q: [Defense Attorney]: Why didn't you have any misgivings about giving them a sample of your DNA?

A: [Defendant]: I didn't commit the crime. I had no –

[Deputy Prosecutor]: Your Honor, I object. He was ordered to give a sample of DNA. The misgivings are irrelevant.

THE COURT: Well, that is an issue for cross. I will overrule.

[Defense Attorney]: So you didn't have any concerns about it?

A: [Defendant]: No, I did not.

RP 377.

In *State v. Gauthier,* 174 Wn. App. 257, 298 P.3d 126 (2013), a detective asked for consent from the defendant for a cheek swab of his DNA *before* obtaining a warrant or court order. *Id.* at 261. The defendant refused. *Id.* The State argued at trial that this refusal indicated the defendant's consciousness of guilt. *Id.* at 262. The court of appeals held that the State's argument impermissibly burdened the defendant's constitutional right to refuse consent to a *warrantless* search and seizure of his DNA. *Id.* at 267. The reasonableness of the search in *Gauthier* was premised on whether the defendant consented. *See id.* at 263. Without consent *and without a warrant*, the detective had no authority to search for the defendant's DNA and any search would have been unreasonable. *Id.*

By contrast, in *State v. Nordlund,* 113 Wn. App. 171, 53 P.3d 520 (2002), *review denied*, 149 Wn.2d 1005 (2003), the defendant refused to provide a body hair sample even though the State had a court order to do so. *Id.* at 187. The State argued at trial that this refusal showed the defendant's consciousness of guilt. *Id.* The appellate court held that it was reasonable to infer guilt from the defendant's refusal when there was a valid court order allowing the taking of a body hair sample. *Id.* at 189. Ultimately, the court found the defendant had no constitutional right to

refuse consent, because the search was reasonable pursuant to a court order. *See id.*

In the present case, the defendant has not provided any authority that he has a constitutional right to refuse execution of a properly authorized search warrant for his DNA, nor could he.

The Fifth Amendment privilege against self-incrimination only protects testimonial evidence and offers no protection against the compulsion of physical evidence. *City of Seattle v. Stalsbroten*, 138 Wn.2d 227, 233, 978 P.2d 1059 (1999) (admitting evidence of a drunk driving suspect's refusal to perform field sobriety tests does not violate the suspect's privilege against self-incrimination); *Schmerber v. California,* 384 U.S. 757, 86 S.Ct. 1826, 16 L.Ed.2d 908 (1966) (requiring a defendant to provide a blood sample did not violate his Fifth Amendment rights against self-incrimination);

As Professor LaFave observes:

> If the identification procedure in which the Defendant has refused to participate or cooperate, such as a line-up or taking of exemplars, is not protected by the Fifth Amendment, then of course there is no right to refuse and thus the act of refusal is itself not a compelled communication. Rather, that refusal is considered circumstantial evidence of consciousness of guilt, and like similar evidence as escape from custody, ... false alibi, ... flight, ... suppression of evidence, and failure to respond to

> accusatory statements when not in police custody, ... its admission does not violate the privilege.

Wayne R. LaFave & Jerold H. Israel, Criminal Procedure, § 7.2(c) (1982), *quoting, People v. Ellis,* 65 Cal.2d 529, 421 P.2d 393, 55 Cal.Rptr. 385 (Cal.1966).

In addition, and contrary to the defendant's argument, there was no evidence or implication the defendant refused or would have refused the taking of his DNA. That claim simply is not in the record. Conversely, the detective remarked the defendant was cooperative during the taking of his DNA and the defendant testified he had no "misgivings" about providing a DNA sample.

As a result, the defendant's factual and legal claims are unsupported and contrary to the record, and adverse to the established precedent of this Court and the appellate courts. Review should be denied.

C. THE INCLUSION OF THE PHRASE "ABIDING BELIEF IN THE TRUTH" DOES NOT ENCOURAGE A JURY TO UNDERTAKE AN IMPERMISSIBLE SEARCH FOR THE TRUTH AND IT IS NOT CONTRARY TO ANY OPINION OF THIS COURT, APPELLATE COURT, OR THE CONSTITUION.

The defendant claims the relevant criteria are met under RAP 13.4(1), (2), (3), and (4), specifically with regard to the inclusion of the "abiding belief" language in the trial court's reasonable doubt instruction. *See*, Pet. for Rev. Br. at 14. The trial court's reasonable doubt

instruction to the jury included the optional "abiding belief" language in WPIC 4.01. RP 437-38.

WPIC 4.01 (inclusion of the abiding belief language in the reasonable doubt instruction) has been approved by multiple courts. *See, e.g., United States v. Bright,* 517 F.2d 584, 587 (2d Cir. 1975) (explaining that a conviction may not stand without "abiding belief" of defendant's guilt); *State v. Bennett*, 161 Wn.2d 303, 314, 165 P.3d 1241 (2007) (specifically directing trial courts to use WPIC 4.01 in all criminal trials); *State v. Pirtle,* 127 Wn.2d 628, 658, 904 P.2d 245 (1995), *cert. denied,* 539 U.S. 916 (2003) (upholding the "abiding belief" language in the pattern instruction because it does not "diminish" the definition of reasonable doubt).

The defendant relies on *State v. Emery,* 174 Wn.2d 741, 278 P.3d 653 (2012), to argue the "abiding belief in the truth" language improperly misstates the jury's role and encourages the jury to undertake an impermissible search for the truth.[13] *Emery* involved improper comments

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[13] The defendant also relies on *State v. Berube*, 171 Wn. App. 103, 122, 286 P.3d 402 (2012) for support. That case is inapposite to the defendant's claim. In *Berube,* the prosecutor suggested that a jury's scrutiny of the evidence for reasonable doubt is inconsistent with a search for the truth.

by the prosecutor including the statement that it was the jury's function to "speak the truth." *Id* at 751. This Court found the comment improper.

In *State v. Lee*, 186 Wn. App. 1042, *review denied*, 183 Wn.2d 1024 (2015), the appellate court found, that read in context, the "belief in the truth" phrase accurately informs the jury its "job is to determine whether the State has proved the charged offenses beyond a reasonable doubt" per *Emery*. The reasonable doubt instruction accurately stated the law. *Lee,* 186 Wn. App. at 200.

Similarly, in *State v. Federov,* 181 Wn. App. 187, 200, 324 P.3d 784 (2014), *review denied*, 181 Wn.2d 1009 (2014), the defendant contended the abiding belief language was similar to the offending "speak the truth" language. *Id.* at 199-200. The appellate court disagreed holding the phrase accurately informs the jury its duty is to determine whether the State has proven the charges beyond a reasonable doubt. *Id.* at 200.

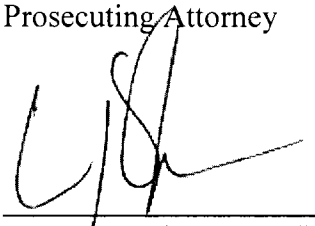
Other than Defendant's subjective dissatisfaction with the court's instruction, he has not shown the lower court's opinion is contrary to established precedent or contrary to this Court or appellate court opinions. Nor does the issue present a significant question under the federal or state Constitutions. This court should deny review.

VI. CONCLUSION

Based upon the foregoing facts and argument, this Court should deny review of the defendant's petition.

Respectfully submitted this 15 day of December, 2015.

LAWRENCE H. HASKELL
Prosecuting Attorney



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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON, Respondent, v. MICHAEL W. ROBISON, Appellant,	NO. 92534-8 COA No. 32059-6-III CERTIFICATE OF MAILING

I certify under penalty of perjury under the laws of the State of Washington, that on December 15, 2015, I e-mailed a copy of the Answer to Defendant's Petition for Review in this matter, pursuant to the parties' agreement, to:

Tracy Scott Collins
3tcollins@gmail.com

12/15/2015 (Date) Spokane, WA (Place) Kim Cornelius (Signature)

OFFICE RECEPTIONIST, CLERK

To: Cornelius, Kimberly A.
Cc: '3tcollins@gmail.com'
Subject: RE: State v Michael Robison, 925348

Received on 12-15-2015

Supreme Court Clerk's Office

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

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Cc: '3tcollins@gmail.com' <3tcollins@gmail.com>
Subject: State v Michael Robison, 925348

Attached please find the State's Answer to Defendant's Petition for Review for filing in the above case.

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