

**Case # 322211**

**Statement of Additional Grounds  
for Review**

**State of Washington**

**v.**

**David Randall Priest**


**ORIGINAL**

THE COURT OF APPEALS  
of the  
State of Washington  
Div. III

May 27<sup>th</sup> 2015

FILED

JUN 01 2015

COURT OF APPEALS  
DIVISION III  
STATE OF WASHINGTON  
BY: 

David R. Priest  
#951702  
Washington State Penitentiary  
1313 N. 13<sup>th</sup> Ave  
Walla Walla WA - 99362 -

Case # 322211  
State of Washington v. David R. Priest  
Okanogan County Superior Court No. 13000448  
RE: Statement of Additional Grounds for Review

Additional Ground 1

I bring these Additional Grounds for Review in good faith.

I am an Enrolled member of the Colville Confederated Tribe, Nespelem, WA (enroll # 3998).

The Plaintiff (Okanogan County Superior Court and Sheriff's Office) charged me with crimes committed at the Lone Pine Housing projects, 1109 E. River Rd., County Rd. 280 Omak, WA.

There is no dispute that the locations (1109 E. River Rd.) are within the geographic boundaries of the Colville Indian Reservation.

The Colville Indian Reservation is an established reservation held in trust for the Tribe R.C.W. 37.12.100.

The Colville Reservation was a site established by Congress and reserved for the exclusive use of the Colville Tribe. Indians have "the greatest interest in being free from state police power." State v. Jim, 173 Wn. 2d 672, 688 (2012) (Citation - Omitted).

The Colville Indian Reservation does not fall within the States assumption of criminal

(2)

## Jurisdiction. Id.

Washington state chose to assure limited jurisdiction over Indian country under public law 280. In doing so it recognized Tribal sovereignty which includes to some extent the right and responsibility to self police.

## State v. Jim 173 Wn. 2d, 672, 688 (2012)

Under the theory of self-policing on Tribal land, possession of stolen motor vehicle falls directly within the purview of Tribal code for criminal resolution.

The plaintiff (Okanogan Co. Sheriff's office and Superior court) infringed on Tribal sovereignty by ignoring the Tribal criminal process and procedures. State v. Clark, 178 Wn. 2d, 19, 30 (2013)

The plaintiff (Okanogan Co.) prosecuted me in Okanogan County Superior court that lacked competent jurisdiction to hear criminal matters from the Colville Indian Reservation R.C.W. 37.12.100; and R.C.W. 10.73.090(1) and .100(5).

In conclusion the court of Appeals should vacate the conviction and set aside judgment and sentence due to lack of competent jurisdiction

Respectfully Submitted,  
R. P. F.

Dated this 27th  
day of May 2015

## Additional Grounds 2

I would like to move the court to include; ineffective assistance of Counsel. I was represented by Anthony Castelda. I asked Mr. Castelda to move the Okanogan Co. Superior Court in regards to Jurisdiction - I am an enrolled (#3998) member of the Colville Confederated Tribe and my crimes occurred within the boundaries of my reservation, clearly a tribal matter on tribal lands. Mr. Castelda said that "the colvilles and Okanogan sheriffs office has an agreement allowing sheriffs office to police the Colville reservation. He didn't include one of my witnesses, and numerous other crucial evidence that would have changed the outcome of my jury trial

Respectfully Submitted  
R D T