

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	No. 94883-6
Respondent,)	
)	STATEMENT OF ADDITIONAL
vs.)	AUTHORITY
)	
HAI MINH NGUYEN,)	
Petitioner.)	
_____)	

Pursuant to RAP 10.8, petitioner cites the following additional authority with respect to his argument that the trial court lacked authority to impose a community custody condition banning possessing, viewing, accessing, or using sexually explicit materials because the condition is not crime-related:

State v. Dossantos, noted at ___ Wn. App. ___, No. 47773-4-II, slip op. at 10 (Sept. 26, 2017) (unpublished) (“[The] treatment plan does not identify use of sexually explicit materials as a crime-related activity. The treatment recommendation is specifically tailored toward ‘pornography,’ not sexually explicit materials. Further, there is no evidence that Dossantos’ use of ‘sexually explicit materials’ somehow contributed to his offenses. Thus, this [community custody] condition is not crime-related and the trial court was not authorized to impose it.”).¹

DATED this 26th day of September, 2017.

Respectfully submitted,

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¹ Pursuant to GR 14.1(a), Nguyen cites this unpublished case as a nonbinding authority but, given its relevance to Nguyen’s case, asks that the case be accorded significant persuasive value.

NIELSEN, BROMAN & KOCH P.L.L.C.

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