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Washington State
Supreme Court

No. 98864-1

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Petitioner,

v.

LASZLO MOLNAR,

Respondent.

RESPONSE

Laszlo Molnar #385109
Monroe Correctional Complex - TRU
16774 - 170th Dr. SE/P.O. Box 888
Monroe, WA 98272

I. STATUS OF RESPONDENT

Laszlo Molnar (hereinafter "Molnar") Respondent here and Petitioner below, is incarcerated at the Twin Rivers Unit of the Monroe Correctional Complex.

II. ARGUMENT

I. THE STATE BREACHED THE PLEA AGREEMENT.

In the proceedings below, Molnar successfully argued that the State breached the plea agreement with their sentencing memorandum. The memorandum sought a mid range sentence, after repeatedly emphasizing the charged aggravator -- which was dismissed per the agreement -- and an uncharged aggravator that was never before mentioned.

Because the defense memorandum sought a low end sentence, the State argued that it was permissible for their sentencing memorandum to continually emphasize the charged and the never before mentioned aggravator, in order to secure their requested mid range sentence.

The State's argument fails, as their memorandum was filed prior to the defense memorandum. The State has at no time in these proceedings provided any precedent that a breach on their part can somehow be cured by a later act of the defense. Even so, the State asks this Court to ignore the order of events, and permit a breach to be cured by subsequent filings by Molnar.

The State fails to provide a basis for relief, and this Court should deny review.

II. MOLNAR WAS NOT REQUIRED TO PRODUCE THE SENTENCING TRANSCRIPT.

During the proceedings below, the State requested and received permission to supplement the record -- and chose to not have the sentencing hearing transcribed. Because the State did not prevail, they ask this Court to believe that this matter now hinges on the sentencing transcript, and to accept review because Molnar failed to designate it as part of the record.

At no time has Molnar asserted that the breach by the State occurred at the sentencing hearing. Molnar maintains that the State should not be granted review based on this ground. However, it bears noting that almost the first thing the State asked the trial court was to confirm that the sentencing memorandum in question had been received.

I would first like to just take a moment and make sure that the court has copies of everything that the parties have submitted.

RP 4. The court responded that "the memorandums from each of the parties" had been received. *Id.*

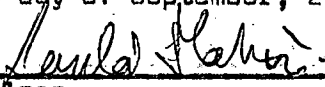
The State presents no argument as to how or why the sentencing transcript is relevant, and instead uses this petition for review as a "hail Mary pass." If there is an

issue of continuing public interest, it is the State's own admission that they did not take the below proceedings seriously. See Petition for Review, page 19.

III. CONCLUSION

Based on the below proceedings, and for the reasons stated above, this Court should deny review of this petition.

Respectfully submitted this 6th day of September, 2020.



Laszlo Molnar
Respondent, pro se

CERTIFICATE OF SERVICE

I certify that on the below signed date I caused a copy of this document to be deposited into the U.S. Mail, postage prepaid, sent to the King County Prosecutor's Office, 516 3rd Avenue, Suite W554, Seattle, WA 98104-2362.

I DECLARE UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

SIGNED this 6th day of September, 2020, at Monroe, Washington, County of Snohomish.

Laszlo Molnar

Laszlo Molnar
Respondent, pro se

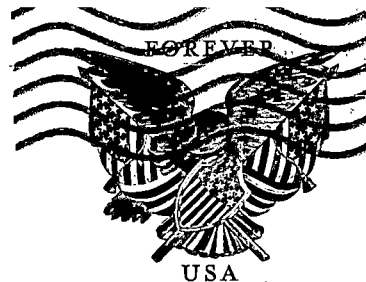
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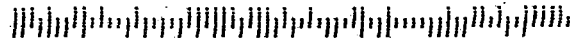


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