72812-1

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COURT OF APPEALS
DIVISION ONE
OF THE STATE OF WASHINGTON

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| STATE OF WASHINGTON<br><br>Respondent,<br><br>v.<br><br>Frederick J Williams<br>(your name)<br>Appellant. | ) | No. 72812-1-I<br><br>STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW |

I, Frederick J. Williams, have recieved and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional grounds for Review when my appeal is considered on the merits.

ER 404(b)

Additional Ground 1

The Court Abused its Descretion by allowing the brother Don Williams testimony to the Jury, "under Er 404(b) and Er 403 and Er 402". The Court must do a proper Analysis To Enter in Evidense of A past. But Here the court didn't even try to do any Analysis or to get in a past conviction they Just went around the 404(b), By simply to use the brothers Testimony which was stated; "I couldn't be left alone With the kids to cover My Butt"! which goes simply to "taint" the Jurys Mind and to influence the Jury into thinking that I have A past. Because what Else could you get from that statement, and Which simply Asks the Question "Why" I can't be Alone with the kids, and that Just simply implys A past. Plus the part to cover My Butt Together with can't be alone most certainly states a past. If it doesn't state it as clear as Just saying I have a past, it should have Been decided under ER 403 and Er 402 to make sure its not going to influence the Jury. OR should have Limit instruction to state to the Jury How to View the testimony at the very least. I Ask this Court to Reverse

Statement of Additional Grounds

Witness Exclusion: Additional Ground 2

the state using Phone calls not in as Evidence to keep out A Witness. See Miller V. Pate 386 U.S. 1 87 Sct 785, 17 L Ed. 2d 690 (1967) quoting "The courts over 70 years Ago held that the 14th Amendment cannot tolerate A state Conviction obtained by the known use of false Evidence". The prosecutor entered the phone call by neither a offer of proof nor as Evidence, but Just simply said she said something incriminating And the Judge Abused its descretion to Exclude an important Witness. isn't clearly The Jurys Job to decide if the Witnesses are Credible or for A Witness to be impeached. But with A case that Hinged on state Witness credibility that had conflicting Testimony the state used this as false Evidence to Make Sure that a Valuable Witness would be Excluded! the Court only Allowed her to Testify about Dates and pressured her into not saying anymore. Which Makes this a Lopsided Side without the defense Witness. and isn't a harmless Error. See Attached Affidavit. pgs. 1-3 and Declaration

Conclusion

For the Additional Grounds stated above Mr. Frederick Williams Respectfully Request that this court will Reverse the Judgment of the Trial Court.

If there are additional grounds, a brief summary is attached to this statement.

Date:_____ Signature: [signature]

IN THE SUPERIOR COURT OF THE SATE OF WASHINGTON
IN AND FOR THE COUNTY OF _____

STATE OF WASHINGTON ) ss.
County of Clallam )

NO. 27194-4-1

PERSONAL AFFIDAVIT

1. I am the person in the above entitled action and make this affidavit based on personal knowledge.

2. I am over the age of eighteen years. I am competent to be a witness therein.

3. Upon oath, says: Don Williams stated that Fred Did Laundry at his house when in fact Fred did his Laundry at my house until the time I moved then he was going to a Laundry mat. Margaret stated that she went to Fred's house to get Movies when Fred did not own any Videos and Margaret's family has hundreds. Donald Williams called me to tell me to get Fred out of town when he found out what his daughters were saying about Fred. Don told me that Elizabeth lied all the time and could not be Believed. [illegible] that Fred [illegible] Money To Elizabeth when in fact Fred had no Money and Elizabeth parent [illegible] the [illegible] stealing the Money from them. I have plenty more [illegible] But

PERSONAL AFFIDAVIT

To much to put down. Fred did not do this and the prosecuter made it seem like I was a lour had had a previous record, that was from our 20 years ago.

SUBSCRIBED AND SWORN TO ME ON THIS 21st DAY OF Feb, 2012

Linda S Hilton
Signature of Affiant

Linda S Hilton
Typed Name of Affiant

STATE OF Washington )
COUNTY OF Skagit ) SS.

On the 21 day of Feb, 2012, the above did appear before me, and known by me to be the person herein, and did sign and execute this instrument of his own free will.

DATED: Feb 21, 2012

Patricia A. Smith
Signature

Notary Public
TITLE

Sept 21, 2012
Appointment Expires

(STAMP OR SEAL)

PATRICIA A. SMITH
COMMISSION EXPIRES
NOTARY
PUBLIC
9-17-2015
STATE OF WASHINGTON

PERSONAL AFFIDAVIT

(6)

SUPERIOR COURT OF WASHINGTON
COUNTY

| | |
|---|---|
| STATE OF WASHINGTON<br>Plaintiff<br>v.<br><br>Defendant | No.<br><br>DECLARATION |

The undersigned hereby declares the following to be true: my name is: Linda Hilton

I reside at 741 Southern ave, Skaldo Woolley WA 98284. The following is my statement: I was not allowed to testify on Behalf of Frederick James Williams, and am able to dispute a lot of the testimony given on Behalf of the state.

I hereby declare, under penalty of perjury, under the laws of the State of Washington, that the foregoing is true and correct to the best of my knowledge. Executed this date: 2/21/12

In Skaldo Woolley, Washington.

Linda S Hilton
Signature of Declarant

# Declaration of Service

I, Frederick J. Williams, Declare under the penalty of perjury that on the 9-29 day of September, 2015 I deposited the following documents:

1. Statements of Additional Grounds for Review
2. Attached personal Affidavit
3. Declaration of Service

or a true copy thereof, in the internal mail system, and made Arrangments for copies and postage, an addressed as follows:

**To:** Jeffrey D. Sawyer
Whatcom County prosecutor office
311 Grand Ave Ste 201
Bellingham, Wa. 98225-4038

**To:** Oliver R. Davis
Washington Appellate Project
Melbourne tower
1511 third Avenue, Ste 701
Seattle, Wa. 98101

**To:** Court of Appeals
Division 1
600 univerity st
Seattle, Wa. 98101-4170

Declared under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

Dated at Clallam County Washington this: 9-29-15

Fred Williams
Defendant Pro Se