

FACTS:

STATEMENT OF ADDITIONAL GROUNDS

1. On 12-05-2004m the report states that officers were at 3202 Mt. Pleasant Rd. {Shop}. This is true but only partially true. Officer Brad Bowen was dispatched to 3202 Mt. Pleasant Rd, after Alexander had called 911 from a cell phone that had no service and would only call emergency numbers. It was Officer Brad Bowen, who witnessed Ashlee England; adult child of appellant, who was driving the white 300zx when she pulled it into one side of the shop. It was also this officer, who setup the appointment for Alexander; the informant, to come and retrieve property. He also made Ashlee England aware of this appointment for 12/06/2004.

In November of 2004, Alexander and Smith were being evicted from an apartment in Olympia, WA. Smith had applied for a house being rented by Pacific Properties, located on Westside Hwy in Kelso Wa.

Smith had learned about medical marijuana from paper work sent to the appellant that was offered as an alternative pain relief. Smith went to the listed location on the mailing and acted upon that offer. He then proceeded to rent the shop for his brother, Jack to be care giver of his legal medical marijuana.

Smith and Alexander had been renting the shop since October 2004. Smith's brother, Jack was the care giver of the plants and also lived in the shop. They also were the only ones to have the key to the back portion of the shop where Jack lived with the plants.

Appellant had been raising Smith and Alexander's two children for no less than 5 days a week since February 2004. Alexander and Smith only picked up children to go to doctor or paternity test. Alexander and Smith's brother Jack, did not get along so he was not allowed to stay in Olympia to care for the plants. The shop was very large and about 200 feet from the

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I the appellants's residence.

Alexander and Smith had been fighting about who Alexander's second child belonged to. She was having her welfare check sanctioned because paternity had not been established and Alexander was claiming Smith was not the child's father. She claimed he belonged to an old boy friend who had been in prison for a year. By claiming to be unsure of the father, Alexander was given more time to collect welfare and Smith would not be responsible for support. Alexander went to DSHS in Kelso and learned the only way to stop the sanction with the welfare was if she had a reported emergency situation. That very day, the 29 of November, Alexander went to the Kelso Police department and filed charges against Smith for trying to assault her with his vehicle, while she was driving the appellant's truck. She took the Domestic Violence case number back to the welfare office and they lifted the sanctions from her welfare check. It showed that Alexander was now not a 2 parent family collecting welfare but as a single parent trying to leave a domestic violent situation with her 2 children.

I, the appellant, was not aware that Alexander had told Smith and his brother Jack, that they were not taking anything from the shop, that they had been renting. Smith never personally contacted me that they were going back to Olympia to get the rest of their things from the apartment they had been evicted from. At 12:01 am on December 1, 2004, Alexander called the number on the EBT {welfare} card to see if her money was on her card. Upon learning it was, she was off again leaving the children at the appellant's home with the appellant. From December 1 until December 5th, no one heard from Alexander or Smith. There was some contact with Pacific Properties, Smith's rental agency. The agency wanted to know if the appellant had returned the deposit from my rental on 820 Fish Pond Road, ^{Smith said} he had rented from the ^I appellant. I was shocked to hear this, since the property mentioned belongs to my parents, where

they have resided for 25 years. I never talked of renting him any property or deposit on Fish Pond Road and asked how they received my name and number. It was Pacific Properties, and they said Smith had applied to rent a house on Westside hwy for him and his 2 children, no mother. They were wanting to know if I had returned Smith's deposit from the house I was to had been renting to Smith. Apparently Smith lied to Pacific Properties and his brother Jack answered their first call, saying he was me and he was Smith's landlord on the property at 820 Fish Pond Road. Smith had just neglected to get the deposit from the Fish Pond address. I tried to contact Alexander concerning this information. She had borrowed my truck, and I looked through it to see if she left any information behind that would help me locate her. I found in my truck, papers concerning the Domestic Violence that enabled her to receive her full welfare check and the stipulations she must do to stay in good standing with this new agreement. She was to attend D.V. classes daily and since this was the 4th of December, she had already missed 2 classes. It went on to tell her what would happen if she did not comply, which were pretty serious situations since it was her only income. However; it did show exceptions for getting out of these requirements and one was an immediate legal matter. Family Violence, not Domestic Violence. Mental, emotional or physical stress that couldn't be dealt with beyond the person's own control. I think this is where I came in. I was pretty upset with all the lies, while I was caring for their children, they were scamming the welfare, the rental agency and most likely me. I then received a call from U-Haul stating that the U-haul truck that was rented by Smith the week before hadn't been returned

When Alexander arrived and it was apparent that she didn't get the stuff out of the Olympia apartment and was most likely partying for 4 days. Alexander and I had some words about the rental agency's phone call and the D.V. classes she was to be attending and finally I was wanting

to know why she used my truck and a u-haul was rented. This is where Alexander blew up in my face and said if I really wanted to know about the U-haul then she would tell me that Smith and her went to Oregon and picked up Smith's pit bulls from his brother. Smith's brother was the guy in Oregon who was caught raising pill bull dogs for fighting starving them to make them meaner.

I told her that she wasn't going to take the children around those dogs or I'd make sure she wouldn't get to keep them, because Smith's dogs were mean they killed one of there own puppies for walking by a food dish. I was afraid for the children had Smith or Alexander not watched or kept the dogs away from the children and it was apparent that Alexander had been up the four days she was gone.

This is why Alexander and Smith went to sheriffs office; they thought if they didn't get me first that I would try to take their children away and not that mattered so much but that it meant the state money would stop coming in. I was just so close to the children and loved them so much that the thought of those dogs attacking them was so terrifying to me. The things I had learned since she left and she took the children from their naps and went to meet Smith.

Things were coming together pretty fast on Alexander. The very next day, Alexander broke into my house while no one was at home. She called an officer and the officer Brad Bowen responded and made an appointment for her and Smith to get their belongings. This is the appointment Officer Brad Bowen made and verified to my daughter Ashlee England.

and Smith stoned from night to day. Mr. Blondin ignored all of this evidence.

The report does not mention that I took the Red Jewelry Box that was such a big concern for the officers, to court with me and attempted to show it in court. Because Alexander and Smith continued refereed to this box as containing drugs. The officers said they were searching for it but it never left the computer desk, before, during or after the search. What the court video will show is Mr. Blondin putting his hand down on mine when I tried to get him to show the evidence. It will also show me objecting to Mr. Blondin accepting of the tub evidence and it being blue when the report said it was gray and the pictures showing it was gray. It will also show Officer Hockett stating he was the only one to take evidence from the bedroom only later 2 times on the witness stand state Officer Heabe had taken the evidence from the bedroom. However Officer Heabe properly marked his evidence and signed and dated his evidence sheet. But during trial Officer Heabe's evidence sheet grew from 1/3 pages to 1/5 pages, which were undated and unsigned past the last 2 pages. I also pointed out to Mr. Blondin that there were no request for any A & B items listed on lab request form. There were results for A & B but no request for them. Just as Officer Hockett not having an evidence sheet at all, no number to refer to. I pointed this out to Mr. Blondin the 1st day of the trial, but on the 2nd day of trial, Officer Hockett submitted a numbered evidence sheet, however; numbering it ??? (1) (1).leaving a person to wander which one of the (1) were positive and which one of the (1) was negative.

It was here that I learned my attorney was working for the prosecution He was telling the prosecutor witness, Officer Hockett how to fix things that I was finding fault with.

My right to a speedy trial was denied due to what I believe was an attempt by the prosecutor wasn't ready when looking at dates prosecution receive lab results and there was no wavier signed of a 90 day right to a speedy trial. I also think they were waiting to see if charges

Alexander and Smith fabricated against me in the form of felony harassment. This charge did go to court, another attempt by Alexander and Smith to obtain extra money from welfare to pay for relocating them. I was found NOT Guilty of all those charges.

I would also like to bring out how Mr. Blondin, tainted the jury against me. When the jury was being selected, the court reminded all the jurors that if they had family or close friends that had been involved with drugs that would make them have a negative impact against deciding on a drug charge that they might want to be excused. I immediately recognized one of the potential jurors. They were also asked if they knew me or my situation. I told Mr. Blondin that I recognized Shirley Miller, a lady from Kalama, where I went to school with her kids as well as my children went to school with her grand children: who were removed from their parents homes because of excessive drug use by the parents. I also knew that Shirley Miller did not like me because I had a few years earlier married an older man, and her husband had a few years earlier left her with a younger woman. We were also in the same Eagles Aux. Mr. Blondin disregarded my objections and permitted Shirley Miller to remain on the jury. I had decided not to testify on my behalf and Mr. Blondin then asked a show of hands as to would anyone would think an innocent person would be willing to testify on their behalf. Or would they think I was guilty because I choose to not take the stand or that I had something to hide. He picked the ones with the strongest feelings against my not taking the stand.

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The following pages will tell you how and why the marijuana was in the shop, a separate dwelling from my house. It will tell the court of the motive that Alexander and Smith had for going to the Sheriff's office.

What the court papers won't show is that my trial attorney, Kelvin Blondin was aware of everything that I am telling you prior to my trial. I had asked my attorney, Mr Blondin to obtain Paperwork, that I was unable to get on my own. As for the papers that was said to be posted for the grow were papers used by the sheriff to obtain a search warrant. These papers were some I found out that Smith had failsafed information to obtain an apartment. As a private citizen I could not get these papers but Mr. Blondin could.

I pointed out to Mr. Blondin the fictitious name on the warrant, Lonnie Tennant, a person I have never known, but who is well known to the Justice Department in Cowlitz County. I even looked through the Phone directory, calling every party with the same last name. I gave Mr. Blondin the name and phone number of an older man in Castle Rock, WA that knew of the man named on my search warrant. Mr. Blondin did not confirm this information or acknowledge that it was a name used to get a search warrant at my residence.

I provided Mr. Blondin with the documents from DSHS which included the Domestic Violence case number, the rent receipt for the shop, she scheduled classes Alexander was to attend in order to continue on assistance. The police report against Smith which Alexander had filed with the Kelso Police on 11/29/2004. Mr. Blondin had the motive for all of Alexander and Smith's actions against me, so they could be assured of being able to continue on welfare. My initial concern was for the children, whom I had grown very close to. I went through hell, wondering how Alexander and Smith could care for them with her strung out on prescription drugs and he smoking pot from daylight till dark. The thought of the kids being around the dogs

just drove me crazy. Mr. Blondin ignored all of this evidence.

The report does not mention that I took the Red Jewelry Box that was of such interest on the search warrant. I took it to court with me as evidence it was never hidden and never contained drugs. Alexander and Smith testified that it contained drugs and the officers said they were searching for it but it never left the computer table where it remained throughout the search and afterwards until I brought it to court for Mr. Blondin. What the court video will show is Mr. Blondin putting his hand over mine when I tried to get him to show the evidence. It will also show me objecting to Mr. Blondin accepting of the tub evidence and it being blue when the report said it was gray as well as the pictures showing it was gray. It will also show Officer Hockett stating he was the only one to take evidence from the bedroom, only later 2 times on the witness stand^{ve} stated Officer Heabe had taken the evidence from the bedroom. However, Officer Heabe properly marked his evidence and signed and dated his evidence sheet. But during the trial Officer Heabe's evidence sheet grew from 1-3 pages to 1-5 pages, which were undated and unsigned past the first 3 pages. I also pointed out to Mr. Blondin that there were no request for any A & B items listed on lab request form. There were results for A & B but no request for them. Just as Officer Hockett not having evidence sheet at all, no number to refer to. I pointed this out to Mr. Blondin the 1st day of court, but on the 2nd day of trial Officer Hockett submitted a numbered evidence sheet, however; numbering it ??? (1) (1) leaving a person to wonder which one of the (1) s were positive and which one of the (!) was negative.

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I would also like to bring out how Mr. Blondin tainted the jury against me. When the jury was being selected, the court reminded all the potential jurors, if they had family or close friends who had been involved in drugs that would make an impact on their ability to decide guilt or innocent, that they should ask to be excused. I immediately recognized one of the potential jurors. They were also asked if they knew me or my situation. I told Mr. Blondin that I recognized Shirley Miller, a lady from Kalama. I had gone to school in Kalama with her children as well as my children went to school with her grand children, who were in foster care because of the parents excessive drug use. I also knew Shirley Miller did not like me because a few years earlier I had married an older man and Shirley's husband had left her for a younger woman. We were also in the same Eagles Aux. Mr. Blondin disregarded my objections and permitted Shirley Miller to remain on the jury. I had decided not to testify since the extreme stress I was under, which made me way too emotional. I was very hurt to have my niece, who I had gone out of my way to help her, turn to such drastic measures just for money. Mr. Blondin asked the juror, by a show of hands if they thought that someone who did not take the witness stand on their own behalf was either guilty or had something to hide. The jurors with. The strongest feelings against my not taking the stand were chosen for the jury.

Jodi L. Grant



Additional Counts continued, no. 04-101616-6
Court of Appeals NO:
33420-8-11

There is just a couple of more things I wanted to add.

When the Judge gave the Jury their instructions, she told the Jury that they would have to find me guilty of all evidence submitted, or they would have to find me not guilty of any.

That included the pipe and its residue that was in Norman Schmidt pants.

I went to the Cowrite County Court house and read the checks file, and I found that the Jury never found me guilty of the pipe nor the residue. I'm not sure but maybe this is why there was a Judge switch for the reading of the guilty verdict.

audit

All I know is my life has been completely ruined. I've paid over \$4,500 hundred dollars in bail money because although I was found not guilty of bogus charges the Sheriff's Office has had it in for me while I've been awaiting this appeal. I was tempted to try and get a restraining order against them, it's been that bad.

Officers charged me with 2 plants on the 7th of Dec 2004 at 9:00 AM from a Van that was not searched until 8:53 PM on the 8th of Dec 2004. And this form looks altered, changing 6^s into 8^s looking more like a B than a 8 by Officer Heabe. - To Officer Hockett stating that he took 11 plants from house and a dead producing leaded halogen lite. Then stating only 13 plants from Van and 1 lite from Van.

I was so confused and grieving over the lost of the children as I told Counsel, that
 all could have happened again and I wouldn't have known it.

I'd tested positive for cancer 6 months after my niece and Smith did this to me and have had 6 ~~surgeries~~ since that time still awaiting one more to go.

I hate what has become of the children they to was taken and put in foster care. After Police went to Smith and Alexander home and took the next grow they had going - why they did this well I don't think that the grow ever had the proper license to be growing.
 Another thing that Collier County Sheriffs should have looked into closer.

and last Just to inform the Court. I looked up who sat on the bench for the Court of Appeals.

and Just for your personal knowledge.

Mr. DC Bridgewater had a conflict of interest due to he was the prosecutor at my ex husband trial. and Mr. ~~Tom~~ Northrup had withdrew from the case as he had a conflict of interest.

He had represented Alexander prior to this case.

Thank you for your considerations in this matter. I truly want to get this over with so that I can join my children in Alaska.

Judy Boyd

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DIVISION II

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STATE OF WASHINGTON
BY [Signature]

DEPUTY

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION II

STATE OF WASHINGTON,)
Respondent,)
vs.)
JODI L. GRANT,)
Appellant.)

NO. 04-1-01616-6
COURT OF APPEALS NO:
33420-8-II

AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
COUNTY OF COWLITZ) ss.

CATHY RUSSELL, being duly sworn on oath, states that on the 26TH day FEBRUARY 2007, affiant deposited into the mails of the United States of America, a properly stamped envelope directed to:

SUSAN I. BAUR
COWLITZ COUNTY PROSECUTING ATTORNEY
312 S.W. 1ST STREET
KELSO, WA 98626

and that said envelope contained the following:

- 1. STATEMENT OF ADDITIONAL GROUNDS
- 2. AFFIDAVIT OF MAILING

DATED this 26TH day of FEBRUARY, 2007.

[Signature]
CATHY RUSSELL

SUBSCRIBED AND SWORN to before me this 26th day of FEBRUARY 2007.



[Signature]
NOTARY PUBLIC in and for the
State of Washington,
Residing at: LONGVIEW/KELSO
Commission expires: 11-04-09