

ORIGINAL

FILED
COURT OF APPEALS

No. 33580-8-II

06 APR 21 PM 2:28

COURT OF APPEALS, DIVISION II
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON
BY MA
DEPUTY

STATE OF WASHINGTON,

Respondent,

v.

RICHARD A. PLECHNER,

Appellant.

APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR MASON COUNTY

The Honorable James B. Sawyer II, Judge
Cause No. 04-1-00283-4

BRIEF OF RESPONDENT

MONTY D. COBB
Deputy Prosecuting Attorney
Attorney for Respondent
WSBA # 23575

Mason County Prosecutor's Office
521 N. Fourth Street
P.O. Box 639
Shelton, WA 98584
(360) 427-9670 ext. 417
(360) 427-7754 fax

pm 4/20/06

TABLE OF CONTENTS

A. APPELLANT’S ASSIGNMENT OF ERROR..... 1

B. ISSUES PERTAINING TO ASSIGNMENTS OF ERROR 1

C. STATEMENT OF THE CASE..... 2

D. ARGUMENT..... 1

 1. THE TRIAL COURT DID NOT ABUSE ITS
 DESCRETION IN DENYING PLECHNER'S MOTION
 FOR RECONSIDERATION WHERE THE WITNESSES
 WERE OUT-OF-STATE AND UNAVAILABLE

 2A. THE JURY INSTRUCTIONS DO NOT CONTAIN
 IMPROPER JUDICIAL COMMENTS.

 2B. EVEN IF THE ADDITIONAL LANGUAGE
 CONSTITUTES AN IMPERMISSIBLE COMMENT BY
 THE COURT, IT IS HARMLESS ERROR.

 3. COUNSEL WAS NOT INEFFECTIVE FOR NOT
 OBJECTING TO THE CHALLENGED "TO WIT"
 LANGUAGE.

 4. CONVICTIONS FOR HIT AND RUN (INJURY) AND
 ASSAULT IN THE THIRD DEGREE DO NOT MERGE
 AND DO NOT VIOLATE DOUBLE JEOPARDY.

 5. THE TRIAL COURT DID NOT ERR IN ITS
 CALCULATION OF THE OFFENDER SCORE WHEN
 THE ASSAULT AND HIT AND RUN ARE NOT SAME
 CRIMINAL CONDUCT.

 6. THE TRIAL COURT DID NOT ERR BY IMPOSING A
 SENTENCE ON THE ASSAULT CHARGE WHICH
 DOES NOT EXCEED THE STATUTORY MAXIMUM.

 7. DEFENSE COUNSEL WAS NOT INEFFECTIVE FOR
 FAILING TO ARGUE SAME CRIMINAL CONDUCT
 OR THAT THE SENTENCE IMPOSED EXCEEDED
 THE STATUTORY MAXIMUM.

E. CONCLUSION..... 3

TABLE OF AUTHORITIES

CASES

State

<i>In re Personal Restraint of Benn</i> , 134 Wn.2d 868, 952 P.2d 116 (1998).....	9
<i>State v. Adams</i> , 91 Wn.2d 86, 586 P.2d 1168 (1978).....	9
<i>State v. Becker</i> , 132 Wn.2d 54, 935 P.2d 1321 (1997)	5, 6
<i>State v. Bennett</i> , 87 Wn.App 73, 940 P.2d 299 (1997)	8, 9
<i>State v. Bible</i> , 77 Wn.App 470, 892 P.2d 116 (1995)	2
<i>State v. Flake</i> , 76 Wn.App 174, 883 P.2d 341 (1994)	10-12
<i>State v. Guloy</i> , 104 Wn.2d 412, 705 P.2d 1182 (1985).....	6
<i>State v. Haddock</i> , 141 Wn.2d 103, P.3e 733 (2000)	11
<i>State v. Hanna</i> , 123 Wn.2d 704, 871 P.2d 135 (1994)	4
<i>State v. Hansen</i> , 46 Wn.App 292, 730 P.2d 706 (1986)	4, 5
<i>State v. Hendrickson</i> , 129 Wn.2d 61, 917 P.2d 563 (1996).....	7-9
<i>State v. Holt</i> , 56 Wn.App. 99, 783 P.2d 87 (1989).....	6, 7
<i>State v. Levy</i> , --- P.3d ---, (2006) WL 975905 (April 13, 2006).....	5
<i>State v. Louie</i> , 68 Wn.2d 304, 413 P.2d 7 (1966)	4, 5
<i>State v. McFarland</i> , 127 Wn.2d 322, 899 P.2d 1251 (1995).....	8, 9
<i>State v. Oxborrow</i> , 106 Wn.2d 525, 723 P.2d 1123 (1986)	13
<i>State v. Sloan</i> , 121 Wn.App 220, 87 P.3d 1214 (2004)	13
<i>State v. Thomas</i> , 109 Wn.2d 222, 743 P.2d 816 (1987).....	8

Federal

<i>State v. Johnson</i> , 92 Wn.2d 671, 600 P.2d 1249 (1979), <i>cert. dismissed</i> , 446 U.S. 948 (1980).....	8, 9
<i>State v. Lord</i> , 117 Wn.2d 829, 822 P.2d 177 (1991), <i>cert. denied</i> , 506 U.S. 856, 113 S.Ct. 164, 121 L.Ed.2d 112 (1992).....	7
<i>Strickland v. Washington</i> , 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984).....	7, 8

RULES

CrR 8.3	2, 3
RAP 10.3(b).....	2

A. APPELLANT'S ASSIGNMENT OF ERROR

- 1.) The trial court erred in denying Plechner's motion to reconsider its order dismissing his case without prejudice and to have his charges dismissed with prejudice.
- 2.) The trial court erred in improperly commenting on the evidence in violation of Washington Constitution Art. 4, Sec. 16 by giving instruction 16.
- 3.) The trial court erred in permitting Plechner to be represented by counsel who provided ineffective assistance by failing to object to or by agreeing to the court's instruction 16.
- 4.) The trial court erred in not dismissing Plechner's conviction for assault in the third degree, count 1, where the assault was incidental to, a part of, or coexistent with his conviction for hit and run (injury), count III.
- 5.) The trial court erred in calculating Plechner's offender score and imposing a sentence that exceeded the statutory maximum for the crimes of conviction.
- 6.) The trial court erred in permitting Plechner to be represented by counsel who provided ineffective assistance by failing to argue that his convictions for assault in the third degree and hit and run (injury) encompassed the same criminal conduct for sentencing purposes and that the court imposed a sentence that exceeded the statutory maximum for the crimes of conviction.

B. ISSUES PERTAINING TO ASSIGNMENTS OF ERROR

- 1.) Whether the trial court abused its discretion in denying Plechner's motion for reconsideration.
- 2.) Whether the inclusion of the "to wit" language in Instruction 16 constitutes an improper comment on the evidence.
- 3.) Whether trial counsel was ineffective for not opposing Instruction 16 as an improper comment on the evidence.
- 4.) Whether the assault in the third degree and the hit and run convictions are coexistent requiring the court to dismiss one of the counts.

- 5.) Whether the trial court erred by not finding same criminal conduct for the assault and Hit and Run when calculating offender score.
- 6.) Whether the trial court erred by imposing a sentence which does not exceed the maximum for the individual crime and, if considered as a whole, may or may not exceed the statutory maximum but that such fact cannot be determined.
- 7.) Whether trial counsel was ineffective for failing to argue that the assault and hit and run charges were coexistent and for failing to object to the sentence as imposed.

C. STATEMENT OF THE CASE

Pursuant to RAP 10.3(b), the State accepts recitation of the procedural and substantive facts set forth in his opening brief.

D. ARGUMENT

1. THE TRIAL COURT DID NOT ABUSE ITS DISCRETION IN DENYING PLECHNER'S MOTION FOR RECONSIDERATION WHERE THE WITNESSES WERE OUT-OF-STATE AND UNAVAILABLE.

As Plechner recognizes, CrR 8.3 and *State v. Bible*, 77 Wn. App 470, 472, 892 P.2d 116 (1995) allow for dismissal of criminal charges without prejudice if there is a sufficient reason apart from avoiding expiration of speedy trial. If the State provides a legitimate reason for dismissal, then the trial court does not abuse its discretion in granting a dismissal without prejudice. *Bible* at 473.

In this case, the Court's order of dismissal referenced the unavailability of the witnesses for trial. [CP 70]. The affidavit of Reinhold Schuetz, Chief Criminal Deputy Prosecutor, provided for the motion to reconsider, shows that the two witnesses had been previously under subpoena a but that both were out-of-state and not willing to cut short their vacation. [CP 77]. Plechner argues that the State was not diligent in trying to contact or to re-serve subpoenas on the two witnesses. This ignores the fact that Plechner's own actions created this circumstance. Both witnesses were available for the scheduled trial during the week of November 1, 2004. Plechner failed to appear for the scheduled November trial date [RP 57-60] effectively delaying the trial to a time when the witnesses were not available.

Plechner asserts that the record essentially shows mismanagement by the State (alleging no evidence of sufficient effort to secure the witnesses appearance), which is in effect an request for dismissal under CrR 8.3(b) in lieu of showing that the trial court abused its discretion in granting the dismissal without prejudice. Here too Plechner fails to meet the required standard.

Dismissal based on mismanagement are "an extraordinary remedy available only when there is arbitrary prosecutorial action or governmental misconduct, including mismanagement, that prejudices the defendants and

materially affects their right to a fair trial.” *State v. Hanna*, 123 Wn.2d 704, 715, 871 P.2d 135 (1994). Plechner makes no showing of prejudice from the granting of the dismissal without prejudice. He makes no showing that his trial right was materially affected.

The trial court did not abuse its discretion in granting the State’s motion to dismiss without prejudice. Witnesses were out-of-state, a legitimate basis for the requested dismissal without prejudice and a circumstance precipitated by Plechner’s failure to appear for the November 2004 trial date.

2A. THE JURY INSTRUCTIONS DO NOT CONTAIN IMPROPER JUDICIAL COMMENTS.

Not every statement by the trial court constitutes a comment on evidence. “[A] statement by the court will constitute a comment on the evidence only if the court’s attitude toward the *merits* of the case or the court’s evaluation relative to a *disputed issue* is inferable from the statement.” *State v. Hansen*, 46 Wn.App. 292, 300, 730 P.2d 706 (1986) citing to *State v. Louie*, 68 Wn.2d 304, 413 P.2d 7 (1966).

There was no dispute at trial that the Mitsubishi was or was not an automobile or motor vehicle. Nor was there any dispute that the Mitsubishi belonged to Otto Holz. Further, the name of the vehicle’s

owner is not an element of the offense. Compare this to *State v. Levy*, --- P.3d ---, 2006 WL 975905 (April 13, 2006) where the Supreme Court found that where the jury instruction referring to taking “personal property, to wit jewelry” was not a comment on the evidence where there was no dispute whether the jewelry was or was not personal property and the only question was whether the jewelry was taken. *Levy* at paragraph 23.

Levy continues at paragraph 24 to affirm that the victim’s name is not an element of robbery so the instruction stating ‘entered or remained unlawfully in a building, to wit: the building of Kenya White...’ was not an improper comment on the evidence for identifying the victim by name.

The court’s additional language does not offer any opinion on the merits of the case. The additional language does not touch on a disputed issue, unlike *State v. Becker*, 132 Wn.2d 54, 935 P.2d 1321 (1997). In *Becker* the court disapproved of “to wit” language which clearly addressed a hotly disputed issue, and essentially answered the factual question of whether YEP was a school for the charged enhancement.

Under *Levy*, *Hansen* and *Louie*, the complained of language does not constitute a comment on the evidence so there is no error. The jury instruction properly tells the jury what facts must exist for the jury to find Plechner guilty of Taking a Motor Vehicle without Permission.

2B. EVEN IF THE ADDITIONAL LANGUAGE
CONSTITUTES AN IMPERMISSIBLE COMMENT BY
THE COURT, IT IS HARMLESS ERROR.

A constitutional error is harmless if the appellate court is convinced beyond a reasonable doubt that any reasonable jury would have reached the same result in the absence of the error. Constitutional error is presumed to be prejudicial and the State bears the burden of proving that the error was harmless.

State v. Guloy, 104 Wn.2d 412, 425, 705 P.2d 1182 (1985).

Even assuming, arguendo, that the additional language written in by the agreement of the court and counsel constitutes a comment on the evidence, Plechner was not deprived a fair trial and any error is harmless.

As noted above, there is no dispute that the Mitsubishi is a vehicle or belonged to Otto Holz.

A similar issue arose in *State v. Holt*, 56, Wn.App. 99, 783 P.2d 87 (1989). In that case, the instruction language included the phrase: “the defendant or an accomplice sold, exhibited, or displayed *lewd matter, to wit, [title of allegedly obscene material]*.” *Holt* at 90-91, emphasis in original. Division II found that “the sloppy language of these instructions” could constitute a comment on the evidence but was harmless error.¹

¹ Like *Becker*, the parties in *Holt* were in dispute about the issue mentioned by the court. That is not the case here.

“A jury instruction does not deprive a defendant of a fair trial if the instructions, when read as a whole, correctly state the applicable law, are not misleading, and allow each side to present their arguments.” *Holt* at 105. “The “to-convict” instructions in Holt’s case must be read in conjunction with the unchallenged definition of “lewd matter” provided in a separate instruction.” *Holt* at 106. The same must be true here.

In this case, there was a definitional instruction (Instruction No. 15) which spelled out what a vehicle is and an instruction (no. 14) which spelled out the crime of taking a motor vehicle. In neither *Holt* nor this case was the definitional instruction challenged. Reading the instructions as a whole, it is clear that any error made by inserting the additional language is harmless. Without question, a reasonable jury would make the same finding of guilt.

3. COUNSEL WAS NOT INEFFECTIVE FOR NOT OBJECTING TO THE CHALLENGED “TO WIT” LANGUAGE.

An appellate court will presume the defendant was properly represented. *Strickland v. Washington*, 466 U.S. 668, 688-689, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984); *State v. Hendrickson*, 129 Wn.2d 61, 77-78, 917 P.2d 563 (1996); *State v. Lord*, 117 Wn.2d 829, 883, 822 P.2d 177

(1991), *cert. denied*, 506 U.S. 856, 113 S.Ct. 164, 121 L. Ed. 2d 112 (1992); *State v. Thomas*, 109 Wn.2d 222, 226, 743 P.2d 816 (1987).

A criminal defendant's must overcome this strong presumption of effectiveness of his trial counsel by proof that counsel's representation fell below an objective standard of reasonableness, i.e. that counsel's errors were so serious as to deprive the defendant of a fair trial, a trial whose result is reliable. *Strickland*, 466 U.S. at 687. .

Washington courts use a two-prong test to overcome the strong presumption of effectiveness that courts apply to counsel's performance. *State v. McFarland*, 127 Wn.2d 322, 335, 899 P.2d 1251 (1995); *Hendrickson*, 129 Wn.2d at 78; *State v. Bennett*, 87 Wn. App. 73, 77, 940 P.2d 299 (1997). The defendant must meet both prongs of the test to merit relief. *Thomas*, 109 Wn.2d at 225-226; *Bennett*, 87 Wn. App at 77.

A defendant must first demonstrate that defense counsel's representation was deficient. *McFarland*, 127 Wn.2d at 334-335; *Hendrickson*, 129 Wn.2d at 78; *Bennett*, 87 Wn. App at 77.

The test of incompetence is after considering the entire record, can it be said that the accused was not afforded effective representation and a fair and impartial trial. *State v. Johnson*, 92 Wn.2d 671, 682, 600 P.2d 1249 (1979), *cert. dismissed*, 446 U.S. 948 (1980).

For the second part, the defendant must show prejudice such that there is a reasonable probability that, but for counsel's errors, the result of the trial would have been different. *McFarland*, 127 Wn.2d at 334-335; *Hendrickson*, 129 Wn.2d at 78; *Bennett*, 87 Wn. App at 77.

Because trial strategies and techniques may vary among lawyers, a defense attorney's decision that constitutes a trial tactic or strategy will not support a claim of ineffective assistance of counsel. *In re Personal Restraint of Benn*, 134 Wn.2d 868, 888, 952 P.2d 116 (1998); *Johnson*, 92 Wn.2d at 682; *Hendrickson*, 129 Wn.2d at 78; *Bennett*, 87 Wn. App at 77.

A defendant is not entitled to perfect counsel, to error-free representation, or to a defense of which no lawyer would doubt the wisdom. Lawyers make mistakes; the practice of law is not a science, and it is easy to second-guess lawyers' decisions with the benefit of hindsight. Many criminal defendants in the boredom of prison life have little difficulty in recalling particular actions or omissions of their trial counsel that might have been less advantageous than an alternate course. As a general rule, the relative wisdom or lack thereof of counsel's decisions should not be open for review after conviction. Only when defense counsel's conduct cannot be explained by any tactical or strategic justification which at least some reasonably competent, fairly experienced criminal defense lawyers might agree with or find reasonably debatable, should counsel's performance be considered inadequate.

State v. Adams, 91 Wn.2d 86, 91, 586 P.2d 1168 (1978).

There was no dispute at trial that the Mitsubishi was in fact a vehicle, nor was there any dispute that the Mitsubishi was owned by Otto Holz.

Plechner cannot show that his attorney's representation was deficient nor can he show any prejudice based on the challenged instruction.

4. CONVICTIONS FOR HIT AND RUN (INJURY) AND ASSAULT IN THE THIRD DEGREE DO NOT MERGE AND DO NOT VIOLATE DOUBLE JEOPARDY.

Plechner's argument on double jeopardy essentially boils down to asserting that the Assault and the Hit and Run merge. Plechner is mistaken in his analysis as the two offenses have differing purposes and occur at different times. Compare the court's conclusions regarding vehicular assault and Hit and Run in *State v. Flake*, 76 Wn. App 174 180-181, 883 P.2d 341 (1994) (internal citation omitted):

Here, as the trial court concluded, Flake's objective purposes for the two crimes were different. When he committed the hit and run, Flake objectively intended to avoid responsibility for the collision by leaving the scene. That intention has no relation to the crime of vehicular assault or any criminal purpose that might be ascribed to it. In addition, Flake's commission of the hit and run did not further the vehicular assault because the assault was already completed when Flake fled the scene. Also, the two crimes were not part of a scheme or plan. Finally, Flake violated RCW 46.52.020 *after* the vehicular assault occurred, not simultaneously with it, and thus, the two crimes occurred at different times. Because two of the three necessary elements are missing, the two crimes are not the same criminal conduct under RCW

9.94A.400(1)(a). The trial court therefore did not abuse its discretion or misapply the law by counting the two crimes separately for Flake's offender score.

As in *Flake*, the intent of the Hit and Run and the intent of the Assault are different. As in *Flake*, the two crimes occur at different times. The crime of assault in this circumstance was not committed in furtherance of the Hit and Run. The two offenses stand on their own and there is not error in not dismissing one of the charges under double jeopardy rules.

5. THE TRIAL COURT DID NOT ERR IN ITS CALCULATION OF THE OFFENDER SCORE WHEN THE ASSAULT AND HITAND RUN ARE NOT SAME CRIMINAL CONDUCT.

Same criminal conduct requires 1) same criminal intent, 2) same time and place, and 3) same victim. *State v. Haddock*, 141 Wn.2d 103, 3 P.3d 733 (2000).

The Legislature intended the phrase "same criminal conduct" to be construed narrowly. *State v. Vike*, 66 Wash.App. 631, 634, 834 P.2d 48 (1992), *review granted*, 123 Wash.2d 1019, 875 P.2d 635 (1994). Whether two or more crimes require the same objective criminal intent can be measured by determining whether one crime furthered another. *State v. Lessley*, 118 Wash.2d 773, 778, 827 P.2d 996 (1992); *see also State v. Lewis*, 115 Wash.2d 294, 302, 797 P.2d 1141 (1990) ("[t]he SRA's single criminal conduct analysis has approached a single intent as entailing numerous offenses committed as part of a scheme or plan, with no substantial change in the nature of the criminal objective"). If any one of the three elements of same criminal conduct is missing, multiple offenses must be counted separately when calculating the offender score. *Lessley*, 118 Wash.2d at 778, 827 P.2d 996. The court's decision of whether different crimes involve the same criminal

conduct will not be disturbed on appeal unless there was a clear abuse of discretion or a misapplication of the law. *State v. Burns*, 114 Wash.2d 314, 317, 788 P.2d 531 (1990).

Flake at 180. As argued above the assault and Hit and Run have different intents and occur at different times. The two offenses were properly counted separately.

6. THE TRIAL COURT DID NOT ERR BY IMPOSING A SENTENCE ON THE ASSAULT CHARGE WHICH DOES NOT EXCEED THE STATUTORY MAXIMUM.

Plechner had standard ranges of 22-29 months on Count I (Assault Third Degree), 12+ to 14 months on Count II (TMVWOP), and 43 to 57 months on Count III (Hit and Run). The only count which carried a term of supervision was count I, the assault. [RP 577, 579, 589].

The Court imposed concurrent standard range sentences on each of the three counts: Count I, 29 months plus the required 9-18 months of supervision; Count II, 14 months, Count III, 50 months. No supervision was ordered on Counts II or III. [RP 591].

Plechner now asserts that he received a sentence in excess of the statutory maximum of 5 years because the 9-18 months of supervision imposed on the assault may exceed a total sentence of five years if added to the Hit and Run sentence of 50 months. Plechner's argument is simply

without basis in fact or law. The sentence on the assault is 29 months plus a maximum of 18 months supervision for 47 months, well within the 60 month maximum. The period of supervision is not part of the Hit and Run sentence imposed.

Plechner cites to *State v. Sloan*, 121 Wn. App. 220, 87 P.3d 1214 (2004) in support of his position but *Sloan* is not helpful. *Sloan* was convicted of 4 counts and given the statutory max of 60 months prison time on each count with supervision time beyond the 60 months. While Plechner asserts that the sentencing court cannot speculate as to earned early release, that is exactly what *Sloan* considered and requires in circumstances where the combination of prison and supervision time *may* exceed the statutory max.

Even if one were to accept the farcical concept of adding the period of supervision from count I with the prison time from count III, the total sentence would not necessarily result in a sentence exceeding 60 months.² See also *State v. Oxborrow*, 106 Wn.2d 525, 723 P.2d 1123 (1986) where the Court noted that consecutive sentences of 10 years each, the statutory max, did not violate the statute even though the total sentence

² Without even considering earned early release, adding the minimum period of supervision on Count I and the sentence imposed on Count III is 9+50=59 months, which is within the statutory max.

was 20 years, double the statutory max for each crime individually.

Plechner shows no error.

7. DEFENSE COUNSEL WAS NOT INEFFECTIVE FOR FAILING TO ARGUE SAME CRIMINAL CONDUCT OR THAT THE SENTENCE IMPOSED EXCEEDED THE STATUTORY MAXIMUM.

The statutory discussion regarding ineffective assistance of counsel outlined above is incorporated here by reference.

As argued above, the assault and the Hit and Run convictions are not same criminal conduct as they occur at distinct times and have different intents. Plechner has not shown any violation of double jeopardy and his argument that the sentence exceeds the statutory maximum is simply specious. Plechner cannot show that his attorney acted in any way deficiently. Plechner cannot show that the results would have in any way changed had counsel argued same criminal conduct, double jeopardy or the maximum sentence issue.

//

//

//

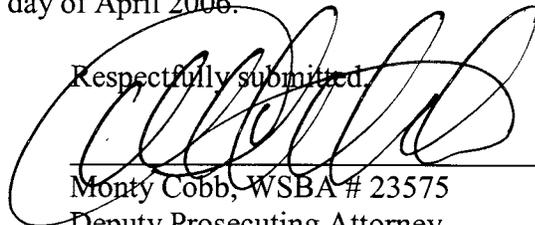
//

E. CONCLUSION

Based on the foregoing, the State respectfully asks this Court to affirm the convictions.

DATED this 19 day of April 2006.

Respectfully submitted,



Monty Cobb, WSBA # 23575
Deputy Prosecuting Attorney
Attorney for Respondent

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

STATE OF WASHINGTON,)
)
 Respondent,)
)
 vs.)
)
 RICHARD A. PLECHNER,)
)
 Appellant,)
 _____)

No. 33580-8-II

DECLARATION OF
FILING/MAILING
PROOF OF SERVICE

FILED
COURT OF APPEALS
DIVISION II
06 APR 21 PM 2:29
STATE OF WASHINGTON
DEPUTY

I, TRICIA KEALY, declare and state as follows:

On April 19, 2006, I deposited in the U.S. Mail, postage properly prepaid, the documents related to the above cause number and to which this declaration is attached (BRIEF OF RESPONDENT), to:

Thomas E. Doyle
Attorney at Law
P.O. Box 510
Hansville, WA 98340-0510

I, Tricia Kealy, declare under penalty of perjury of the laws of the State of Washington that the foregoing information is true and correct.

Dated this 19th day of April, 2006, at Shelton, Washington.


Tricia Kealy

Mason County Prosecutor's Office
521 N. Fourth Street, P.O. Box 639
Shelton, WA 98584
(360) 427-9670 ext. 417
(360) 427-7754 FAX