

COURT OF APPEALS  
DIVISION TWO  
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON )  
)  
Respondent, )  
)  
v. )  
)  
MICHAEL D ELMORE )  
(your name) )  
)  
Appellant. )

No. 3A336-3-II

STATEMENT OF ADDITIONAL  
GROUNDS FOR REVIEW

I, MICHAEL D ELMORE have received 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.

Additional Ground 1

SEE ATTACHED

Additional Ground 2

SEE ATTACHED

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

Date: 07-23-06

Signature: MICHAEL D ELMORE

THERE WERE TWO ISSUES I INSISTED MY ATTORNEY, MR. SCHOENBERGER ARGUE PRIOR TO TRIAL. HE REFUSED, AGAINST MY WISHES AND THE RULES OF PROFESSIONAL CONDUCT. BOTH OF THESE ISSUES BECAME A BIG PART OF THE STATE'S CASE AGAINST ME.

#1 CONCERNS MY SUPPOSED STATEMENT AT THE TIME OF ARREST: (I'M GOING DOWN FOR THIS) THERE WERE TWO OFFICERS DIRECTLY INVOLVED IN MY ARREST. ONE READING ME MY RIGHTS, ONE SECURING ME. ONE OFFICER SAID I MADE A STATEMENT, THE OTHER SAID I DID NOT.

#2 CONCERNS SUPPOSED EVIDENCE FOUND IN A LIDDED PUBLIC TRASHCAN AT A FASTFOOD RESTAURANT. THERE WERE NO PICTURES, VIDEO OR FINGERPRINTS TO CORRECT ANY ITEMS USED AS EVIDENCE TO ME OR MY CO-DEFENDANT.

IF THESE ISSUES WERE ARGUED PRIOR TO TRIAL (3.5-3.6 HEARINGS) I BELIEVE THAT EITHER ONE OR BOTH OF THESE ISSUES WOULD HAVE BEEN EXCLUDED AS EVIDENCE, WHICH WOULD HAVE CHANGED THE OUTCOME OF THE TRIAL.

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**LEGAL MAIL**

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INSPECTED BY

INSPECTED BY *[Signature]* 7-23-06