

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

Filed
11/20/06

STATE OF WASHINGTON)
)
Respondent,)
)
v.)
James M. Stogsdill)
(your name))
)
Appellant.)

No. 34756-3-II
STATEMENT OF ADDITIONAL
GROUND FOR REVIEW

I, James M. Stogsdill, 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

My original charges were 2nd degree Rape of a Child for victim A.T. and 3rd degree Rape of a Child for victim H.W. but as it turns out I was convicted and sentenced to 2nd degree Rape of a Child for both victims even though victim H.W. was over the age limit for 2nd degree. I don't recall being informed this was would I agree to a higher charge. I ask the court to vacate my plea and remand for new proceedings. Also my lawyer never saw me three weeks prior to my plea only the day of plea and day of sentencing.

Additional Ground 2

I was charged with 3rd degree Rape of a child with victim H.W. but convicted and sentenced to 2nd degree Rape of a child to H.W. even though she was over the age limit of 2nd degree and was never my original charge with victim H.W. I ask the court to vacate my Plea and remand for new proceedings. Also my lawyer forgot to give the Judge any of my evaluation or Pre-sentence report until after court started at sentencing there for the Judge had to take a break just to read it.

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

Date: November 9th 2006

Signature: James M. Stogsdill

FILED
CLERK OF DISTRICT COURTS

NOV 20 AM 8:55

STATE OF WASHINGTON

BY JM

State of Washington)
- vs -)
James M. Stogsdill)

NO. 34756-3-II

AFFIDAVIT OF SERVICE
BY MAILING

I, James M. Stogsdill, being first sworn upon oath, do hereby certify that I have served the following documents: Statement of Additional Grounds

Upon: Law Offices of Lise Ellner
P.O. Box 2711
Vashon Wa, 98070

By placing same in the United States mail at:

WASHINGTON STATE PENITENTIARY
1313 NORTH 13TH AVENUE
WALLA WALLA, WA. 99362

On this 9th day of November, 2006.

James M. Stogsdill ^{Doc #} 713484
Name & Number
James M. Stogsdill

Affidavit pursuant to 28 U.S.C. 1746, Dickerson v. Wainwright 626 F.2d 1184 (1980); Affidavit sworn as true and correct under penalty of perjury and has full force of law and does not have to be verified by Notary Public.

State of Washington)
- vs -)
James M. Staggschill)

NO. 34756-3-II

AFFIDAVIT OF SERVICE
BY MAILING

I, James M. Staggschill, being first sworn upon oath, do hereby certify that I
have served the following documents: Statement of Additional Circumstances

RECEIVED
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CLERK OF COURT OF APPEALS DIV II
STATE OF WASHINGTON

Upon: Court of APPEALS
Division II
950 Broadway STE 300
Tacoma WA, 98402-3694

By placing same in the United States mail at:

WASHINGTON STATE PENITENTIARY
1313 NORTH 13TH AVENUE
WALLA WALLA, WA. 99362

On this 9th day of November, 2006.

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