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STATE OF WASHINGTON

STATEMENT OF ADDITIONAL GROUNDS

STATE OF WASHINGTON V. LAURA LEE SMITH
CASE No. 35366-1-II

Here is my story that was told to My Attorney, Matt Renda from the day of My arrestement. It was also mentioned to my CO-Defendants attorney from my CO-defendants (My Brother) Mark D. Peterson and is stated on Record before the trail started.

This incident happened about 2 weeks before the police showed up with the warrent for Manufacturing Meth on Jan 20th 2006 at 17320 82nd Ave E, Puyallup Wa 98375.

While I was sick with an abcessed tooth in my own trailer, and my brother was sick with a Hernia going on at least 2 to 3 weeks, a so called friend named Jessy Ryan brought over to my brother's house a guy named John Davis Jr. looking to borrow a generator. He had told my brother that he was just of of the service and had a little baby and wife and that his power was off and needed to borrow one temporary. My Brother gave him one for as long as he needed. About a week goes by and I can finally get up and leave my trailer to go check on my brother, and noticed by my van, the gas cap was off, there was a hose and a

STATEMENT OF ADDITIONAL GROUNDS CONT:

gas can laying there. All my gas had been stolen. I went inside my brother's house and found him very sick still and asleep on his couch. I woke him and told him what I found. He told me about this guy "John Davis Jr." stopping by, and proceeded to tell me that he had brought the generator back (or said he did) ~~they~~ while my brother was still sick on the couch and freezing because he was to sick to get up and build a fire, and had asked this John guy to go out to his shop and bring in his propane tank with a heater that goes on top from his tool room so he could get warm. My brother gave him his keys to his shop and John went out there. He came back with the tank set it up for my brother and was going to to leave, but stopped and asked if we had any spare gas. My brother told him that he didn't and that he didn't think his sister had any extra either, but could he please check on me before he left, because I was really sick also, and he hadn't been able to get up to check on me. Mark went back to sleep and had thought that John had left. (John never did stop by to check on me). My brother said he would check things out when he felt better. I said fine and left to go back to my trailer, stopped by the shop and saw my brothers tool room open, stopped and locked it

STATEMENT OF Additional Grounds Cont:

and on my way out saw a specialty tool laying out and thought how odd but went back to my trailer and went to bed. A couple of days later my brother came to see me at my trailer and asked me why his specialty tool was out of the tool room. Told him it was ~~out~~ laying there when I locked his Shop up. We went out to the Shop (the tool room) unlocked it and saw that a large amount of tools of mine and my brothers were stolen. My brother relized then that this John Davis Jr. had stolen our tools and my gas. We had no idea how to find this guy, then this So Called friend Jessy Ryan stopped by again a day or two later and said he Knew where John Davis Jr. lived and would go get him and bring him back with our tools. He never came back. A Couple of days later I was awaken to a explosive sound, men yelling and men pounding on my door telling me to come out with my hands up, that they were the police with a warrent for our arrest for Manufacturing Meth. I opened my door, they told me to get down on the ground by gun point, which I did. They handcuffed me and walked me to the front of my brothers property. My brother was handcuffed and sitting on the bumper of a police car by then. I was yelling at them telling them they were arresting a minister at my Church and that, that was wrong.

STATEMENT OF Additional Grounds Cont:

They walked me over to this lady officer who read me my rights and read the arrest warrent to me. When she got to stating that they were going to search my van and that it was stolen, I asked her who snitched my van off. What I meant by that statement was that they said it was stolen and had such a good discription of it. When I didnt even know it was stolen, How could they know it was stolen and put that on the search warrent. Anyway she asked me if I had anything in my trailer, like drug paraphernilia or anything to do with ~~a~~ Manufacturing Meth and I said no. then I thought about it and the pipes that were in the drawer that I had taken from some of the kids that I had counciled. I told her about them at that point. Before they put me in the police car with my brother, I heard one of the Swat team guys say to another police officer that they didnt see anything laying around. When they put me in the police with my brother he told me the police blew his front door off with 2 shot gun blast that had just missed him. We looked at each other and knew something was terribly wrong and that we must of been set up somehow.

When I spoke to my boyfriend (common-law husband)

STATEMENT OF ADDITIONAL GROUNDS Cont:

of 21 years that evening from jail, He told me he went by and saw what they had found and had d layed out under a tent. He said it looked like a blue crate with stuff outside of it. I knew then it was a set up. He went back later with his mom and tried to lock everything back up the best he could, then left to go get more locks and by the time he got back everything was open again and personal belongings were stolen, the trailer (my) had been gone through, the shop, tool room, etc! There were classic cars on the property stored also that belonged to Dr. Leone, who owned the property. They were stolen also. My brother had lived on that 20 acres for over 15 years taking care of it and Dr. Leone's equipment. He also had his own Mechanic Business there. I had just moved there at the end of July after losing my home of 18 years and had stored alot of personal belongings in my brothers shop. My husband kep checking on the place while my brother and I were in county jail, and he said ever day there was things stolen from there, that the police did not secure anything or make any attempt to keep theys out.

When I finally got bailed out 75 days later, I went in search of the truth. I found several people who told me that this setup had been planned

STATEMENT OF Additional Grounds Cont:

So that these people could come and take everything that we owned. I had recovered some of my jewlery from this girl named Kim Chiarolla who told me that she was at her place where she lived and that several guys had stopped by and were planning to set up my brother for manufacturing so that they could get the classic cars of Dr. Leones, plus his large equipment and so on for themselfs. One of the guys who goes by "New York Dave" real name of Dario Anello had been arrested for felony elude in Dr. Leones Mercedes Benz. Dr. Leones was pressing charges on him for this theft. After finding this out, I found out a least 7 other people who stole stuff and I went down to the Pierce County Sheriffs and pressed charges on all 7 of them for burglary. Nothing was ever done to those 7 people as of yet. I gave my police report to my Attorney and he told me he would look into it. My Attorney told me that they couldn't find the warrent for him to read and he had asked for it for months till one day the prosecutor told him it had been sealed. He was wondering if it mentioned a Confidential Informant.

Finally my Attorney told me he had

STATEMENT OF ADDITIONAL GROUNDS Cont:

to go to Court to get the application for the Warrent Un-sealed because the Court had sealed it. When he finally got a copy of it, he showed it to me. I read it and it said there was a CI and when I read his statement to the police about he thought he smelt chemicals around my van. I knew who it was. John Davis Jr. cause what he smelt was gas he was stealing from my van.

My attorney, My Brothers attorney and the Prosecutor was told we knew who the CI was, that it was a set-up, but know one did anything about it.

So My Additional grounds are as follows:

1. My Constitutional Rights were violated. I never got to face, at trial My accusor.

   A: The reason I believe the Prosecution didn't bring him in is because I found out that he was on the run from the police because he was wanted for perjury, forgery and Identity Theft.

2. The Judge was Bias.

   A: There were 30-plus objections

STATEMENT OF ADDITIONAL GROUNDS CONT:

in my trial which the judge overruled every single on of them.

B: Motion Denied by judge to Dismiss Count IV as to Unlawful Use of Drug Paraphernia.

C. Pg 407 line 17 & Pg 408 line 1-18 as stated by My Attorney Matt Renda, The state never showed or brought-in any evidence or had fingerprints on the glass pipes. No proof of any Use of Drug Paraphernia.

The Court: Denied

3. D: August 30th 2006 pg 406 line 17 I believe the judge hurried my Attorney to where we only got 1/2 day for my trial and the Prosecution got 4 1/2 days for there case, therefore there were no supeonas sent out to Witnesses on my behalf. Some of my witnesses could not come to Court from work without being supeona.

Quote from the judge "Let me tell you what I want to do" I want to get it all to the jury by the close of business tomorrow.

STATEMENT OF ADDITIONAL GROUNDS CONT:

August 31, 2006, because it was a Holiday weekend.

4. Ineffective Counsel:

A: I asked my Attorney Matt Ronda to sever my case at my arraignment and he told me he couldn't at that time. I had asked him several times to sever my case from my Co-Defendants, but he wouldn't.

B: Pg 14 line 19, Pg 15, line 3 Testimony from the State Witness that Mark Peterson (co-defendant) Told Officer Simmerlink-Lovely, Sara that he was the primary renter and owner of everything in his home. My Attorney should of stressed this to the jury that none of the evidence found in his home was mine.

C: Pg 53, pseudo blister packs which I unlawfully possessed a total of 22 pills. It was not illegal to possess pseudo. My Attorney should of told the jury it was not illegal to possess 22 pills. 3 boxes were allowed

STATEMENT OF ADDITIONAL GROUNDS CONT:

By law to possess. My attorney should of stressed this to the jury.

D: Pg 46, line 1-7
It was testified that Mark Peterson was located by the police officers in his home and I was located by the police in my home. If we were manufacturing how can we be in separate homes. There was testimony by the state that nothing was found in the initial search of the Homes. Therefore we were not manufacturing. My attorney should of stressed this with the jury.

E: Pg 74:
officer testified she found my registration of my van in the glove box. You could not get in my glove box. My attorney should of questioned her about this lie.

F: Pg 101-109
officer testified that Pseudo pills were on top of dresser, then he said they were in the jewelery box, same for the glass pipes.

STATEMENT OF ADDITIONAL GROUNDS CONT:

My Attorney should of questioned him more on where these Items were located.

G: Pg 270,
State testified that coffee grinder and can of acetone were in the same place on the counter, when photo's showed differently. Both these items were in fact under the kitchen sink. My attorney should of questioned this more as to why the items were moved to the counter to make it look like Manufacturing was going on.

H: Pg 365 to 370,
State testified that we were within 1,000 feet of a School Bus Zone when in fact the Director measured with a tool he bought at Home Depo and never calibrated from 176th St to Corner of Property. The law states he should of measured to the Home the supposed meth lab was found. It was another 150 feet to the home, Therefore we were not in the school zone. My Attorney should of questioned this witness more.

STATEMENT OF ADDITIONAL GROUNDS CONT:

I: Pg 380
Fingerprints taken off a one quart jar (glass) which was never tested by the lab. The jar had a polishing compound to polish gem stones. Same with a old can of xyzol paint-thinner. State said they found one print of mine, but never tested the contents. My attorney should of found out about the items and why they were never tested.

J: The Third fingerprint was found on a colman can in the garage far away from the tote they found. That Coleman can was never tested by the lab also.

K: There was a total of 10 fingerprints and three were mine. Who's was the other 7 fingerprints. Why didnt the police run the other prints through their data base to prove they were someones else. My attorney should of questioned this more.

Closing:

When it came to Mine and My Co-Defendants turn to

Statement of Additional Grounds Cont:

argue our case, it is clearly shown that my attorney and my Co-defendants attorney were rushed at the end of the trial, were in-experienced with Meth lab cases. The Prosecution swayed the jury from the beginning to the end to his side with a video at the end on a large screen and stating that just one pill can be used to Manufacture Meth. This is clearly a lie.

The jury asked the question? "Quote" What does on or about Jan 20th mean? Who answered that question? It was never told before the Verdict.

Why wasn't the CI ever brought to testify against me?