COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON)
)
Respondent,)
) No. 35693-7-II
v.)
) STATEMENT OF ADDITIONAL
Steven E. Pink) GROUNDS FOR REVIEW
(your name))
)
Appellant.)

I, Steven E. Pink, 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 brief

Additional Ground 2

11 11

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

Date: 10/2/07 Signature: Steven Pink

Form 23

State of Washington respondent vs. Steven E. Pink appellant	Cause No. 99-1-00061-1 Appeal No. 35693-7-II Pro Se additional grounds for review Rap 10.10

Comes Now, Mr. Steven E. Pink, Pro Se appellant, by and through counsel Mr. Peter B. Tiller, under the above cause and submitts his additional grounds for review.

Counter statement of case, and Facts: Mr. Pink incorperates his appellate counsels opening statements of case. See (brief of counsel page 3-8).

However in addition, this court must take careful notice at, brief of counsel page 5, wherein trial Court, and this Court previously relied on an incorrect record in determining "seperate, or same criminal conduct" affirming the prior appeal, quoting; the court found that the record shows that Pink completed the crime of conspiracy to commit first degree murder before the assault, because he took substantial steps to commit the crime by obtaining a rifle, purchasing explosives, delivering the explosives to Davis, and showing him how to make a bomb. None of these actions occured at Perrines residence, which was the location of the assault. And the assault occured at a different time from the conspiracy. The trial Court did not abuse its discretion in declining to view the two convictions as the same criminal conduct, and in imposing consecutive sentences. State v Pink, 2003 Wn. App. Lexis 2128 at 18-19; CP at 35-36. (The record has been forwarded to Mr Tiller, counsel).

However, the record before the Court does not support these findings, at trial it was factually established Pink never obtained any rifle, was not present

at Davis house during any such conspiracy, nor engaged in conversations, agreements, or substantial steps to murder Perrine (Trial RP 453, lines 15-16; 450, lines 11-12; 445, lines 22-24; 447, line 5; 458, lines 2-5; 459, lines 20-21), Pink with Ms Lash, her telling Police Pink was not involved in the bombing, she knew nothing about it, before or after the assault (RP 408, lines 13-25) corroborated by prosecutors (RP 717, lines 9-11), coupled with Ms Davidson, nor any other witnesses overhearing any alleged conversations involving Pink (RP 346, lines 10-16; 357, lines 10-15; 358, lines 1-6), nor that Pink provided explosives to Davis freely or voluntarily (RP 346, lines 1-3; 484), nor any evidence Pink showed Davis how to make a bomb, but Gary Davis himself constructed, planted, armed and selected its position (RP 359, lines 23-25; 333, lines 16-25; 334, lines 1-25; 335, lines 1-15).

Most importantly Police, Prosecutors and trial Court Judge all personally knew the victim (motion for recusal RP 3, lines 3-25; 5, lines 6-16; 8, lines 6-7; 9, lines 20-21) claiming him as their own Police officer, working for the Court, and Judges for over 5-years (Sentencing RP 750, lines 15-25; 756, lines 21-22; 757; lines 17-23; 766, lines 2-11), responsible for, and relied on two tainted, threatened witnesses, who testified Police, and Prosecutors threatened them, used witness tampering to allege any conspiracy of Pink (RP 352, lines 1-12; 354, lines 18-25; 355, lines 1-2; 356, lines 2-13; 351, lines 18-25; 367, lines 8-15; 368, lines 4-6; 412, lines 1-2; 414, lines 1-24; 413, lines 19-22; 415, lines 1-10; 416, lines 19-24; 417, lines 2-7; 418, lines 8-21; 420, lines 8-17; 421, lines 9-18; 422, lines 22-25; 424, lines 15-18; 425, lines 13-14; 410, lines 23-25; 411, lines 1-25; 419, lines 13-14; 426, lines 1-14).

Also, how could Pink be with Ms. Lash, and also conspiring with Davis? He could not be in two different places at the same time. Pink was not present (RP 453, lines 15-16).

Secondly, there exists no authentic confession by Pink in evidence, either written, signed, audio, video, or tape recorded, other than uncorroborated Police and Prosecution hearsay, knowing the victim.

The record cited herein disputes trial Courts alleged findings, and seperate criminal conduct cannot be applied to impose an exceptional consecutive sentence, anything other than concurrent sentences, is an abuse of discretion and plain error.

Assignment of errors:

1. Did trial Court err abusing its discretion, violating Const. Amend. 14 to due process, in failing to factually determine constitutional, and facial validity of Pinks prior guilty pleas and convictions, before use calculating his offender score to enhance his current sentence?

During resentencing, trial counsel for Pink, Mr. Karlsvik, pointed out to the Court, that prior to determining calculation of Pinks offender score, the state is required to prove beyond a reasonable doubt, the Constitutional, and facial validity of Pinks prior two 1981, and 1983 guilty plea convictions (RP 8, lines 18-23; 21, lines 11-25; 22, lines 1-14) prior to any use in calculation of his offender score.

However, trial Court violated due process (Const. Amend. 14 to Pink (RP 28, lines 1-5), denying proper inquiry into factual facial validity of Pinks offender score, and calculated it as 8, sentencing him to consecutive sentences of total 540 months, which is incorrect.

First, both trial Court, and prosecutors are aware, that any attempt to use prior felony convictions for calculation of Pinks offender score to enhance his current sentence, that the state must first prove beyond a reasonable doubt, that the prior guilty pleas of 1981-1983 were on its face, constitutionally valid, holding an evidentiary hearing, and that Pink was advised in open court of his Constitutional rights to jury trial, confront his accusers, and advised of his right not to testify against himself, amongst various other rights Boykin v Alabama, 395 US. 238 (1969); State v Reinhart, 77 Wn. App. 454, 891 P2d 735 (1995); State v Holsworth, 93 Wn2d 148 (1980); State v Crigler, 99 Wn2d 309 (1983); State v Prater, 30 Wn. App. 512 (1981), and none of these cases have been overruled.

Mr. Pink can testify, the prior convictions are facially invalid, and unconstitutional on there face, it was an abuse of discretion, and plain error, for the trial Judge to accept the prior guilty pleas, as used for points, without an affirmative showing in the record that they were intelligent and voluntary.

The Court in violating due process, failed to factually establish this fact, renders those past guilty pleas, and convictions constitutionally, facially invalid, thus could not properly be used by state to enhance Pinks current sentence Holsworth at 154-60, and cases cited therein, and should now be vacated.

Court noted, the challenge, as here, is not a collateral retroactive attack to set aside the prior conviction, but a challenge to the present use of a prior conviction, and therefore "prejudice" is inherent in the fact that allowing use of the prior conviction will enhance the present conviction by many years.

Pink was never informed prior to pleading guilty, that in so doing his guilty plea would allow

the Court to enhance his now sentence by use of his previous felony convictions, and due process requires that a guilty plea be fully informed to be voluntary Henderson v Morgan, 426 U.S. 637, 96 S.Ct. 2253 (1976); Holsworth at 156, "a plea of guilty shall not be accepted unless made voluntary, after proper advise, and with full understanding of its consequences" Kercheval v U.S., 274 U.S. 220, 47 S.Ct. 582 (1927), and in order for the waiver of Constitutional rights implicit in a guilty plea to meet requirements of due process, the plea must constitute "an intentional relinquishment or abandonment of a known right or privilege" Holsworth at 156-58, resulting as here, in a procedural defect of Constitutional magnitude, thereby holding, Pink can only suffer the consequences of only freely, unequivocally, knowingly and intelligently made guilty pleas.

Therefore due process, and an evidentiary hearing was required into all invalid guilty pleas, that must now be vacated, without the two 1981, and 1983 convictions, Pinks calculated offender score was, and now is 4, not 8, and at 75%, the current sentence must be 123.75 - 198.75 months, substantially lower than the 540 months now incorrectly imposed.

It is not just the fact of having a prior conviction, but the Constitutional, and facial validity of those guilty pleas in question, and without an evidentiary hearing, the Court improperly imposed an incorrect sentence, that must now be vacated.

2. Must the Constitutional and facial validity be determined by a jury beyond a reasonable doubt, or by trial Judge discretion, prior to use to enhance Pinks sentence?

As noted in Holsworth, it is proof beyond a reasonable standard that must be applied, and Pink has a 6. Amend. right to a jury trial, and 14. Amend. right to proof beyond a reasonable doubt. "any fact that increases the prescribed range of penalties to which a criminal defendant is exposed" constitutes an element of the substantive crime that must be proved beyond a reasonable doubt to the trier of fact Blakely v Washington, 542 U.S. 296, 124 S.Ct. 2531 (2004); Apprendi v New Jersey, 530 U.S. 466, 120 S.Ct. 2348 (2000); State v Hughes, 154 Wn.2d 118, 110 P.3d 192 (2005).

Therefore, it is not simply a prior conviction, but a constitutional inquiry into facial validity determination of prior convictions otherwise unconstitutional, that cannot be used to enhance Pinks offender score to impose an elevated sentence to the current

offense, thus due process inquiry, and evidentiary hearing was required, the sentence should be reversed, and evidentiary questions determined by a jury, warranting a standard sentence with an offender score of 4, anything other is exceptional.

3. Was Pinks trial counsel in 1999, ineffective for failing to object or challenge the prior guilty pleas as Constitutional, and facially invalid, prior to allowing the state to use prior convictions to enhance Pinks current sentence?

Mr. Pinks 1999 trial Counsel Mr. Scott Campbell and Erill Klupka failed to object or challenge Mr. Pinks prior guilty pleas, and offender score, which allowed the state to elevate his offender score from 4 to 8, and impose a sentence substantially higher than what correctly should have been imposed.

Counsels representation fell below an objective standard of reasonableness, was deficient, and Pink was thereby prejudiced Strickland v Washington, 466 US. 668, 104 S.Ct. 2052 (1984).

The record does not reveal any tactical or strategic reason why counsel would not object under above grounds, it surely did not support any defense, and was like Pink not having any counsel at all at his sentencing hearing, and prejudice resulted, because if an objection was made, evidentiary hearing, inquiry, and factual determination that the prior guilty pleas were not Constitutional, or facially valid, and could not be used to elevate Pinks offender score from 4 to 8, imposing a substantial higher sentence, therefore prejudice is inherent.

Counsel should have objected under above grounds, published opinions, challenging Pinks incorrect offender score but did not, constituting ineffective assistance of counsel warrant reversal.

4. Did trial Court err abusing its discretion in violating Pinks Const. 6. Amend. rights to jury trial, and Const. 14. Amend. rights to proof beyond a reasonable doubt when imposing an exceptional sentence to the high end of the sentencing range?

In California, as in Washington sentencing grids, the state relies on a minimum, medium, and maximum range to impose sentences. Example (Ex 1), serious level I, at 2-5 months, with a middle range of 3 months, and leaving the trial Court discretion to impose a low, med., or high end of the standard range.

However, while Pinks case was on direct appeal, the U.S. Supreme Court held in Cunningham v California, 549 U.S. ___ (2007) (No. 05-6551) in a 6-3 opinion, reaffirmed its holding in Blakely, "any fact that increases the penalty for a crime beyond the prescribed statutory maximum must be submitted to a jury, and proved beyond a reasonable doubt"

Under both California, and Washington, judges are not free to exercise their discretion to select a specific sentence within a defined range.

The court in Cunningham held, "Cunninghams sentencing Judge had no discretion to select a sentence within a range of 6 to 16 years, but had to impose 12 years, nothing less, and nothing more, unless the Judge found facts allowing a sentence of 6 to 16 years. Fact finding to elevate a sentence from 12 to 16 years, this Courts decision make plain, falls within the province of the jury, employing a beyond-a-reasonable-doubt standard, not the a Judge determining where the preponderance of the evidence lies", and reversed, because the 4-year elevation in Cunninghams sentence based on judicial fact finding denied petitioner his right to a jury trial.

Likewise as herein Pinks case, the jury verdict alone limited the permissible sentence to 123.75 to 198.75 with offender score of 4, or 277.5 to 369.75 with offender score of 8. Either or, the trial court Judge still imposed the "high end" of the range on both Counts I and II, consecutive of 540 months, thus violated Cunningham, and Blakely supra, warranting remand for a sentence in medium range, nothing less, or more.

5. Did the trial court err imposing a consecutive exceptional sentence, verses concurrent standard sentence?

At resentencing, Pinks counsel pointed to the court, that under State v Smith, 74 Wn.App. 844, 875 P.2d 1249 (1994), that consecutive sentences may only be imposed under the exceptional sentence provisions, overruled by Apprendi, Blakely and Hughes supra's.

Smith also holds when sentences for multiple crimes are imposed at a single hearing, even if defendant plead guilty to the charges at seperate hearings, RCW 9.94A.400(1)(a), re-written in RCW 9.94.589(1)(b) (which is an entirely new statute of 2005), and the sentence must be concurrent absent a finding of grounds for an exceptional sentence, "when a person is to be sentenced for two or more current offenses" Smith at 852

Furthermore RCW 9.94A.360(1) provides that " convictions entered or sentence on same dates as the conviction for which the offender score is being computed shall be deemed 'other current offenses' within the meaning of RCW 9.94A.400, Smith at 853.

Therefore, in Smith as in Pinks case at hand, the laws in effect in 1999, apply, his sentence, computed offender score was, and again handed down at same hearing, computing his offender score for each count considering the other counts as other current offenses, and laws and statutes require concurrent sentences Smith at 853-54, which has not been overruled.

A departure from this holding governing whether sentences are to be served consecutive, or concurrent 'is an exceptional sentence' subject to limitations, and prohibited by Apprendi, Blakely and Hughes supra, warranting concurrent sentencing, because any other is an exceptional sentence, that must be submitted to a jury and proved beyond a reasonable doubt.

Retroactive application

5A. Secondly, as noted by counsel, is the fact of the recent amendments constitute an ex-post-facto law, prohibiting application of RCW 9.94A.589(1)(b) to now impose again, an "exceptional consecutive sentence" In re LaChapelle, 153 Wn.2d 1, 8-9, 100 P3d 805 (2004), prohibiting application of 589(1)(b), exceptional consecutive sentences, and application of Smith to concurrent sentences, laws in effect at time of Pinks conviction and sentence in 1999, because the statute in question here does not clearly show the legislative intent to allow the sentencing enhancements to run consecutively, and remains ambiguous as to whether the enhancement applies to crimes after the given date or whether the consecutive application of the enhancement applies to crimes dating back to the given date, thus the state applying 589(1)(b) that two or more serious violent offenses arising from seperate and distinct criminal conduct run consecutively, cannot be properly applied, Smith is controlling, and a concurrent sentence should now be imposed. " Consecutive punishment should not be imposed for violations of seperate statutes, when only one "offense" has been committed" Blockburger v. U.S., 284 U.S. 299, 52 S.Ct. 180 (1932), further prohibiting consecutive sentences.

Also, laws in effect in 1999 would prohibit application of 589(1)(b) violating double jeopardy State v. Roybal, 82 Wn.2d 577, 512 P.2d 718 (1973), and CrR 4.3.1 b 3 applies, and dismissal is now appropriate.

6. Did the trial Court err considering 'extrinsic evidence' outside the record from the victim never provided to Pink, in imposing an exceptional consecutive sentence?

At re-sentencing, the Court was given materials by the victim, Perrine to read, in its evaluation of Pink (RP 10, lines 1-2), in determining imposing his current sentence. The consideration of novel or extrinsic evidence is misconduct, and grounds for a new trial Richards v Overlake Hosp. Med. Ctr. 59 Wn.App. 266, 796 P.2d 737 (1990); State v Gobin, 73 Wn.2d 206, 437 P.2d 329 (1968), defined as information that is outside all evidence admitted at trial, either orally or by document Richards at 270; Halverson v Anderson, 82 Wn.2d 746, 513 P.2d 827 (1973) "such evidence is improper, because it is not subject to objection, cross-examination, explination or rebuttal" Halverson at 752; BayRamoglu v Estelle, 806 F.2d 880 (9th cir 1986) Jurors, or Courts have a duty to consider only evidence which is presented in open court Turner v Louisianna, 379 U.S. 466, 85 S.Ct. 546 (1965); U.S. v Bagnariol, 665 F.2d 877 (9th cir 1981). The ultimate question is, whether it can be concluded beyond a reasonable doubt, that extrinsic evidence did not contribute to the verdict U.S. v Bagley, 641 F.2d 1235 (9th cir 1981).

Therefore, the Judge considering material from the victim in determining to re-sentence Pink to exceptional consecutive sentences, seperate criminal conduct, and to the high-end of the standard range, was misconduct, an abuse of discretion, and plain err, and reversal is appropriate.

7. Did the trial Court err, in relying on finding of alleged facts to impose an consecutive exceptional sentence, not supported by the record or substantial evidence?

As noted above herein Mr. Pinks statement of case and facts pages 1-2, the trial Court relied on finding of alleged facts not supported by the record at trial to impose "seperate criminal conduct" and "consecutive exceptional sentence.

Finding of facts and Conclusions of law must be supported by substantial evidence in the record State v O'Neill, 148 Wn.2d 564, 62 P.3d 489 (2003); State v Reid, 98 Wn.App. 152 (1999); State v Thetford, 109 Wn.2d 392, 745 P.2d 496 (1987).

When the Court alleged it found the record shows that Pink completed the crime of conspiracy

to comit first degree murder before the assault, because he took substantial steps to comit the crime by obtaining a rifle, purchasing explosives, delivering the explosives to Davis, and showing him how to make a bomb, abused its discretion, because the record then, nor now, was supported by substantial evidence (Above facts pages 1-2), and the correct record is briefly submitted above for this Courts review.

The Courts imposition of 'seperate criminal conduct' and 'consecutive exceptional sentences' is thereby missapplied, and reversal is appropriate for concurrent sentencing.

8. Did the trial Court err abusing its discretion violating Pinks Const. 14. Amend. rights in failing to factual determine whether there is a missapplication of law in this case?

Mr. Pink at re-sentencing pointed out to the Court, as previously objected to by his trial counsel (RP 242, lines 7-9) that this was a mischarged case, and moved for dismissal of Count I, conspiracy to comit first degree premeditated murder (RP 626, lines 1-20).

Under RCW 9A.32.030(1)(a) a person is guilty of murder in the first degree when; (a) with a premeditated intent to cause the death of another person, he or she causes the death of such person or a third person;

The above law and statute was, and is missapplied, the jury misled in the to convict instructions, because the state cannot prove beyond a reasonable doubt, Pink 'caused a death' because no death occured in this case, thereby missapplied the law, and failed to prove all essential elements warrants reversal In re Winship, 397 U.S. 358, 90 S.Ct. 1068 (1970); State v Kjorsvik, 117 Wn.2d 812, 812 P.2d 90 (1991)

Secondly under the plain language of RCW 9A.32.030(1)(a), there is no 'attempt' murder defined in the statute, or conspiracy liability under RCW 9A.28.040 to it, and State v Andreas, 147 Wn.2d 602, 56 P.3d 981 (2002) would apply rendering the conviction invalid under state law, resulting in missapplication of RCW 9A.32.030(1)(a).

Pink cannot be found guilty of a charge that don't exist, there was no death, and first degree murder cannot be properly applied, the correct law, would infact be 'conspiracy to attempt to comit murder', and the jury should have been instructed accordingly, but was not.

Also, plain language of common law conspiracy is an anticipatory offense, the completed

offense as a result was first degree assault as charged, not murder, and the state cannot have it both ways, it is either an assault, or murder, not both, that is impossible. Herein it was an assault, anything other is a missapplication of law, reversal for missapplication of law, same criminal conduct and concurrent sentences is appropriate.

As noted above, Pink factually established he was not present at Davis house, involved in a conspiracy to shoot or bomb Perrine, nor involved in construction of the explosive device, nor alleged silencer for a .22 rifle (RP 453, lines 15-16) (Above facts pages 1-2), he therefore had no knowledge Davis himself put shrapnel in the device, planting, selecting its position, then arming it on Perrines property, and the state cannot prove beyond a reasonable doubt Pinks intent constitutes first degree murder, as claimed by speculation and conjecture, and personal opinion by the state, which is not evidence, nor did a death occur, thus, a missapplication of law occured, Pink was denied his Const. 14. Amend. rights to due process into inquiry of missapplication, and factual determination, prior to the Court imposing 'seperate criminal conduct' 'two serious violent offenses' and consecutive exceptional sentences.

Conclusion

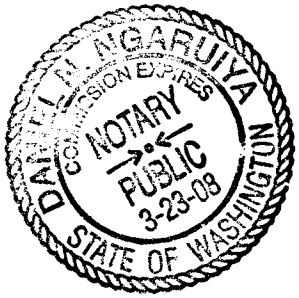
For the above argued reasons, Mr. Pink would respectfully request either this Court dismiss Count I, remand for concurrent sentences, or grant him a new trial, under correct law accordingly.

Additional Grounds for Review/ cause No. 99-1-00061-1/ Appeal No. 35693-7-II

Respectfully Submitted x [signature]

x 8/17/07

Sworn and Subscribed before me on this 17th day of August 2007.



x [signature]
Notary Public for State of Washington
Residing at Walla Walla County
My commission expires on 3-23-08

Exhibit 1

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TABLE 1

SENTENCING GRID
FOR CRIMES COMMITTED AFTER JULY 24, 1999

SERIOUSNESS LEVEL	OFFENDER SCORE									
	0	1	2	3	4	5	6	7	8	9 or more
XVI	Life Sentence without Parole/Death Penalty									
XV	23y 4m 240 – 320	24y 4m 250 – 333	25y 4m 261 - 347	26y 4m 271 – 361	27y 4m 281 - 374	28y 4m 291 - 388	30y 4m 312 - 416	32y 10m 338 - 450	36y 370 - 493	40y 411 - 548
XIV	14y 4m 123 – 220	15y 4m 134 – 234	16y 2m 144 - 244	17y 154 – 254	17y 11m 165 - 265	18y 9m 175 - 275	20y 5m 195 - 295	22y 2m 216 - 316	25y 7m 257 - 357	29y 298 - 397
XIII	12y 123 – 164	13y 134 – 178	14y 144 - 192	15y 154 – 205	16y 165 - 219	17y 175 - 233	19y 195 - 260	21y 216 - 288	25y 257 - 342	29y 298 - 397
XII	9y 93 – 123	9y 11m 102 – 136	10y 9m 111 - 147	11y 8m 120 – 160	12y 6m 129 - 171	13y 5m 138 - 184	15y 9m 162 - 216	17y 3m 178 - 236	20y 3m 209 - 277	23y 3m 240 - 318
XI	7y 6m 78 – 102	8y 4m 86 – 114	9y 2m 95 - 125	9y 11m 102 – 136	10y 9m 111 - 147	11y 7m 120 - 158	14y 2m 146 - 194	15y 5m 159 - 211	17y 11m 185 - 245	20y 5m 210 - 280
X	5y 51 – 68	5y 6m 57 – 75	6y 62 - 82	6y 6m 67 – 89	7y 72 - 96	7y 6m 77 - 102	9y 6m 98 - 130	10y 6m 108 - 144	12y 6m 129 - 171	14y 6m 149 - 198
IX	3y 31 – 41	3y 6m 36 – 48	4y 41 - 54	4y 6m 46 – 61	5y 51 - 68	5y 6m 57 - 75	7y 6m 77 - 102	8y 6m 87 - 116	10y 6m 108 - 144	12y 6m 129 - 171
VIII	2y 21 – 27	2y 6m 26 – 34	3y 31 - 41	3y 6m 36 - 48	4y 41 - 54	4y 6m 46 - 61	6y 6m 67 - 89	7y 6m 77 - 102	8y 6m 87 - 116	10y 6m 108 - 144
VII	18m 15 – 20	2y 21 – 27	2y 6m 26 - 34	3y 31 – 41	3y 6m 36 - 48	4y 41 - 54	5y 6m 57 - 75	6y 6m 67 - 89	7y 6m 77 - 102	8y 6m 87 - 116
VI	13m 12 - 14	18m 15 – 20	2y 21 - 27	2y 6m 26 - 34	3y 31 - 41	3y 6m 36 - 48	4y 6m 46 - 61	5y 6m 57 - 75	6y 6m 67 - 89	7y 6m 77 - 102
V	9m 6 – 12	13m 12+ - 14	15m 13 - 17	18m 15 – 20	2y 2m 22 - 29	3y 2m 33 - 43	4y 41 - 54	5y 51 - 68	6y 62 - 82	7y 72 - 96
IV	6m 3 – 9	9m 6 – 12	13m 12+ - 14	15m 13 – 17	18m 15 - 20	2y 2m 22 - 29	3y 2m 33 - 43	4y 2m 43 - 57	5y 2m 53 - 70	6y 2m 63 - 84
III	2m 1 – 3	5m 3 – 8	8m 4 - 12	11m 9 – 12	14m 12+ - 16	20m 17 - 22	2y 2m 22 - 29	3y 2m 33 - 43	4y 2m 43 - 57	5y 51 - 68
II	0 - 90 Days	4m 2 – 6	6m 3 - 9	8m 4 – 12	13m 12+ - 14	16m 14 - 18	20m 17 - 22	2y 2m 22 - 29	3y 2m 33 - 43	4y 2m 43 - 57
I	0 - 60 Days	0 – 90 Days	3m 2 - 5	4m 2 – 6	5m 3 - 8	8m 4 - 12	13m 12+ - 14	16m 14 - 18	20m	2y 2m