

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

08 MAY 30 PM 1:41

STATE OF WASHINGTON)
)
 Respondent,)
)
 v.)
)
 JAMES JOSEPH GRUBBS)
 (your name))
)
 Appellant.)

No. 36855-2-II

STATE OF WASHINGTON
BY Crum
DEPUTY

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, James Joseph Grubbs, 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

On September 19th, 2006, TEENA CODDINGTON was scheduled to testify for the defence. Her testimony would of proven beyond a shadow of a doubt that JAMES GRUBBS was not guilty and innocent of the felonies he is now incarcerated for. Unfortunately, TEENA CODDINGTON did run into car trouble and even though she did call the court clerk, and even showed up, she was not allowed to testify. A clear violation of a persons right to due process. Thank You.

Additional Ground 2

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

Date: 26th of May, 2008.

Signature: James Joseph Grubbs

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6 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
7 IN AND FOR THE COUNTY OF CLARK

8 STATE OF WASHINGTON,
9 Plaintiff,

v.

10 JAMES GRUBBS
11 Defendant,

No. 06-1-01351-4

MOTION FOR NEW TRIAL

12 COMES NOW THE DEFENDANT, JAMES GRUBBS, through his attorney Alfred A.
13 Bennett and does hereby move the Court for a new trial.

14 This motion is based upon CrR 7.5(3) and (8) and the attached affidavit and the file and
15 record herein.

16 Dated this 27 day of Sept, 2006

17 
18 ALFRED A. BENNETT, WSBA # 06711
19 ATTORNEY FOR DEFENDANT

20
21 COPY
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Alfred A. Bennett
Attorney at Law
415 East Mill Plain Blvd.
Vancouver, WA 98660
(360) 696-3256

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON,
Plaintiff,
v.
JAMES GRUBBS
Defendant,

No. 06-1-01351-4
AFFIDAVIT OF COUNSEL

I am Alfred A Bennett, ATTORNEY FOR James Grubbs. During the course of the investigation of this matter, I was advised by a Tenna Coppington of the following:

On September 19, 2006, Tenna Coopington was scheduled to testify at 9:00 a.m. at the trial of James Grubbs.

However, on the way to the Clark County Courthouse, her car broke down and she eventually had to walk a number of blocks to get there. She apparently telephoned the Clerk's office and advised she would be late.

She arrived at 10:20 a.m. and as she entered the Court room, the Judge was reading jury instructions. She was not allowed to testify.

She wanted to testify because both James Grubbs and Coral Frazer are friends of hers and she was aware of the incident between them on July 9, 2006 as James had called her to give him a ride and move his belongings from Carol Frazer's home where he had been staying for several months.

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

3 STATE OF WASHINGTON,

4 Respondent,

5 vs.

6 JAMES JOSEPH GRUBBS,

7 Appellant.
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Court of Appeals No. 36855-6-II
Clark County No. 06-1-01351-4

AFFIDAVIT OF MAILING

10
11 **Arthur Curtis**
12 Clark County Prosecuting Attorney
13 P.O. Box 5000
Vancouver, WA. 98666-5000

14 AND

15 **David C. Ponzoha, Clerk**
16 Court of Appeals, Division II
950 Broadway, Suite 300
Tacoma, WA. 98402-4454

17 AND

18 **Anne M. Cruser**
19 Attorney for the Appellant
P.O. Box 1670
Kalama, WA. 98625

20 and that said envelope contained the following:

- 21 (1) STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW
22 (2) AFFIDAVIT OF COUNSEL
23 (3) MOTION FOR NEW TRIAL
24 (4) AFFIDAVIT OF MAILING
25

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Dated this 12th of May, 2008

James Joseph Grubbs
Mr. James Joseph Grubbs
Appellant.

I, JAMES JOSEPH GRUBBS, certify under penalty of the State of Washington that the foregoing is true and correct.

Date and Place:

26th of May 2008 Upco, WA.

Signature:

James Joseph Grubbs