

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION III

10 FEB 25 PM 4:04

STATE OF WASHINGTON)
)
Respondent,)
)
v.)
Jay Richard Rich)
(your name))
)
Appellant.)

No. 37452-8-II BY [Signature]
STATE OF WASHINGTON
DEPUTY
STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Jay Rich, 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

The prosecutor claims the victim was stabbed two or three times. However, two of these "stab wounds" are much too small to be considered stab wounds. (Please see the attached paper for a full explanation)

Additional Ground 2

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

Date: _____

Signature: _____

Appellant's Additional Grounds for Review

Additional Ground 1:

There is just one argument that I would like to clarify in my attorney's brief. In his brief he mentions that according to the prosecutor the victim (Bryce Powers) was stabbed two or three times. I would like to make clear what the prosecutor considers a "stab wound".

According to the Medical Examiner's report, Mr. Powers had one large cut. On either side of this cut were two smaller cuts. The first of the smaller cuts was a $1/8^{\text{th}}$ of an inch skin tag (This line is $1/8^{\text{th}}$ of an inch: —). The medical examiner was not sure if this was a separate cut or if it was the result of the knife exiting the larger cut. The second cut was no more than $1/4$ of an inch long (This line is $1/4$ of an inch: —). These two smaller cuts were so small and shallow that the Medical Examiner didn't even see them on his first examination of the body. It wasn't until he did a second, more thorough examination that he saw these two smaller cuts.

Because these other two cuts are so small and shallow, I don't think they should be considered as "stab wounds". If somebody suffered these two injuries alone, they would not consider themselves "stabbed" or seriously injured.

Thank You for your consideration in this matter.