

COURT OF APPEALS  
DIVISION TWO  
OF THE STATE OF WASHINGTON

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STATE OF WASHINGTON  
BY [Signature]  
DEPUTY

STATE OF WASHINGTON )  
 )  
 Respondent, )  
 )  
 v. )  
 )  
 JEFFREY D. McPHEE, )  
 )  
 Appellant. )

No. 37610-5-II

STATEMENT OF ADDITIONAL  
GROUNDS FOR REVIEW

I, Jeffrey D. McPhee, 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

PLEASE SEE ATTACHMENT.

Additional Ground 2

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Date: 12/03/08

Signature: [Signature]

**To Whom It May Concern:**

**I strongly believe an additional ground for review is in regards to the supposed statements implicating my knowledge of the fact that the items I had purchased were in fact stolen.**

**I was not allowed to, despite my ability and desire to do so, write my own statements for the deputies involved in my arrest. Instead a Deputy Smith wrote his own erroneous statement some three or more days later with statements I did not make and with statements I had made, but that had been taken completely out of context. I resolutely deny ever having said things such as, "yeah I kinda knew the stuff was stolen when I bought'em."**

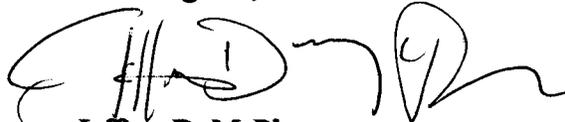
**In fact, the first doubts I had were brought to light and then quelled when Mr. Nick Herrick, a close friend and prospective buyer of one of the firearms, asked me for a bill of sale. Never having purchased, let alone own a firearm, I relayed to him my failure of obtaining such a receipt due to my lack of procedural knowledge. It was at this point that Mr. Herrick suggested calling the local Sheriff's office to inquire if these firearms were stolen or had been used in a crime in lieu of a bill of sale. Having done so and not having received any type of negative response, he reported back to me that he thought that they were safe to sell and had not been reported stolen. This information or lack thereof helped solidify my belief that I was in lawful possession of these items.**

**The day I was arrested a Mr. Steve Neva and his accomplices forcibly informed me that these items were all stolen property. This was the actual moment I learned of the status of the items in question. I might add, that my very first action upon learning this was to return all the items, at my own loss, directly to their rightful owner.**

**I feel as though the written statements by Deputy Smith were fabricated in part to ensure a conviction, which they in fact did. Had I been given the opportunity to write my own statement, it would have more accurately described what transpired in regards to how I came into possession of the items question and the circumstances surrounding my knowledge of their status. This single imprudent act of Deputy Smith is, in my mind, a gross misconduct as well as the catalyst to my conviction and subsequent demise.**

**Thank you for your time and consideration in this matter as it is of the utmost priority to me to clear my name of these felonies I simply have not committed. Having been victimized by the legal system, I am certainly jaded about its ability to seek justice with every case it oversees. However, I can only hope and pray that this appeal may not fall on deaf ears, but rather provide the information and example that does not allow it to happen again to yet another victim.**

**With Regards,**

A handwritten signature in black ink, appearing to read 'Jeffrey D. McPhee', with a stylized flourish extending to the right.

**Jeffrey D. McPhee**

**12/03/18**