

COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION II

State of Washington)	
Plaintiff)	40648-9-II
v.)	
)	
Thomas Allan Sherrill)	Additional Authorities
Defendant)	

Pursuant to RAP 10.8, Appellant, Thomas Sherrill, through his counsel, Jordan McCabe, offers the following additional authorities in support of his argument that the prosecution and defense are equally subject to collateral estoppel. Specifically, the State is bound by a prior conviction classification to which it did not object.

State v. Wilson, Slip Op. No. 83797-0, filed December 23, 2010. Footnote 3, page 10:

The State is collaterally estopped from reopening prior convictions for reclassification. Citing *State v. Sherwood*, 71 Wn. App. 481, 488-89, 860 P.2d 407 (1993) (State is not entitled to reopen earlier judgments and sentences because they became final when they were not appealed.)

Respectfully submitted this December 24, 2010.

Jordan McCabe

Jordan B. McCabe WSBA No. 27211
Counsel for Mr. Sherrill

Additional Authorities

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CERTIFICATE OF SERVICE

On June 18, 2010, Jordan McCabe, WSBA No. 27211, deposited in the U.S. mail, first class postage prepaid, a copy of this Statement of Additional Authorities addressed to:

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December 24, 2010 Jordan McCabe

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December 24, 2010 - 7:52 AM

Transmittal Letter

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Case Name: State v. Sherrill

Court of Appeals Case Number: 40649-9

- Designation of Clerk's Papers
- Statement of Arrangements
- Motion: ____
- Answer/Reply to Motion: ____
- Brief: ____
- Statement of Additional Authorities
- Cost Bill
- Objection to Cost Bill
- Affidavit
- Letter
- Copy of Verbatim Report of Proceedings - No. of Volumes: ____
Hearing Date(s): _____
- Personal Restraint Petition (PRP)
- Response to Personal Restraint Petition
- Reply to Response to Personal Restraint Petition
- Other: _____

Sender Name: Jordan B McCabe - Email: jordan.mccabe@yahoo.com