

No. 42520-3-II

THE COURT OF APPEALS FOR THE STATE OF WASHINGTON
DIVISION II

STATE OF WASHINGTON,

Respondent,

vs.

WAYNE BURDETTE,

Appellant.

Appeal from the Superior Court of Washington for Lewis County

Respondent's Brief

JONATHAN L. MEYER
Lewis County Prosecuting Attorney



By:

SARA I. BEIGH, WSBA No. 35564
Senior Deputy Prosecuting Attorney

Lewis County Prosecutor's Office
345 W. Main Street, 2nd Floor
Chehalis, WA 98532-1900
(360) 740-1240

TABLE OF CONTENTS

TABLE OF AUTHORITES ii

I. ISSUES.....1

II. STATEMENT OF THE CASE 1

III. ARGUMENT4

 A. THE TRIAL COURT DID NOT VIOLATE BURDETTE’S
 PUBLIC TRIAL RIGHT BY DISCUSSING LEGAL AND
 MINISTERIAL MATTERS IN CHAMBERS.....4

 B. BURDETTE WAIVED ANY ARGUMENT REGARDING
 HIS RIGHT TO BE PRESENT AND APPEAR BY
 FAILING TO PRESERVE THE ISSUE IN THE TRIAL
 COURT 11

 1. The Answer To A Jury Question Is Not A Critical
 Stage Of Proceedings..... 13

 2. Burdette And His Trial Counsel Had A Duty To
 Demand The Trial Court Have Burdette Present
 During The Determination Of Response To A Jury
 Question, The Doctrine Of Invited Error Precludes
 Burdette From Now Raising This Issue On
 Appeal 14

 C. BURDETTE HAS SERVED HIS ENTIRE SENTENCE,
 THEREFORE ANY ISSUES DEALING WITH THE
 TRIAL COURT’S LENGTH OF SENTENCE ARE
 MOOT15

 D. THE STATE WILL NOT RESPOND TO THE
 INEFFECTIVE ASSISTANCE OF COUNSEL
 CLAIM 17

IV. CONCLUSION.....17

TABLE OF AUTHORITIES

Washington Cases

<i>In re Eaton</i> , 110 Wn.2d 892, 757 P.3d 961 (1988)	15
<i>State v. Bone-Club</i> , 128 Wn.2d 254, 906 P.2d 325 (1995).....	5
<i>State v. Boyer</i> , 91 Wn.2d 342, 588 P.2d 1151 (1979)	14
<i>State v. Brightman</i> , 155 Wn.2d 506, 122 P.2d 150 (2005).....	5, 6
<i>State v. Harris</i> , 148 Wn. App. 22, 197 P.3d 1206 (2006).....	15, 16
<i>State v. Henderson</i> , 114 Wn.2d 867, 792 P.2d 514 (1990)	14
<i>State v. McFarland</i> , 127 Wn.2d 322, 899 P.2d 1251 (1995)....	11, 12
<i>State v. Momah</i> , 167 Wn.2d 140, 217 P.3d 321 (2009).....	6, 7
<i>State v. O'Hara</i> , 167 Wn.2d 91, 217 P.3d 756 (2009)	11, 12
<i>State v. Paumier</i> , 155 Wn. App. 673, 230 P.2d 212 (2010), <i>review granted</i> , 169 Wn.2d 1017 (2010)	5
<i>In re Lord</i> , 123 Wn.2d 296, 868 P.2d 835 (1994).....	6
<i>In re Pirtle</i> , 136 Wn.2d 467, 965 P.2d 593 (1998).....	9
<i>State v. Ross</i> , 152 Wn.2d 220, 95 P.3d 1225 (2004).....	15
<i>State v. Sadler</i> , 147 Wn. App. 97, 193 P.3d 1108 (2008)	6, 7, 11
<i>State v. Sublett</i> , 156 Wn. App. 160, 231 P.3d 231 (2010), <i>review granted</i> 170 Wash.2d 1016 (2010)	6, 7, 10, 11, 13

Federal Cases

<i>United States v. Gagnon</i> , 470 U.S. 522, 105 S. Ct. 1482, 84 L. Ed. 2d 486 (1985)	13
---	----

Constitutional Provisions

Washington Constitution, Article 1, section 22.....4, 5
U.S. Constitution Amendment 4.....4

Other Rules or Authorities

CrR 6.15(f).....10
CrR 6.15(f)(1).....10
ER 402.....16
RAP 2.5(a).....11, 12

I. ISSUES

- A. Did the trial court violate Burdette's public trial right by conducting proceedings behind closed doors?
- B. Did the trial court violate Burdette's right to be present at all critical stages?
- C. Are issues regarding Burdette's sentencing moot?
- D. Did Burdette receive effective assistance from his trial counsel throughout the pendency of his case?

II. STATEMENT OF THE CASE

Wayne Burdette was driving through the city of Mossyrock on June 10, 2011. RP 63.¹ Mossyrock Police Officer Jeremy Stamper observed Burdette fail to use his turn signal and then drive above the posted speed limit. RP 63-65. Officer Stamper was alone in his vehicle. RP 64. Officer Stamper conducted a traffic stop on Burdette due to the infractions. RP 65-66, 70. Officer Stamper parked his patrol car about 25 feet behind Burdette's vehicle and shined his spotlight on Burdette's vehicle. RP 66-67. Burdette stuck his head out of the window, looking back at Officer Stamper, which was unusual. RP 68. Officer Stamper contacts Burdette to explain the reason for the traffic stop. RP 70. Burdette

¹ There are three verbatim report of proceedings the State will be citing to in its brief. The VRP containing 8/17/11 motion hearing and 8/18/11 first day of trial will be cited to as RP. The second day of trial, 8/19/11 and the sentencing hearing, 8/23/11 will be cited as 2RP. The motion hearing on 7/27/11 will be cited as MRP.

was angry and argumentative but did give Officer Stamper his license and registration. RP 70. Officer Stamper told Burdette to stay in his vehicle and Officer Stamper returned to his patrol car. RP 70.

Officer Stamper received information from dispatch that Burdette had an officer safety flag and was known to carry a firearm. RP 71-72. While Officer Stamper was in his patrol car Burdette got out of his vehicle, approached Officer Stamper's patrol car. RP 72. Burdette had his right hand behind his back and Officer Stamper pointed his gun at Burdette, telling Burdette to get back in his vehicle. RP 72. Burdette did not obey Officer Stamper's commands, walking up to the patrol car's driver's side door, with a blank stare and his hand behind his back. RP 73-74. Officer Stamper retreated to the rear of his patrol car, scared Burdette was going to kill him. RP 74-75. Burdette eventually returned to his vehicle and Officer Stamper requested back up and remained in his patrol vehicle until back up arrived. RP 77-78.

Officer Stamper had to wait about five to six minutes for back up to arrive so he could issue Burdette the ticket for the infractions. RP 78. Due to Burdette's actions, Officer Stamper was delayed in performing his official duties, writing an infraction. RP 78-79.

Trooper Hicks arrived and he and Officer Stamper approached Burdette's vehicle so Officer Stamper could issue Burdette the ticket. RP 80. Trooper Hicks noticed a gun in the small of Burdette's back when Burdette turned to take the citation from Officer Stamper. RP 101. Trooper Hicks yelled, "gun" and he and Officer Stamper pulled their duty weapons on Burdette, issuing verbal commands for Burdette to keep his hands up. RP 80, 101. Burdette did not comply. RP 80-81,101-02. Trooper Hicks eventually removed Burdette from the vehicle and secured the gun. RP 102. Trooper Hicks noted that the hammer was back, the safety was off and a magazine was in the gun. RP 102.

Burdette was charged with Count I, Felony Harassment – Threats to Kill and Count II, Obstructing a Law Enforcement Officer. CP 1-3. The trial court issued an arrest warrant for Burdette, which was executed on June 16, 2011. Motion Ex. 2. The arrest warrant was executed at Burdette's residence. Motion Ex. 2. Officers located a loaded shotgun pointed at the door of Burdette's residence. Motion Ex. 2. Detective Danny Riordan of the Lewis County Sheriff's Office applied for and was granted a search warrant for Burdette's residence. Motion Ex. 2. The search

warrant was executed and some papers were recovered by the officers. Sent. Ex. 1, 2, 3, 4.

Burdette challenged the admissibility of the evidence recovered from his residence when the officers executed the search warrant. MRP 1-18; CP 15-20. The trial court excised a statement out of the affidavit of probable cause because it was not true, but found there was sufficient probable cause in the search warrant affidavit to uphold the warrant and therefore the evidence was not suppressed. MRP 22-23.

Burdette went to trial and the jury acquitted him on Count I and found him guilty on Count II. 2RP 52. The trial court sentenced Burdette to 365 days in jail. CP 4-6. Burdette timely appeals his conviction.

The State will supplement with additional facts as necessary throughout its briefing.

III. ARGUMENT

A. THE TRIAL COURT DID NOT VIOLATE BURDETTE'S PUBLIC TRIAL RIGHT BY DISCUSSING LEGAL AND MINISTERIAL MATTERS IN CHAMBERS.

The United States Constitution and the Washington State Constitution guarantees that a criminal defendant has the right to a public trial. U.S. Const. amend. IV; Const. art. I, § 22. The

Washington State Constitution also requires that “[j]ustice in all cases shall be administered openly and without undue delay.” Const. art. I, § 10. Prior to closing the courtroom in a criminal hearing or trial the trial court must weigh the five *Bone-Club* factors. *State v. Bone-Club*, 128 Wn.2d 254, 258-59, 906 P.2d 325 (1995); *State v. Paumier*, 155 Wn. App. 673, 678, 230 P.2d 212 (2010), *review granted*, 169 Wn.2d 1017 (2010). The five *Bone-Club* factors are:

1. The proponent of closure or sealing must make some showing [of a compelling interest], and where that need is based on a right other than the accused’s right to a fair trial, the proponent must show a “serious imminent threat” to that right.
2. Anyone present when the closure motion is made must be given an opportunity to object to the closure.
3. The proposed method for curtailing open access must be the least restrictive means available for protecting the threatened interests.
4. The court must weigh the competing interests of the proponent of closure and the public.
5. The order must be no broader in its application or *duration than necessary to serve its purpose*.

State v. Bone-Club, 128 Wn.2d at 258-59. A criminal defendant’s public trial rights are violated if there is a proceeding that is subject to the public trial right and the trial court fails to conduct the *Bone-Club* inquiry. *State v. Brightman*, 155 Wn.2d 506, 515-16, 122 P.2d

150 (2005). Whether a trial court has violated the public trial right is a question of law and reviewed de novo. *State v. Momah*, 167 Wn.2d 140, 147, 217 P.3d 321 (2009).

The public trial requirement is primarily for the benefit of the accused. *State v. Momah*, 167 Wn.2d at 148. The public trial right ensures “that the public may see he [the accused] is fairly dealt with and not unjustly condemned and that the presence of interested spectators may keep his triers keenly alive to the sense of the responsibility of their functions.” *Id.* The right to a public trial is closely linked to the defendant’s right to be present during critical phases of the trial. *State v. Sadler*, 147 Wn. App. 97, 114, 193 P.3d 1108 (2008) (citations omitted).

The right to a public trial extends to evidentiary hearings, voir dire and other adversary proceedings. *State v. Sadler*, 147 Wn. App. at 114. A criminal defendant does not however have a public trial right to trial on purely legal or ministerial matters. *State v. Sublett*, 156 Wn. App. 160, 181, 231 P.3d 231 (2010), *review granted* 170 Wash.2d 1016 (2010), *citing State v. Sadler*, 147 Wn. App. at 114.²

² The Court in *Sadler* gives a variety of examples of purely legal and/or ministerial matters from the Supreme Court cases *In re Pirtle*, 136 Wn.2d 467, 965 P.2d 593 (1998) and *In re Lord*, 123 Wn.2d 296, 868 P.2d 835 (1994). “(1) a deferred ruling on a ER 609

Burdette argues his public trial rights were violated in three ways: (1) an in chambers pretrial conference held the morning of trial, (2) a jury instruction conference that was held in chambers and (3) the answering of two jury questions outside of open court. Brief of Appellant 9. Burdette argues that in accordance with *Momah*, the public trial right applies to all judicial proceedings and the Washington State Supreme Court has not recognized any exceptions to this rule. Brief of Appellant 10. Burdette urges the court to reconsider its holding from *Sublett* in light of the Supreme Court's decision in *Momah*. Brief of Appellant 10.

At the conclusion of Burdette's motion to dismiss and motions in limine on August 17, 2011, the trial court stated, "I'd like to meet counsel at 9:00 in my chambers at 9:00 with your instructions." RP 22. The trial court was presumably referring to the attorneys providing the court with their jury instructions. There is nothing on the record from the first day of trial regarding whether there was a conference held that morning at 9:00 a.m. See RP 25-

motion, (2) a defense motion for funds to get Lord's hair cut and to provide him with clothing for trial, (3) questions regarding the wording of the jury questionnaires and pretrial instructions, (4) a time limit for testing certain evidence, (5) the trial court's announcement of its ruling on previously argued matters, (6) a decision allowing the jurors to take notes during trial, and (7) an order directing the State to provide the defense with summaries of the witness testimony...(1) the wording of jury instructions; (2) ministerial matters; and (3) whether the jury should be sequestered." *State v. Sadler*, 147 Wn. App. at 116-17.

166. The trial court discussed on the record what it would read to the jury in regards to Burdette's charges and there was argument between the State and Burdette's trial counsel in that regard. RP 25-28. There were questions by the State regarding the voir dire process. RP 29. There was a discussion about whether a CrR 3.5 hearing would be necessary and ultimately the parties and the trial court decided a hearing would be necessary. RP 29-31. The trial court did comment on the proposed instructions by the State and Burdette's trial counsel. RP 32. The discussion, in open court, was regarding the instructions proposed by the State and not by Burdette and whether there would be a need for a companion instruction. RP 32-33. Given the discussions on the record the morning of the first day of trial it is clear that if there was a meeting in chambers pretrial it was for no other purpose than to exchange jury instructions. The exchange of jury instructions is a ministerial matter and the exchange of the paperwork does not need to be in open court, therefore Burdette's public trial right was not violated.

The second issue raised, that the hearing conducted in chambers regarding jury instructions violates Burdette's right to an open and public trial is simply untrue. The trial court did state that there had been a jury instructions conference the day before. 2RP

2. The trial court also gave the State and Burdette an opportunity to raise any objection or exceptions to the jury instructions given by the trial court. 2RP 2. Neither the State nor Burdette raised any exceptions or objections. 2RP 2.

The Supreme Court has previously held that an in-chamber conference between the judge and counsel for legal matters does not trigger a criminal defendant's right to be present. *In re Pirtle*, 136 Wn.2d 467, 484, 965 P.2d 593 (1998). The wording of jury instructions is a legal matter. *Id.* Burdette's right to be present is not triggered by an in chambers conference about legal matters.

The third issue raised, that the trial court answered two jury questions without bringing the matter into open court violates Burdette's open and public trial rights is incorrect. In Burdette's case the jury submitted two questions to the court. CP 26, 27. The questions submitted were in writing and the responses were in writing, after affording the parties an opportunity to be heard. CP 26, 27. The first question asked for clarification of instruction 10 because it did not make sense the way it was written. CP 26. The trial court responded, in writing, that there was an error and wrote the correct wording for instruction 10 on the form. CP 26. The second question, submitted about one hour later stating the jury

was deadlocked over several issues relating to Burdette's intent. CP 27. The trial court responded, in writing, "Please continue to deliberate in an effort to reach verdicts." CP 27.

These questions and responses were in accordance with the court rule:

The jury shall be instructed that any question it wishes to ask the court about the instructions or evidence should be signed, dated and submitted in writing to the bailiff. The court shall notify the parties of the contents of the questions and provide them an opportunity to comment upon an appropriate response. Written questions from the jury, the court's response and any objections thereto shall be made a part of the record. The court shall respond to all questions from a deliberating jury in open court or in writing. In its discretion, the court may grant a jury's request to rehear or replay evidence, but should do so in a way that is least likely to be seen as a comment on the evidence, in a way that is not unfairly prejudicial and in a way that minimizes the possibility that jurors will give undue weight to such evidence. Any additional instruction upon any point of law shall be given in writing.

CrR 6.15(f)(1). The response to a jury question is a purely legal issue and in this case, as in *Sublett*, did not require the resolution of disputed facts. *State v. Sublett*, 156 Wn. App. at 182. "The public trial right does not apply to trial court's conference with counsel on how to resolve a purely legal question which the jury submitted during its deliberation" and the trial court did not therefore violate the defendant's right to a public trial by responding to the jury

question in writing as provided by CrR 6.15(f). *Id.* Burdette's public trial right was not violated by the trial court's written responses to the jury's questions, after affording all counsel/parties an opportunity to be heard.

The State respectfully requests this court to be consistent with its prior holdings in *Sadler* and *Sublett*, and find that an in-chambers conference to exchange jury instructions is ministerial or in the alternative a legal proceeding. Further the in-chambers conference to decide which jury instructions will be given and what response would be appropriate to answer a jury question are legal proceedings and the right to an open and public trial is not violated by such activity. Burdette's right to an open and public trial was not violated and his conviction should be affirmed.

B. BURDETTE WAIVED ANY ARGUMENT REGARDING HIS RIGHT TO BE PRESENT AND APPEAR BY FAILING TO PRESERVE THE ISSUE IN THE TRIAL COURT.

An appellate court generally will not consider an issue that a party raises for the first time on appeal. RAP 2.5(a); *State v. O'Hara*, 167 Wn.2d 91, 97-98, 217 P.3d 756 (2009); *State v. McFarland*, 127 Wn.2d 322, 333-34, 899 P.2d 1251 (1995). The origins of this rule come from the principle that it is the obligation of trial counsel to seek a remedy for errors as they arise. *State v.*

O'Hara, 167 Wn.2d at 98. The exception to this rule is “when the claimed error is a manifest error affecting a constitutional right.” *Id.*, *citing* RAP 2.5(a). There is a two part test in determining whether the assigned error may be raised for the first time on appeal, “an appellant must demonstrate (1) the error is manifest, and (2) the error is truly of constitutional dimension.” *Id.* (*citations omitted*).

The reviewing court analyzes the alleged error and does not assume it is of constitutional magnitude. *Id.* The alleged error must be assessed to make a determination of whether a constitutional interest is implicated. *Id.* If an alleged error is found to be of constitutional magnitude the reviewing court must then determine whether the alleged error is manifest. *Id.* at 99; *State v. McFarland*, 127 Wn.2d at 333. An error is manifest if the appellant can show actual prejudice. *State v. O'Hara* 167 Wn.2d at 99. The appellant must show that the alleged error had an identifiable and practical consequence in the trial. *Id.* There must be a sufficient record for the reviewing court to determine the merits of the alleged error. *Id.* (*citations omitted*). No prejudice is shown if the necessary facts to adjudicate the alleged error are not part of the record on appeal. *State v. McFarland*, 127 Wn.2d at 333. Without prejudice the error is not manifest. *Id.*

1. The Answer To A Jury Question Is Not A Critical Stage Of Proceedings.

Burdette is claiming his right to be present at a critical stage of the proceedings was violated by not being present for the decision of how to answer the second question from the jury. Brief of Appellant 12. “A defendant has a due process right to be present at a proceeding whenever his presence has a relation, reasonably substantial, to the fulness of his opportunity to defend against the charge.... The presence of a defendant is a condition of due process to the extent that a fair and just hearing would be thwarted by his absence, and to that extent only.” *United States v. Gagnon*, 470 U.S. 522, 526, 105 S. Ct. 1482, 84 L. Ed. 2d 486 (1985) (citations and internal quotations omitted). Any exclusion of a defendant from the proceedings should be considered in the light of the entire record. *Gagnon*, 470 U. S. at 526. An in-chambers conference held to determine the appropriate response to a jury question is not a critical stage of the proceedings. *State v. Sublett*, 156 Wn. App. at 182. Therefore, because the in-chambers conference was not a critical stage of the proceeding, the issue is not of constitutional magnitude and cannot be raised for the first time on appeal.

2. Burdette And His Trial Counsel Had A Duty To Demand The Trial Court Have Burdette Present During The Determination Of Response To A Jury Question, The Doctrine Of Invited Error Precludes Burdette From Now Raising This Issue On Appeal.

In addition to not being able to raise the issue of Burdette's alleged right to be present during the decision of how to answer the second question from the jury due to it not being a constitutional manifest error, Burdette is also precluded from raising the error under the invited error doctrine. The invited error doctrine "prohibits a party from setting up an error at trial and then complaining of it on appeal." *State v. Henderson*, 114 Wn.2d 867, 870, 792 P.2d 514 (1990), *citing State v. Boyer*, 91 Wn.2d 342, 588 P.2d 1151 (1979). The Supreme Court has held that even when the alleged error involves a constitutional issue, if that error was invited, appellate review is precluded. *State v. Boyer*, 91 Wn.2d at 345.

Burdette and his trial counsel had a duty to raise such an issue with the trial court. Neither Burdette nor his trial counsel raised the issue. 2RP 50-60. The form stated that the trial court responded to the second jury question, "after affording all counsel/parties opportunity to be heard." CP 27. Burdette's trial counsel, and possibly Burdette, was afforded the opportunity to be heard regarding the appropriate response. Therefore, any err

regarding Burdette's exclusion from the process is invited error and this Court should affirm Burdette's conviction.

C. BURDETTE HAS SERVED HIS ENTIRE SENTENCE, THEREFORE ANY ISSUES DEALING WITH THE TRIAL COURT'S LENGTH OF SENTENCE ARE MOOT.

An issue on appeal is moot if the reviewing court can no longer provide the party effective relief. *State v. Harris*, 148 Wn. App. 22, 26, 197 P.3d 1206 (2006), *citing State v. Ross*, 152 Wn.2d 220, 228, 95 P.3d 1225 (2004). An issue that is moot will not be considered unless "it involves matters of continuing and substantial public interest." *In re Eaton*, 110 Wn.2d 892, 895, 757 P.3d 961 (1988).

The sole issue in regards to Burdette's sentence is that the trial court considered what Burdette is alleging was illegally obtained evidence. Brief of Appellant 13-21. Burdette attacks the search warrant and evidence collected as a result of the search warrant. This evidence was only used during the sentencing proceedings and not during the trial. See RP 13-14, 2RP 61-80; Sent. Ex. 1, 2, 3, 4. The relief requested by Burdette is vacation of the sentence and remand for resentencing.³

³ The State does note that Burdette requests that the Court also determine that the evidence obtained from the search warrant cannot be used in a new trial against

In *Harris* the court found Harris's appellate claim regarding the calculation of his offender score moot because Harris had served all of his time and was not on community custody. *State v. Harris*, 148 Wn. App. at 26. There was no relief that could be offered to Harris because the remedy for an excessive sentence is resentencing. *Id.* at 26-27. If Harris had some form of community custody that would terminate earlier if he had been sentenced under the appropriate offender score than that would have been a cause for relief. *Id.* at 27.

Similarly in Burdette's case, he has served his entire sentence, has no probationary requirements and there is no remedy this Court could grant Burdette in regards to the alleged improper sentencing. Burdette was sentenced to 365 days for the gross misdemeanor of Obstructing a Law Enforcement Officer. CP 4-6. Burdette was released from the Lewis County Jail on April 13, 2012 after serving his sentence in this case.⁴ Burdette is not on any type of probation or community custody. CP 4-6. The issues

Burdette if this Court were to reverse his conviction. Because the State would only be able to proceed on an Obstruction charge regarding Burdette's conduct at the time of the traffic stop, any evidence obtained pursuant to the warrant would be inadmissible under ER 402.

⁴ The State has filed a RAP 9.11 motion to supplement the appellate record with competent evidence of Burdette's release.

Burdette raises in regards to his sentence and the consideration of the trial court of allegedly illegally obtained evidence is moot.

D. THE STATE WILL NOT RESPOND TO THE INEFFECTIVE ASSISTANCE OF COUNSEL CLAIM.

The only issue raised regarding ineffective assistance of counsel is whether or not counsel properly preserved all avenues for which Burdette could attack the search warrant and the evidence recovered on appeal. Brief of Appellant 23-24. This evidence was only used in the sentencing portion and as stated above the sentencing issues are moot. Therefore, the State will not respond to the ineffective assistance of counsel claim.

IV. CONCLUSION

For the foregoing reasons, this court should affirm Burdette's conviction for Obstructing a Law Enforcement Officer. Any issues raised in regards to the length of Burdette's sentence are moot as he has served his sentence in this case.

RESPECTFULLY submitted this 13th day of April, 2012.

JONATHAN L. MEYER
Lewis County Prosecuting Attorney



by: _____
SARA I. BEIGH, WSBA 35564
Attorney for Plaintiff

LEWIS COUNTY PROSECUTOR

April 13, 2012 - 4:26 PM

Transmittal Letter

Document Uploaded: 425203-Respondent's Brief.pdf

Case Name:

Court of Appeals Case Number: 42520-3

Is this a Personal Restraint Petition? Yes No

The document being Filed is:

- Designation of Clerk's Papers Supplemental Designation of Clerk's Papers
- Statement of Arrangements
- Motion: _____
- Answer/Reply to Motion: _____
- Brief: Respondent's
- 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: Teresa L Bryant - Email: teri.bryant@lewiscountywa.gov

A copy of this document has been emailed to the following addresses:
backlundmistry@gmail.com