

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II
2016 JAN 22 AM 9:18
STATE OF WASHINGTON
BY DEREK M. LOUGHREY

STATE OF WASHINGTON)
)
Respondent,)
)
v.)
)
Derek M. Loughrey)
(your name))
)
Appellant.)

No. 47339-9-II
STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Derek M. Loughrey, 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

I HAVE ATTACHED 2 PAGES WITH 3 ADDITIONAL GROUNDS.

Additional Ground 2

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

Date: 1-23-16

Signature: *Derek M. Loughrey*

Additional Ground I

DURING Her TESTIMONY THE STATES WITNESS AMANDA SMITH HID TO THE SIDE OF THE WITNESS BOX. MY LAWYER OBJECTED, THE JUDGE DID NOT MAKE HER MOVE BUT HAD MY LAWYER MOVE TO BEHIND THE DA'S TABLE. DURING AMANDA SMITH'S TESTIMONY I WAS NOT ABLE TO SEE HER, I FEEL THIS VIOLATED THE CONFRONTATION CLAUSE UNDER THE 6th AMMENDMENT OF THE CONSTITUTION.

Additional Ground II

AFTER MY ACCUSER, NATASHA LOUGHREY WAS TAKE BY CPS; PUT IN FOSTER CARE SHE MADE ALLEGATIONS OF SEXUAL ABUSE AGAINST THE FOSTER FATHER BECAUSE SHE DID NOT LIKE THE RULES OF THEIR HOUSE HOLD, JUST LIKE SHE HAD DONE TO ME. WE CALLED THOSE FOSTER PARENTS AS WITNESSES TO SHOW A PATTERN OF NATASHA LOUGHREY MAKING FALSE STATEMENTS TO GET OUT OF HAVING TO FOLLOW RULES. THE JUDGE DENIED LETTING THE FOSTER PARENTS TESTIFY. I BELIEVE THIS EXCLUSION OF EVIDENCE WAS A HARMFUL ERROR. PLEASE SEE CASE FRANKLIN V. HENRY 122 F.3d 1270 (9th CIR 1997)

Additional Ground 3

MY ACCUSER NATASHA LOUGHREY SAID I SEXUALLY ABUSED HER IN "ABOUT" 2003. SHE DID NOT ACCUSE ME UNTIL EARLY NOVEMBER 2011. FROM 2008-2011 SHE WAS AN OUT OF CONTROL TEENAGER WHO WAS DRINKING, DOING DRUGS, SNEAKING OUT. IN JUNE OF 2010 SHE WAS CAUGHT OUT AT MIDNIGHT DOING DRUGS AND DRINKING IN THE COMPANY OF AN ADULT MALE BY THE POLICE. SHE LIED TO THE OFFICERS ABOUT HER NAME AND AGE (SHE WAS A MINOR) SHE REFUSED TO FOLLOW THE RULES I AND MY WIFE, HER MOTHER LAID DOWN AND WAS IN FULL REBELLION WHEN SHE MADE HER ACCUSATIONS. WE HAD A BIG FIGHT IN EARLY November ~~2009~~ ²⁰¹¹ WHICH PROMPTED HER 5 DAYS AFTER THE FIGHT TO ACCUSE ME OF ABUSE. THE JUDGE LIMITED ANY DEFENSE TESTIMONY TO ONLY THINGS THAT HAPPENED THE 5 DAYS BETWEEN MY FIGHT WITH MY DAUGHTER AND THE DAY SHE MADE THE CLAIM. NOTHING IN THE DEFENSE TESTIMONY WOULD HAVE VIOLATED RAPE SHIELD OR RULE 412. By ^{Denying} ~~limiting~~ the JOURNALS NATASHA WROTE, WITNESS TESTIMONY AND LIMITING TESTIMONY TO 5 DAYS OF TIME THE JUDGE SUPPRESSED ENOUGH EVIDENCE TO VIOLATE MY 5th AMMENDMENT RIGHT TO DUE PROCESS AND MY 6th AMMENDMENT RIGHT TO PRESENT A DEFENSE.