FILED
COURT OF APPEALS
DIVISION II

2017 MAY -8 AM 9:06

STATE OF WASHINGTON

BY _____
DEPUTY

Form 23

FORM STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

STATE OF WASHINGTON Respondent, v. Adrian Valencia (your name) Appellant.	))))))))))	No. 49622-4-II STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW

I, _____, 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 Att.

Additional Ground 2

Please See Att.

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

Date: 05-02-2017 Signature: A. Valencia

[December 24, 2002]

"Attachment · Additional Grounds" page 1

Additional Ground 1

The Trial Court Erred In Finding Valencia Guilty Of Failure To Register As A Sex Offender When There Was Innefective Assistance Of Counsel. Defense Trial Counsel Mr. James P. Foley Was Innefective In That Mr. Foley Failed To Present Evidence Of My Traumatic Brain Injury (T.B.I.) A Bench Trial. Mr. J. Foley Was Privledged To The Information Of My Traumatic Brain Injury With Ample Time Before Bench Trial.

During And Throughout The Commission Of The Crime In Question I Was Suffering From Traumatic Brain Injury, (T.B.I.). I Have Medical Record And Medical Professional Testimony That Will Substantiate The Fact That I Was Unable To Knowingly Violate The Sex Offender Requirements Due To A ~~Direct~~ Symptoms Directly Related To (T.B.I.).

Traumatic Brain Injury, (T.B.I.) Occurs When An External Mechanical Force Causes Brain Dysfunction. Traumatic Brain Injury Can Have Wide-Ranging — Physical, Cognitive, or Mental Effects. Some Signs Or Symptoms May Appear Immediately After The Traumatic Event, While Others May Appear Days Or Weeks Later. The Following Are Symptoms I Was Suffering From As A Direct Result Of My Traumatic Brain Injury, T.B.I. Are, But Not Limited To; Physical Symptoms:

· Headache · Nausea Vomiting · Fatigue Or Drowsiness · Dizziness Or Loss Of Balance — "Cognitive Symptoms": Memory ·

"Learning" "Reasoning" "Speed Of Mental Processing" "Judgment" "Attention Or Concentration" "Difficulty Understanding Speech Or Writing" "Difficulty Speaking Or Writing" "Inability To Organize Thoughts And Ideas" "Trouble Following Conversations" And The Most Underlying Symptom Is, "A Lack of Awareness Of Abilities."

In A Reales Hearing That Counsel Mr. Foley And I Had Before The Honorable Judge J. Dixon Way Before Bench Trial. Mr. Foley Asked The Judge To Release Me So I Could Get My Rehabilitation Treatment Needed Due To My T.B.I. Judge Dixon Told Counsel Mr. Foley that He Would To Provide Medical Proof That I Need To Recieve My Rehabilitation Treatment For My (T.B.I.) And That Judge Dixon Would Listen To This Matter A Week Later, But Counsel Mr. Foley Never Presented This To The Court. This Is A Fact That Mr. Foley Was Aware Of My T.B.I. And That My Medical Doctor Wanted To Speak And Explain To Mr. Foley That Due To My T.B.I I Could Not Have Been Able To Properly Understand The Sex Offender Registration And Therefore Lacked The Element Needed To Violated The Sex Offender Registration Law, which Is Intent. For This Reason I Ask The Court of Appeals To Overule My Conviction.

Additional Ground 2

The Trial Court Erred In Finding Valencia Guilty Of Failure To Register As A Sex Offend when There Was A Violation Of My Due Process Right.

If I Am Not Permitted To Present Medical Testimony And Evidence That I Had Made Privy To My Attorney Mr. James P. Foley Explaining That Due To Medical Condition, "Traumatic Brain Injury (T.B.I.)". The TBI Rendered Me Mentaly Incapable of Properly Understanding The Sex Offender Registration Requirement Thus Establishing The Fact That "I" Didnot "Knowingly" "Violate" The Sex Offender Registration Law If I Was Unable To Properly Understand Due To My T.B.I. This Is Not A Question Of Insanity Defense But Rather That of Intent. Not To Be Allowed To Present Such Evidence In Question Is In Fact A Violation Of My Due Process. The Fact That Defense Counsel Was Informed Of My TBI Disability Is Evident In A Release Hearing Prior To My Bench Trial For This Reason I Ask The Appelate Court To Overule My Conviction And To Remand For Further Proceedings.

Additional Ground 3

The Trial Court Erred In Finding Valencia Guilty of Failure To Register As A Sex Offender When Trial Court Judge At Day Of Sentencing Abused Its Discretion.

I Asked Trial Court Judge At Day of Sentencing To Take Action On Behalf Of Defense And File A Motion Of Ineffective Assistance Of Counsel And Postpone Sentencing For After Such

Said Hearing. Trial Court Judge Declined On Grounds That Trial Court Judge Believed State And Defense Counsels ~~Proper~~ Presented Effective Cases. But What Trial Court Judge Failed To Acknowledge Is That She Was Not Privy To My Traumatic Brain Injury, (T.B.I.) And Defenses Counsels Failure To Properly Pursue And Present T.B.I. And Lack of Intent. For This I Ask For A New Trial.

Additional Ground 4

The Trial Court Erred In Sentencing.

The Court Calculated A Previous Failure To Register As A Sex Offender Conviction. In This Previous Case. It Was My Understanding That It Was One Cause Number So Subsequently One Conviction, One Felony Point. To Be Otherwise I Would Not Have Accepte Pleadeal. One Cause Number, One Felony Poin, That's What I Understood. For The Court Not To Honor This Fact Would Be To Void Contract of Guilty Pled. ~~[illegible]~~ The Trial Court At Day of Sentencing Violated Its Discretion Thus An Abuse Of Discretion.

Grounds Additional 5

I Should Get A New Trial Because I Informed My Defense Counsel Mr. J. Foley That I Have A Learning Disability And It Was Further Complicated Due To My Traumatic Brain Injury. TBI Mr. Foley Never Presented This Evidence Although I Informed Him Of It. I Didnot Violate Sex Offender Registration Because I Didnt Properly Understand Them.