

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

2018 MAR 16 PM 1:03

STATE OF WASHINGTON

BY DEPUTY

STATE OF WASHINGTON)

Respondent,)

v.)

Jason Craig Wilks
(your name))

Appellant.)

No. 50287-9-11

STATEMENT OF ADDITIONAL
GROUND FOR REVIEW

I, Jason C Wilks, 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

See Attached

Additional Ground 2

See Attached

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

Date: 3-13-18

Signature: Jason C Wilks

Additional Ground 1

During the trial there was a jury member sleeping off and on. During the last half of trial the jury member got caught by some people in the galilee, they informed me of what they saw and I told my lawyer as soon as I could. The defense counsel then notified the prosecutor and judge that there was a jury member sleeping, the defense counsel then asked to question the sleeping jury member to find out if he should be excused and replaced with one of the two alternate jury members before we moved forward. The judge denied this request, stated he did not see anything and told us to move on. This jury member was then allowed to go on to deliberate with the rest of the jury. I feel this was a violation of my rights as this jury member missed important defense testimony and was not questioned about his sleeping. This jury member could not have made an informative and fair judgement as he missed important testimony during the trial. This jury member went into the jury room for deliberation, he could have influenced the other jury members or they could have influenced him due to his lack of informed information. This could have been avoided by simply allowing the defense counsel its right to question the sleeping jury member to see if he should have been replaced with one of the alternative jury members. My rights were violated when the judge disallowed this simple and lawful step.

Additional Ground 2

During the trial the prosecutor was taking testimony and changing it to suit his case. He would lie about what people said to influence the jury. The prosecutor made a PowerPoint for his closing arguments and in his testimony he flat out told the jury the defense was guilty, he used his PowerPoint to tell the jury wrong and misleading information. Since he had the last word he twisted testimony to fit his PowerPoint so he could lie about what the defenses witnesses said. He deliberately used his PowerPoint to commit perjury and to brainwash the jury to a guilty verdict by changing testimony. Using big bold words like "GUILTY" and "I'M TELLING THE TRUTH," he basically told the jury what to think and that there was no way he was wrong. The prosecutor should be held accountable just like everyone else in the court of law and not be allowed to commit perjury or break the law during trial.

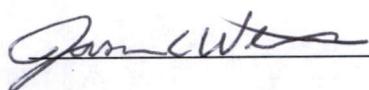
Additional Ground 3

Before trial there were motions put in place about what could and could not be talked about during trial. Most of the rules set by the prosecutor made it to where there was no way that the defense could ever defend himself/myself. The defense was not allowed to provide any evidence that talked or portrayed the alleged victims in any negative way. The defense was not allowed to show that the alleged victims were bad influences and all had police records and a history of sex abuse and drug abuse. We were not allowed to prove that all of the alleged victims were all in some sort of counseling well before they made their allegations against me and that they all had trouble with school and the law. As my children have never been in any type of trouble with school or the law in any form what so ever, I did not want my children around the alleged victims as they were bad influences. Everything that the defense needed to use to put on a defense was stopped before trial even started. During my testimony at the end of trial the prosecutor was allowed to remove the jury to tell me what his next line of questioning would be, at that point the judge and prosecutor were basically telling me how to answer the prosecutor's questions and what words I could or could not say. This is a clear amendment rights violation as I was being scripted and only aloud to say what the prosecutor needed me to say, not the truth. During the whole trial the defense had to watch what was said, had to make sure that we did not make the alleged victims sound like bad people in any way. During the trial the defense was not allowed to show pictures, text messages, or any other evidence to the jury if it in any way depicted the alleged victims in a negative way. How is anyone supposed to defend themselves when they cannot tell or show anyone the truth? The defense was not allowed to show evidence or make testimony regarding in regards to the alleged victims negative behaviors. My right to defend myself was stripped away before the trial even started. This is clearly an amendment rights violation as the defense was never allowed to provide evidence or testimony that would have surely changed the outcome of the trial.

Additional Ground 4

During trial after the prosecutor rested, the judge started to show unrest and complete bias against the defense, he would tell the defense "we need to hurry up this court has other things to do." On a daily basis he would try to rush the defense asking "how many witnesses does the defense have left" and then telling the defense that we needed to be done within 3 days from the start of the defenses testimony, stating the jury was told they would be done on a certain date and we needed to meet that date. The defense was rushed on a daily basis at this point. The prosecutor was not harassed one time about the courts time. The bias continued with the judge not allowing evidence that was important to the defense. The bias of the judge got worse and worse as the trial went on, it got so bad that the defense tried to recuse the judge based on these grounds and a report was filed with the judicial committee as well. The judge denied the request to step down and the trial went on and the same bias continued. I feel like my rights were violated from the very start of the trial.

"I Jason C Wilks certify that the statements in these additional grounds are true and accurate"



Jason Craig Wilks

3-13-18

Date