

FILED
Court of Appeals
Division II
State of Washington
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NO. 50918-1-II

IN THE COURT OF APPEALS
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,
Respondent,

v.

JOHN GRIFFIN HEADRICK,
Appellant.

APPEAL FROM THE SUPERIOR COURT OF THE STATE
OF WASHINGTON FOR GRAYS HARBOR COUNTY

THE HONORABLE , JUDGE

SUPPLEMENTAL RESPONDENT'S BRIEF

KATHERINE L. SVOBODA
Prosecuting Attorney
for Grays Harbor County



BY: _____
ERIN C. RILEY
Deputy Prosecuting Attorney
WSBA # 43071

OFFICE AND POST OFFICE ADDRESS
Grays Harbor County Prosecuting Attorney
102 West Broadway Room 102
Montesano, WA 98563
(360) 249-3951

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RESPONSE TO ASSIGNMENTS OF ERROR

The State concedes that the Court found the Defendant to be indigent. He was assigned counsel throughout the pendency of the case and was ordered to pay mandatory fines and fees only at sentencing.

ARGUMENT

1. Response to first assignment of error.

At the time the fines and fees were assessed in this case, the *Ramirez* case was not being applied to indigent cases, which effectively eliminated fees such as the DNA collection fee for indigent defendants. *State v. Ramirez*, __Wn.2d__, __P.3d __, 2018 WL 4499761 (Sept. 20, 2018). The State concedes that the DNA collection fee should be waived in this case.

CONCLUSION

The State concedes that the DNA collection should be waived and the State has prepared an order for entry to do so upon order of the Court.

DATED this 11th day of December, 2018.

Respectfully Submitted,



BY: _____
ERIN C. RILEY
Deputy Prosecuting Attorney
WSBA # 43071

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Transmittal Information

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Sender Name: Erin Jany - Email: EJany@co.grays-harbor.wa.us
Address:
102 W BROADWAY AVE RM 102
MONTESANO, WA, 98563-3621
Phone: 360-249-3951

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