

**FILED
Court of Appeals
Division II
State of Washington
1/25/2019 2:46 PM**

NO. 51740-0-II

**IN THE COURT OF APPEALS OF THE STATE OF
WASHINGTON,**

DIVISION II

STATE OF WASHINGTON,

Respondent,

vs.

ANTHONY DAVID LONG,

Appellant.

RESPONDENT'S BRIEF

**ERIC BENTSON/WSBA 38471
Deputy Prosecuting Attorney
Representing Respondent**

**HALL OF JUSTICE
312 SW FIRST
KELSO, WA 98626
(360) 577-3080**

TABLE OF CONTENTS

	PAGE
I. STATE’S RESPONSE TO ASSIGNMENT OF ERROR.....	1
II. ISSUES PERTAINING TO THE STATE’S RESPONSE TO ASSIGNMENT OF ERROR.....	1
III. STATEMENT OF THE CASE.....	1
IV. ARGUMENT.....	8
A. THE TRIAL COURT DID NOT RENDER AN IMPROPER COMMENT ON THE EVIDENCE.....	8
B. LONG’S CLAIMS REGARDING HIS USE OF THE GUN DID NOT PROHIBIT THE TRIAL COURT FROM CAUTIONING THE JURY ON SAFE HANDLING OF THE GUN DURING DELIBERATIONS. 	14
V. CONCLUSION	16

TABLE OF AUTHORITIES

	Page
Cases	
<i>Case v. Peterson</i> , 17 Wn.2d 523, 136 P.2d 192 (1943).....	9
<i>Drumheller v. American Surety Co.</i> , 30 Wash. 530, 71 P. 25 (1902).....	14
<i>Ferris v. S.E. Slade Lumber Co.</i> , 88 Wash. 106, 152 P. 680 (1915)	14
<i>Grey v. First Nat'l Bank</i> , 393 F.2d 371, 386 (5 th Cir. 1968), <i>cert. denied</i> , 393 U.S. 961, 89 S.Ct. 398, 21 L.Ed. 2d (1968).....	10
<i>Osborne v. Galusha</i> , 143 Wash. 127, 254 P. 1086 (1927)	9
<i>State v. Bogner</i> , 62 Wn.2d 247, 382 P.2d 254 (1963)	10
<i>State v. Browder</i> , 61 Wn.2d 300, 378 P.2d 295 (1963)	8
<i>State v. Chapple</i> , 103 Wn. App. 299, 12 P.3d 153 (2000).....	15
<i>State v. Ciskie</i> , 110 Wn.2d 263, 751 P.2d 1165 (1988).....	11
<i>State v. Davenport</i> , 100 Wn.2d 757, 675 P.2d 1213 (1984).....	11
<i>State v. Hughes</i> , 106 Wn.2d 176, 721 P.2d 902 (1986).....	10
<i>State v. Jacobsen</i> , 78 Wn.2d 491, 477 P.2d 1 (1970)	15
<i>State v. Kirkman</i> , 159 Wn.2d 918, 155 P.3d 125 (2007)	11
<i>State v. Lane</i> , 125 Wn.2d 825, 889 P.2d 929 (1995)	10
<i>State v. Lormor</i> , 172 Wn.2d 85, 257 P.3d 624 (2011).....	14
<i>State v. Louie</i> , 68 Wn.2d 304, 413 P.2d 7 (1966).....	15
<i>State v. Mahmood</i> , 45 Wn. App. 200, 724 P.2d 1021 (1986).....	9

State v. Pockert, 53 Wn. App. 491, 768 P.2d 504 (1989)..... 9

State v. Renfro, 28 Wn. App. 248, 622 P.2d 1295 (1981), *aff'd*, 96 Wn.2d 902, 639 P.2d 737, *cert. denied*, 495 U.S. 842, 103 S.Ct. 94, 74 L.Ed.2d 86 (1982)..... 9

State v. Swan, 114 Wn.2d 613, 790 P.2d 610 (1990) 9

U.S. v. Gray, 105 F.3d 956, 963 (5th Cir. 1997)..... 10

Statutes

RCW 2.28.010 10

Other Authorities

Article 4, Section 16 of the Washington State Constitution..... 9

I. STATE'S RESPONSE TO ASSIGNMENT OF ERROR

Long's conviction should be affirmed because the trial court did not comment on the evidence and Long did not suffer any prejudice.

II. ISSUES PERTAINING TO THE STATE'S RESPONSE TO ASSIGNMENT OF ERROR

A. Did the trial court comment on the evidence when the complained of statement did not relate to the evidence whatsoever, and Long did not suffer any prejudice?

B. Was the trial court prohibited from providing guidance to the jury for handling the gun safely, because Long holds to a different view of gun safety in his statement of additional grounds?

III. STATEMENT OF THE CASE

Around 5:00 p.m. on July 8, 2017, Pat Bailey was driving to a friend's house at Cedar Falls Drive off of Carroll Road in Kelso. RP 41-42. As Bailey approached the Coweeman Bridge, Anthony Long approached Bailey from behind in a white pickup truck at a high rate of speed. RP 43. Bailey was driving approximately 25-30 miles per hour on the road which had a single lane of travel. RP 43-44. Long began to tailgate Bailey. RP 43. In his review mirror, Bailey observed Long screaming at his girlfriend, Breanna Nila, in the passenger seat of the truck. RP 43-44, Long drove past Bailey on a grass median at around 60-70 MPH and then sped away. RP 44.

Later, as Bailey turned onto Carroll Road, he observed Long's truck pulled over in a gravel parking lot. RP 45. Clothes and beer cans had been thrown from the truck. RP 45. Bailey observed Long attempting to pull Nila out of the passenger side of the truck by her foot. RP 45. Concerned for the safety of Nila, Bailey exited his car and said to Long, "Stop, what are you doing[?], [S]top." RP 46.

Long repeatedly yelled at Bailey, "What are you going to do[?]" RP 46. Long then charged at Bailey. RP 46. Using a double-leg takedown maneuver he had learned as a high school wrestler, Bailey took Long to the ground. RP 47. Bailey let Long up from the ground and backed up. RP 47-48. Long charged Bailey again. RP 48. Again Bailey took Long to the ground with a double-leg takedown. RP 48. Bailey held Long down for a few seconds, then let him up again. RP 48.

Long pulled a black, semiautomatic pistol out of his waistband and pointed it at Bailey's forehead. RP 48-49. Fearing he would be shot, Bailey put his hands up, bowed his head, and repeatedly said, "You win." RP 49.

Long grabbed Bailey and placed him in a headlock. RP 50. Long struck Bailey three times in the head with the gun, causing his head to bleed. RP 50. Bailey pushed Long away. RP 50. Long then pointed the gun at Bailey and asked, "Do you want to die?" RP 50. Bailey could

smell alcohol on Long and asked Long how much he had been drinking. RP 50-51.

Long continued to point the gun at Bailey, telling him he could shoot him. RP 51. Long pulled out his cell phone and asked if Bailey wanted to dial 911. RP 51. Bailey said, "Yes, of course, dial 911." RP 51. Long repeatedly informed Bailey he could kill him and asked Bailey if he wanted to die. RP 51.

Another driver, Timothy Bussanich, observed Long and Bailey scuffling. RP 166. Bussanich pulled over and stopped, briefly losing sight of Long and Bailey. RP 167. Bussanich exited his vehicle and then observed Long and Bailey arguing. RP 167. Bussanich observed an excessive amount of blood on Bailey's head and shirt. RP 168. Bussanich observed Long threatening to shoot Bailey with the gun. RP at 169-170. Bussanich told Bailey, "You need to get out of here, you're bleeding real bad." RP 51. Bailey was able to enter his car and drive a short distance to his friend's house. RP 52. From Bailey's friend's house, Long was observed continuing to gesture at Bailey with the gun and encouraging Bailey to return. RP 53.

According to Nila, Long and Nila drove to their home. RP 268. Nila entered the house, but Long remained in the garage. RP 269. A few minutes later, Nila returned to the garage and observed the gun on top of

an ice chest. RP 269. The truck was parked at the house, but Long had left in another vehicle, a green Chrysler Pacifica. RP 108, 116, 269. Nila took the gun and placed it in a drawer in their bedroom. RP 269. Nila showed Deputy Ness Aguilar of the Cowlitz County Sheriff's Office where the gun was in the drawer and he took possession of it. RP 142. The gun was a semi-automatic Ruger LCP III, .9 millimeter, capable of firing. RP 104, 161.

Long drove the Pacifica from the house to near where the incident had occurred. RP 115-16. Long was pulled over by police. RP 116. Officer Jonathan Dahlke of the Kelso Police Department observed Long to have several signs of impairment and had him perform field sobriety tests. RP 204-218. Long was arrested and taken to the jail for the breath test. RP 218-19. At the jail Long refused to provide a sufficient breath sample. RP 226-29. While at the jail, Long told Dahlke:

- That the officers were teaching him that next time he should just shoot the guy because it would be much cleaner;
- "I should have killed him;"
- "I should have just shot him in the face;"
- That if he had just killed him and left he would be at home not drunk; and
- That if he had killed Bailey, he would be the only witness.

RP 229-230.

Long was charged with assault in the second degree with a firearm enhancement, assault in the fourth degree domestic violence, and driving under the influence. RP 3. The case proceeded to trial. RP 3. After the jury was sworn, but prior to opening statements, the trial court gave the jury preliminary instructions, explaining:

Our State Constitution prohibits a trial judge from making a comment on the evidence. Because it is your role to evaluate the evidence, it would be improper for me to express by words or conduct my personal opinion about the value of a particular witness' testimony or an exhibit. I will not intentionally do this. If it appears to you that I have indicated in any way my personal opinion concerning any evidence, you must disregard this entirely.

RP 28-29.

After the witnesses had testified, the court read the jury instructions to the jury. RP 366. The court instructed the jury that its decision

must be made solely on the evidence presented during the proceedings. The evidence that you are to consider during your deliberations consists of the testimony that you've heard from witnesses and the exhibits that I have admitted during the trial.

RP 366.

The court also explained, “You must disregard any remark, statement, or argument that is not supported by the evidence or the law in my instructions.” RP 368.

The court then instructed the jury:

Our State Constitution prohibits a trial judge from making a comment on the evidence. It would be improper for me to express by words or conduct my personal opinion about the value of testimony or other evidence. I have not intentionally done this. If it appeared to you that I have indicated my personal opinion in any way either during trial or in giving these instructions, you must disregard this entirely.

RP 369. After jury instructions were read, the prosecutor began giving the closing argument for the State. RP 383. Shortly after the prosecutor began to speak, the trial court stated:

Mr. Bentson, I apologize, I meant to mention one thing. I do have to ask you put your notes to the side because this is closing argument and the notes are only meant to assist you in determining the evidence, so please put your notes to the side. Thank you. I’m sorry, Mr. Bentson. Go ahead.

RP 383. After this break, the prosecutor delivered the remainder of the State’s closing argument. RP 384-407. During Long’s attorney’s closing argument, the trial court stated: “Can I ask you, Mr. Baldwin, to please be cognizant of the time. We’re well into the lunch hour.” RP 435. Long’s attorney then continued with his closing argument. RP 435. After Long’s attorney concluded his closing argument, but prior to the State’s rebuttal,

the trial court stated to the prosecutor: “All right. Go ahead, Mr. Bentson. Please also be aware of the time.” RP 437. The prosecutor then delivered the State’s rebuttal argument. RP 437-43.

Just before deliberations, the trial court cautioned the jury regarding the handling of the gun, which had been admitted into evidence and would go with the jury to jury room. RP 443-44. The court stated:

One thing, I will caution you, I’ve been assured by the Kelso Police that the gun is secured. It has been admitted into evidence, so it will go back with you – or back to the jury room with you. It has been equipped with a cable of sorts that locks into it that I’m told will prevent it from operating, but I do ask you to be considerate of one another. One of the things that was interesting that we heard during voir dire was one of the gentlemen talked about the rules for guns. There is no such thing as an unloaded gun, never point it at anybody, things like this, never put your finger on the trigger. So maybe some of you are more familiar with firearms than others, so please be respectful with one another. Please, if you feel the need to touch it, please do it in a way that would not disturb or alarm any other juror. So I just ask you to observe that.

RP 443-44.

The jury found Long guilty of assault in the second degree, not guilty of assault in the fourth degree, and guilty of driving under the influence. RP 446. The jury also found Long was armed with a firearm at the time he committed the assault in the second degree, and that Long refused to take the breath test. RP 446-47.

IV. ARGUMENT

A. **THE TRIAL COURT DID NOT RENDER AN IMPROPER COMMENT ON THE EVIDENCE.**

Reminding Long's attorney that closing argument had entered the lunch hour created no risk of the jury inferring the trial court held or did not hold certain beliefs regarding the evidence. "This court has consistently held that, to be a comment on the evidence within Art. 4, § 16, of our state constitution, the jury must be able to infer from what the court said or did not say that [the court] personally believed or disbelieved the testimony in question." *State v. Browder*, 61 Wn.2d 300, 302, 378 P.2d 295 (1963). Long maintains the trial court commented on the evidence by telling his attorney to be cognizant of the lunch hour during closing argument. Long wrongly asserts that no similar statement was made to the prosecutor, despite the court's similar statement to the prosecutor just before the State's rebuttal. RP 437. Statements from the court reminding attorneys of the time are appropriate and necessary for a trial judge to properly maintain order in the courtroom. No comment on the evidence or merits of the attorney's arguments was made. Further, no time limits were placed on the attorneys for making closing arguments. And, there is no evidence Long suffered prejudice.

“Article 4, section 16 of the Washington State Constitution prohibits a trial judge from commenting on the evidence.” *State v. Swan*, 114 Wn.2d 613, 633, 790 P.2d 610 (1990). However, “[a] comment on the evidence does not take place unless the judge conveyed his or her personal opinion regarding the truth or falsity of any evidence introduced at trial to the jury.” *State v. Pockert*, 53 Wn. App. 491, 495, 768 P.2d 504 (1989) (citing *State v. Renfro*, 28 Wn. App. 248, 622 P.2d 1295 (1981), *aff’d*, 96 Wn.2d 902, 639 P.2d 737, *cert. denied*, 495 U.S. 842, 103 S.Ct. 94, 74 L.Ed.2d 86 (1982)). “The constitutional inhibition against judges commenting on evidence applies only to facts which are in dispute, and not to those about which there is no dispute or are admitted.” *Case v. Peterson*, 17 Wn.2d 523, 531, 136 P.2d 192 (1943). When it cannot be reasonably inferred that the trial judge believed or disbelieved certain evidence, there is no comment on the evidence. *See State v. Mahmood*, 45 Wn. App. 200, 209, 724 P.2d 1021 (1986).

Obviously, a trial judge must be permitted to keep order in the courtroom. Consequently, “[t]he court is something more than an umpire.” *Osborne v. Galusha*, 143 Wash. 127, 141, 254 P. 1086 (1927). The legislature expressly provides authority to every court of justice to “preserve and enforce order ... to provide for orderly conduct of the proceedings ... [and] to control the conduct of its ministerial officers, and

of all other persons in any manner connected with a judicial proceeding before it, in every matter appertaining thereto.” RCW 2.28.010.

Exercising this authority necessarily requires administration of time, and such administration of time is at the discretion of the trial court. The Fifth Circuit has explained, “the amount of time allowed for opening statements and closing arguments ‘is a question so clearly committed to the discretion of the trial judge that we would intervene only where there is an egregious abuse of that discretion.’” *U.S. v. Gray*, 105 F.3d 956, 963 (5th Cir. 1997) (quoting *Grey v. First Nat’l Bank*, 393 F.2d 371, 386 (5th Cir. 1968), *cert. denied*, 393 U.S. 961, 89 S.Ct. 398, 21 L.Ed. 2d (1968)). Preserving order by controlling time is distinct from commenting on the evidence. This is similar to a court’s decision to give a jury instruction, which “does not constitute an impermissible comment on the evidence when there is sufficient evidence in the record to support it and when the instruction is an accurate statement of the law.” *State v. Hughes*, 106 Wn.2d 176, 193, 721 P.2d 902 (1986).

While prejudice is presumed when a trial court improperly comments on the evidence, such prejudice does not exist when it is “apparent that the comment could not have influenced the jury.” *State v. Lane*, 125 Wn.2d 825, 839, 889 P.2d 929 (1995) (quoting *State v. Bogner*, 62 Wn.2d 247, 252, 382 P.2d 254 (1963)). Of course, juries are presumed

to follow jury instructions absent evidence to contrary. *State v. Kirkman*, 159 Wn.2d 918, 928, 155 P.3d 125 (2007) (citing *State v. Davenport*, 100 Wn.2d 757, 763, 675 P.2d 1213 (1984)). When a trial court instructs the jury to disregard any comment it has made that could be construed as a comment on the evidence, this guards against the potential of the jury considering such comment in reaching its verdict. *See State v. Ciskie*, 110 Wn.2d 263, 283, 751 P.2d 1165 (1988).

Here, the trial court did not comment on the evidence. When the trial court apprised Long's attorney to be cognizant of the lunch hour, in no way did this communicate that the court held a certain belief regarding the evidence or favored either side. Long argues the comment implied the trial court viewed the defense case as weak and further argument was not worth postponing lunch. *Appellant's Brief* at 19. But this ignores that the court made a similar comment to the prosecutor just prior to rebuttal, telling the prosecutor: "Please also be aware of the time." RP 437. Thus, considered in proper context, the court's comment was merely an indication that a lunch break was soon needed. Nothing more.

A trial court is more than an umpire. In addition to rendering decisions on legal issues, a trial court judge must also control the courtroom. This requires maintaining order and also accommodating the needs of jurors, clerks, and litigants affected by the trial process. Just as it

is reasonable to take a break in a trial at the end of working hours and begin again the next morning so those involved may return home to eat and sleep, it is reasonable to ensure jurors, clerks, and litigants have the opportunity to eat during the day.

When the closing arguments entered the lunch hour, the trial court did not abuse its discretion by intervening to ensure that those involved were able to eat at a reasonable time. Further, by making this statement in the presence of the jury, the trial court made the jurors aware that their lunch break was coming soon. While it is difficult to discern from the record what the court observed in the courtroom, the awareness that the trial court was not disregarding their lunch break likely had the effect of sustaining the jurors' attentiveness to the attorney's arguments.

It is noteworthy that the trial court never instructed the attorneys to be brief or conclude, but only to be cognizant of the time. Had additional time been necessary, Long's attorney or the prosecutor could have requested a break for lunch with further argument after. Because Long's attorney did not do so, it strongly indicates he did not believe this to be necessary. Additionally, because the court also instructed the prosecutor to be aware of the time, the implication Long complains of—that the court's comment indicated favoritism toward one side over the other—did not exist. Because the trial court's belief or disbelief of certain evidence

cannot be reasonably inferred from its reminder to both attorneys about the lunch hour, the court did not comment on the evidence.

Further, there is no showing of prejudice because it is readily apparent that the trial court's statement had no impact on the jury. The jury was instructed twice that if it appeared in any way that the trial court indicated a personal opinion on the evidence, the jurors were required to disregard this entirely. Because jurors are presumed to follow the court's instructions, there is no reason to believe this instruction was not followed scrupulously here. Additionally, the court's statements did not appear to have an impact that favored either side. As Long notes in his brief, the prosecutor's closing argument and rebuttal had a total length of 30 pages in the report of proceedings; Long's attorney's closing argument also had a length of 30 pages in the report of proceedings. *Appellant's Brief* at 12-13. The near identical length of these arguments runs counter to the idea that Long's attorney was disadvantaged by the court's statement.

Moreover, the outcome of the trial indicated the jurors were discerning in reaching their verdicts based on the evidence. Had the jurors been improperly influenced in favor of guilt, then an outcome of guilty on all counts would be expected. Yet, Long was found guilty of two crimes and not guilty of another. This "split decision" indicated the jurors deliberated on the evidence and the law and returned verdicts based on the

conclusions drawn rather than the court's statement regarding the lunch hour. Thus, the trial court did not comment on the evidence, and Long did not suffer any prejudice.

B. LONG'S CLAIMS REGARDING HIS USE OF THE GUN DID NOT PROHIBIT THE TRIAL COURT FROM CAUTIONING THE JURY ON SAFE HANDLING OF THE GUN DURING DELIBERATIONS.

The trial court's caution to the jury to ensure the gun was safely handled during deliberations was not a comment on the evidence. "[R]eferences to the evidence made by the judge in his charge to the jury, which do not amount to an explanation or criticism of the evidence, nor assume or assert that a particular fact is proven thereby, do not constitute a comment on the evidence." *Ferris v. S.E. Slade Lumber Co.*, 88 Wash. 106, 108-09, 152 P. 680 (1915) (citing *Drumheller v. American Surety Co.*, 30 Wash. 530, 71 P. 25 (1902)). In his statement of additional grounds, Long complains of the trial court's caution to the jury regarding the safe handling of the gun that was admitted into evidence. However, because the trial court had a responsibility to ensure the safety of the jurors, its caution regarding the gun was appropriate.

A trial court is vested with the "power to control the proceedings." *State v. Lormor*, 172 Wn.2d 85, 87, 257 P.3d 624 (2011) (finding the trial court did not abuse its discretion by removing the defendant's young

daughter from the courtroom). A trial court does not comment on the evidence by allowing the jury to take exhibits into the jury room, even if this could be seen as an indication of the trial court's opinion on certain evidence. See *State v. Jacobsen*, 78 Wn.2d 491, 495, 477 P.2d 1 (1970). “[A]ssumption of an admitted or undisputed peripheral fact does not constitute constitutionally inhibited comment.” *State v. Louie*, 68 Wn.2d 304, 314, 413 P.2d 7 (1966). A trial court does not abuse its discretion by balancing constitutional rights against “the need to finish a trial in a safe and orderly manner.” *State v. Chapple*, 103 Wn. App. 299, 300, 12 P.3d 153 (2000).

Here, nothing prohibited the trial court from cautioning the jurors about the danger posed by the gun before allowing it to go back with them during deliberations. The safety of all involved in court proceedings is paramount, and a trial court is responsible for ensuring the safety of all in the courtroom, especially the jurors. The jury system would surely fall apart if jurors did not have an expectation of safety when called to serve. Additionally, nothing about the court's caution regarding the safe handling of the gun was contrary to Long's argument. Long's claim was that he used the gun to defend himself. The court's cautionary instruction to the jury was for safety, it was not an editorial statement that guns should not be used or could not be used in self-defense. Rather, the court reminded

the jurors of the obvious: guns are dangerous. Nothing about this ran counter to Long's testimony or argument. Further, even if it had, the court was not prohibited from having strict rules for handling the gun in deliberations. If Long's view of how guns should be handled was less cautious or differed from the court's, this was without consequence. The jury was instructed to render its verdict based on the evidence and not to consider any comment from the judge. There is no evidence the jury failed to do so. Therefore, Long's speculative claim that the jury was improperly influenced by the court's caution to the jury to be careful when handling the gun during deliberations has no merit.

V. CONCLUSION

For the above stated reasons, Long's convictions should be affirmed.

Respectfully submitted this 25th day of January, 2019.



ERIC H. BENTSON
WSBA # 38471
Deputy Prosecuting Attorney
Representing Respondent

CERTIFICATE OF SERVICE

Michelle Sasser, certifies that opposing counsel was served electronically via the Division II portal:

Mr. Eric J. Nielsen/Mr. Christopher Gibson
Attorney at Law
Nielsen Broman & Koch, PLLC
1908 E. Madison Street
Seattle, WA 98122-2842
nielsene@nwattorney.net
sloanej@nwattorney.net
gibsonc@nwattorney.net

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Signed at Kelso, Washington on January 25th 2019.



Michelle Sasser

COWLITZ COUNTY PROSECUTING ATTORNEY'S OFFICE

January 25, 2019 - 2:46 PM

Transmittal Information

Filed with Court: Court of Appeals Division II
Appellate Court Case Number: 51740-0
Appellate Court Case Title: State of Washington, Respondent v. Anthony D. Long, Appellant
Superior Court Case Number: 17-1-00884-0

The following documents have been uploaded:

- 517400_Briefs_20190125144413D2812642_1558.pdf
This File Contains:
Briefs - Respondents
The Original File Name was SKMBT_65419012515540.pdf

A copy of the uploaded files will be sent to:

- gibsonc@nwattorney.net
- nielsene@nwattorney.net
- sloanej@nwattorney.net

Comments:

Sender Name: Michelle Sasser - Email: sasserm@co.cowlitz.wa.us

Filing on Behalf of: Eric H Bentson - Email: bentsone@co.cowlitz.wa.us (Alternate Email: appeals@co.cowlitz.wa.us)

Address:
312 SW 1st Avenue
Kelso, WA, 98626
Phone: (360) 577-3080 EXT 2318

Note: The Filing Id is 20190125144413D2812642