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NO. 52205-5-II

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION II

STATE OF WASHINGTON, Respondent

v.

ANTHONY NGUYEN, Appellant

FROM THE SUPERIOR COURT FOR CLARK COUNTY
CLARK COUNTY SUPERIOR COURT CAUSE NO.18-1-01210-4

BRIEF OF RESPONDENT

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RESPONSE TO ASSIGNMENTS OF ERROR

- I. The State established sufficient evidence that Nguyen had constructive possession of methamphetamine, and the state proved all of the elements of constructive possession beyond a reasonable doubt.**
- II. The trial court's ruling that the search warrant was valid should be affirmed because officers had probable cause to conduct the search; there was a sufficient nexus between the crime, the evidence in connection to the crime, and Nguyen's house where officers searched for evidence; and the search warrant was not overbroad.**
- III. Though the trial court erred in failing to enter written findings and conclusions, the error will soon be remedied and this issue will be moot.**

INTRODUCTION

Defendant Anthony Nguyen (hereafter "Nguyen") appeals his conviction for possession of a controlled substance. Nguyen claims there was insufficient evidence to support he had constructive possession of methamphetamine. Additionally, Nguyen claims the search of his house was unlawful. However, there was sufficient evidence to support Nguyen's conviction because the state proved beyond a reasonable doubt that he had dominion and control over the methamphetamine, and the warrant that authorized officers to search Nguyen's house was valid and the evidence obtained during that search was properly admitted at trial.

On April 23, 2018, officers lawfully entered Nguyen's house to investigate a shooting. While searching for small pieces of trace evidence related to the shooting, pursuant to a valid search warrant, Sergeant Spencer Harris found a bag of methamphetamine in a glass bowl that was comingled with Nguyen's other personal belongings. When Sergeant Harris told Nguyen that he found methamphetamine in his bathroom, Nguyen asked Sergeant Harris if he found it in a glass bowl. At a bench trial, after hearing the testimony and reviewing the evidence, the trial court found that Nguyen had dominion and control over the house, the glass bowl, and the methamphetamine. The trial court found Nguyen guilty of possession of a controlled substance.

STATEMENT OF THE CASE

A. PROCEDURAL HISTORY

On April 23, 2018, officers entered Nguyen's house located at 2900 Caples Ave in Vancouver, Clark County, WA, pursuant to a search warrant, to investigate a reported shooting. CP 40. During the search of Nguyen's house, Sergeant Harris found a baggie of a crystalline substance in Nguyen's bathroom that he believed was methamphetamine. RP 106. Nguyen was subsequently arrested and charged with possession of a controlled substance pursuant to RCW 69.50.4013(1). CP 5.

On June 25, 2018, Nguyen filed a motion with the court to suppress “any and all evidence” obtained during the April 23, 2018 search, and on June 28, 2018, Nguyen waived his right to a jury trial and opted for a bench trial. CP 26; RP 4. On July 3, 2018, the court held a suppression hearing pursuant to CrR 3.6. The warrant authorized officers to search for firearms, bullets, casings, and trace evidence such as fingerprints, body fluids, and hair samples. CP 38. At the hearing, Sergeant Harris testified that he entered Nguyen’s house pursuant to the search warrant and he found a baggie of a crystal white substance in a glass bowl in the upstairs bathroom. RP 12-13. Sergeant Harris said he suspected the substance was methamphetamine because the crystals were not uniform in nature. RP 13. The trial court ruled that the search warrant was supported by probable cause, and Sergeant Harris had authorization to search for evidence in the upstairs bathroom. RP 48-50.

The Court then held a hearing pursuant to CrR 3.5 to determine whether Nguyen’s statements to officers were admissible at trial. RP 65. The court ruled that two conversations between Nguyen and Sergeant Harris were admissible at trial because Nguyen was not tricked or coerced and he was not in custody when he spoke to Sergeant Harris. *Id.* at 91. At the conclusion of the 3.5 hearing, a bench trial commenced. RP at 90-92.

B. STATEMENT OF FACTS

At trial, Sergeant Harris testified on behalf of the State. RP 99. Sergeant Harris said he found a glass bowl located between two sinks in the upstairs bathroom and in the bowl was the suspected methamphetamine which was comingled with prescriptions and hospital discharge paperwork that was addressed to Nguyen. RP 102. The prescriptions were dated April 19 and April 20, just a few days prior to the search. RP 104-05. Sergeant Harris further testified that he “field tested” the suspected methamphetamine and took it to the evidence officer for processing. RP 104-05. Sergeant Harris spoke to Nguyen that evening and he asked Nguyen if he used methamphetamine. RP 104-05. Nguyen replied, “No did you find any?” RP 104-05. Sergeant Harris told Nguyen that he found methamphetamine in his bathroom and Nguyen replied, “In a glass bowl?” RP 108.

Officer Mills then testified for the state. RP 94. He said that he authored the search warrant and he served as the evidence officer for the shooting investigation. RP 95. Officer Mills testified that he put the suspected methamphetamine in an evidence bag, he sealed the bag with red tape, and he wrote the date and serial number on the bag. RP 95-96.

Rosa Carreno was the final witness for the state. RP 125. She testified that she inventoried the suspected methamphetamine at the

Washington State Patrol Crime Lab. RP 128. She said the evidence bag was completely sealed and the identifying description written on the evidence tag matched the contents of the bag. RP 128. Carreno performed a microcrystalline test and a Fourier transform infrared spectrometer test on the suspected methamphetamine, and both tests confirmed the substance in the evidence bag was in fact methamphetamine. RP 128.

Nguyen waived his right to remain silent at trial and he was the only witness called to testify by his defense counsel. RP 133. Nguyen testified that he started taking in roommates in the weeks prior to the shooting and there was an average of eight to twelve people staying in his house. RP 140. Nguyen said in the days prior to the shooting he started to kick people out of his house. RP 142. Nguyen testified that he spoke to Sergeant Harris the evening of the shooting, but he said Sergeant Harris did not ask him if he used methamphetamine. RP 149. Additionally, Nguyen testified he never saw the baggie of methamphetamine until his defense attorney showed him the photo of it at his trial. RP 150.

After reviewing evidence and listening to the testimony, the trial court ruled that the methamphetamine existed; officers found the methamphetamine at Nguyen's residence on April 23, 2018; and Nguyen was the person in dominion and control of his residence, the glass bowl, and the methamphetamine. RP 176-178. The trial court acknowledged that

Nguyen did not have actual possession of the methamphetamine, but found he did have constructive possession of it. RP 176-177. The Court also ruled that Nguyen did not have “unwitting possession” of methamphetamine, “I find [Sergeant] Harris’s description of their conversations on April 23 to be the more credible of the two descriptions.” RP 179. The Court found Nguyen guilty of the crime charged. RP 179. Nguyen was sentenced to a standard range sentence and he timely filed the instant appeal. CP 98; 110.

ARGUMENT

I. The State established sufficient evidence that Nguyen had constructive possession of methamphetamine, and the state proved all of the elements of constructive possession beyond a reasonable doubt.

Evidence is sufficient to support a conviction if, when viewed in a light most favorable to the prosecution, it permits any rational trier of fact to find the essential elements of the crime beyond a reasonable doubt.

State v. Salinas, 119 Wn.2d 192, 201, 829 P.2d 1068 (1992). “A claim of insufficiency admits the truth of the State's evidence and all inferences that reasonably can be drawn therefrom.” *Salinas*, 119 Wn.2d at 201.

Circumstantial and direct evidence are equally reliable. *State v. Delmarter*, 94 Wn.2d 634, 638, 618 P.2d 99 (1980). The reviewing court defers to the trier of fact on issues of conflicting testimony, credibility of witnesses, and

the persuasiveness of the evidence. *State v. Camarillo*, 115 Wn.2d 60, 71, 794 P.2d 850 (1990); *State v. Walton*, 64 Wn.App. 410, 415-16, 824 P.2d 533 (1992). In order to determine whether the necessary quantum of proof exists, the reviewing court “need not be convinced of the defendant’s guilt beyond a reasonable doubt but only that substantial evidence supports the State’s case.” *State v. Gallagher*, 112 Wn.App. 601, 613, 51 P.3d 100 (2002) (citations omitted).

Under RCW 69.50.4013, it is a felony “for any person to possess a controlled substance unless the substance was obtained [from a valid prescription].” RCW 69.50.4013(1)-(2). Possession of a controlled substance can be actual or constructive. *State v. Staley*, 123 Wn.2d 794, 798, 872 P.2d 502 (1994). Actual possession requires physical custody of, or direct physical control over, the item. *State v. Cantabrana*, 83 Wn.App. 204, 206, 921 P.2d 572 (1996); *Henderson v. U.S.*, --- U.S. ----, 135 S.Ct. 1780, 1784, 191 L.Ed.2d 874 (2015). Constructive possession, on the other hand, “is established when a person, though lacking such physical custody, still has the power and intent to exercise control over the object.” *Henderson*, 135 S.Ct. at 1784 (citation omitted); *State v. Callahan*, 77 Wn.2d 27, 31 459 P.2d 400 (1969) (holding constructive possession requires dominion and control over the item). Exclusive control is not necessary to establish constructive possession as possession can be joint

amongst individuals but proximity to the contraband, while a factor, is insufficient by itself to establish constructive possession. *State v. Chouinard*, 169 Wn.App. 895, 899, 282 P.3d 117 (2012); *State v. Raleigh*, 157 Wn.App. 728, 737, 238 P.3d 1211 (2010); *State v. George*, 146 Wn.App. 906, 920, 193 P.3d 693 (2008).

A defendant has constructive possession of an item when he or she has dominion and control over the premises where the item is found. *Chouinard*, 169 Wn.App. at 899–900. “Courts have found sufficient evidence of constructive possession, and dominion and control, in cases which the defendant was . . . the owner of the premises” *Chouinard*, 169 Wn.App. at 900. “When a defendant has dominion and control over a premises, there is a rebuttable presumption that he or she has dominion and control over items in the premises.” *State v. Summers*, 107 Wash. App. 373, 389, 28 P.3d 780 (2001) (citing *State v. Tadeo-Mares*, 86 Wn.App. 813, 939 P.2d 220 (1997)).

The Washington State Supreme Court has held that the sub lessor of a house can have constructive possession of a controlled substance found in common areas despite other tenants having access to the same location in the house. *State v. Chakos*, 74 Wn.2d 154, 160, 443 P.2d 815 (1968). In *Chakos*, the defendant was convicted of unlawful possession of a controlled substance when officers executed a search warrant and found

marijuana scattered throughout the house. *Id.* at 156. The defendant argued there was insufficient evidence to establish she had actual or constructive possession of the controlled substance because she didn't know there was marijuana in her house. *Id.* However, the evidence showed the defendant participated in cleaning and maintaining the residence. *Id.* at 158. The Court held that the defendant thus had control of the residence and there was sufficient evidence to support the finding that she had constructive possession of the controlled substance. *Id.* at 157-158.

Nguyen argues because multiple people living in his house had access to the shared bathroom where the methamphetamine was found, there was insufficient evidence to establish he had possession of the methamphetamine. Br. of App. at 13-16. Nguyen did not have actual possession of the methamphetamine because he was not in the house when Officer Harris found the methamphetamine. However, under the holding in *Chakos*, substantial evidence supports the conclusion that Nguyen had constructive possession of the methamphetamine. Nguyen's argument is similar to the defendant's failed argument in *Chakos*. Nguyen maintained control of his premises and he cleaned the common areas. Despite numerous people staying in his house when he was in the hospital, Nguyen took control of his house and "kicked people out" when he returned home from the hospital. RP 143. Nguyen also testified that he

kept the shared bathroom clean. “It was like the cleanest place [in my house].” RP 155. “I’m a clean freak.” Id at 145.

Nguyen relies on *Callahan* to establish that he did not have constructive possession of methamphetamine. Br. of App. at 12. However, the facts in *Callahan* are dissimilar to Nguyen’s circumstances. In *Callahan*, there was insufficient evidence to find the defendant had constructive possession of a controlled substance despite his close proximity and knowledge of the drugs. *Callahan*, 77 Wn.2d at 32. However, defendant *Callahan* was a guest and not the owner of the houseboat where the drugs were found. *Id.* at 31. Furthermore, the controlled substance was not comingled with *Callahan*’s personal belongings. *Id.* Whereas here, Nguyen was the owner of the house where the methamphetamine was found. RP 134. Additionally, Nguyen’s personal belongings, including time stamped hospital discharge paperwork and prescriptions dated a few days earlier, were comingled with the methamphetamine. RP 102. Lastly, when Sergeant Harris told Nguyen he found methamphetamine in his house, Nguyen replied, “In the glass bowl?” RP 179. Nguyen denied having this conversation with Sergeant Harris, but the trial court rebuffed Nguyen’s claim, “He knew exactly where [the methamphetamine] was.” RP 74, 179. When deferring to the trier of fact on “issues of conflicting testimony, credibility of witnesses,

and the persuasiveness of the evidence,” the evidence sufficiently establishes that Nguyen had constructive possession of a controlled substance.

The State established that Nguyen had dominion and control over his residence, Nguyen’s personal belongings were comingled with the methamphetamine, and that Nguyen admitted to Sergeant Harris the exact location of the methamphetamine. Taking this evidence in the light most favorable to the State, it is clear the State presented sufficient evidence to establish the elements of the crime of possession of a controlled substance beyond a reasonable doubt. It is evident that Nguyen was in constructive possession of the methamphetamine located in his house. Thus, Nguyen’s claim of insufficient evidence fails.

II. The trial court’s ruling that the search warrant was valid should be affirmed because officers had probable cause to conduct the search; there was a sufficient nexus between the crime, the evidence in connection to the crime, and Nguyen’s house where officers searched for evidence; and the search warrant was not overbroad.

Nguyen claims that the trial court’s ruling to uphold the validity of the search warrant should be reversed because the search warrant was not supported by probable cause, there was not a sufficient nexus between the items sought in the warrant and the defendant’s upstairs bathroom, and the search warrant was “overbroad.” Br. of App. 18-19. However, officers

submitted an affidavit to the court that was supported by probable cause; there was a sufficient nexus between the shooting, the evidence sought in connection with the shooting, and the defendant's bathroom where officers found the methamphetamine; and the search warrant which authorized the officers to search all rooms in the Nguyen's house was not "overbroad" because evidence from the downstairs shooting could have traveled to any room in the house. Therefore, Nguyen's claim that the search warrant was invalid fails, and the trial court's ruling upholding the validity of the search warrant should be affirmed.

In determining the validity of a search warrant, the court considers whether the affidavit, on its face, established probable cause. *State v. Perez*, 92 Wn.App. 1, 4, 963 P.2d 881 (1998). "Probable cause exists if the affidavit supporting the warrant describes facts and circumstances sufficient to establish a reasonable inference that a person is involved in criminal activity and that evidence of the criminal activity can be found at the place to be searched." Affidavits are to be read as a whole, in a common sense, non-technical manner, with doubts resolved in favor of the warrant. *State v. Griffith*, 129 Wn.App. 482, 120 P.3d 610 (2005) (citing *State v. Castro*, 39 Wn.App. 229, 232, 692 P.2d 890 (1984)); *State v. Martines*, 184 Wn.2d 83, 90, 355 P.3d 1111 (2015).

Furthermore, "Probable cause for a search requires a nexus between criminal activity and the item to be seized and between that item and the place to be searched." *State v. Neth*, 165 Wn.2d 177, 196 P.3d 658 (2008) (citing *State v. Thein*, 138 Wn.2d 133, 140, 977 P.2d 582 (1999)). Law enforcement [must have] "more than suspicion or conjecture that the [location being searched] contain[s] evidence of [the crime]." *State v. Gore*, 199 Wn.App. 1050, 2017 WL 2954710 (2017)¹ (citing *State v. Chenoweth*, 160 Wn.2d 454, 477, 158 P.3d 595 (2007)).

A search warrant, once issued, is entitled to "a presumption of validity" and reviewing courts shall accord "great deference to the magistrate's determination of probable cause." *Chenoweth*, 160 Wn.2d at 477; *State v. Vickers*, 148 Wn.2d 91, 59 P.3d 58 (2002); *State v. O'Connor*, 39 Wn.App 113, 123, 692 P.2d 208 (1984). When a search warrant is properly issued by a judge, the party attacking has the burden of proving its invalidity. *State v. Fisher*, 96 Wn.2d 962, 639 P.2d 743, *cert. denied*, 457 U.S. 1137 (1982); *State v. Smith*, 50 Wn.2d 408, 314 P.2d 1024 (1957); *State v. Trasvina*, 16 Wn.App. 519, 557 P.2d 368 (1976).

¹ GR 14.1(a) provides that: "unpublished opinions of the Court of Appeals filed on or after March 1, 2013, may be cited as non-binding authorities, if identified as such by the citing party, and may be accorded such persuasive value as the court deems appropriate."

- a. The search warrant was supported by probable cause and there was a sufficient nexus between the evidence sought, the shooting, and Nguyen's upstairs bathroom.

This Court previously upheld the validity of a search warrant that officers executed in connection with a shooting investigation because the warrant was support by probable cause, and the warrant included a sufficient nexus between a shooting investigation, the evidence sought, and the location of the search. *Gore*, 2017 WL 2954710 at 12. In *Gore*, officers discovered that passengers in the defendant's car were suspects in a shooting. Officers then obtained a search warrant of the defendant's car in order to search for evidence in connection with the shooting. *Id.* at 2. During the search, among other things, police found a bag of methamphetamine which was comingled with mail addressed to the defendant. *Id.* The defendant was convicted at trial for unlawful possession of a controlled substance.² *Id.* at 1.

The defendant argued that officers did not have probable cause to execute a search warrant. *Id.* However, the affidavit included several facts which established a nexus between the shooting suspects and the probability that evidence of their criminal activity would be located in the car. *Id.* at 11. Specifically, one of the shooting suspects left the

² The Court upheld the validity of the search warrant, but overturned the defendant's controlled substance conviction because the Court found *Gore's* counsel was ineffective. *Gore*, 2017 WL 2954710 at 1.

defendant's car just before police arrested him, and the affidavit stated the police thought the car would contain evidence linked to the shooting. *Id.* "The facts establish that law enforcement had 'more than suspicion or conjecture' that the car would contain evidence of crimes." *Id.* (citing *Chenoweth*, 160 Wn.2d at 477).

Here, as in *Gore*, there was a sufficient nexus between the bullets, shell casings, trace evidence, and other evidence associated with the shooting and the house where the shooting took place to justify probable cause for a search warrant. When officers initially interviewed the victim, he claimed he was shot during a drive by shooting while he was standing outside. CP 40. However, during a safety sweep of Nguyen's house, officers determined the shooting occurred inside the residence because the condition of the bullet hole in the door indicated the projectile was fired from inside the house, and there was no evidence that a shooting occurred outside the house. *Id.* When officers re-interviewed the victim, he conceded that he was shot in the doorway by a man who was standing inside the house. *Id.* at 41. While the shooting suspect in the instant case was not arrested at the location where evidence for the investigation was sought, there is a reasonable inference that both the shooter and the weapon were located in the house prior to and at the time of the shooting.

Officers had “more than suspicion or conjecture” that the shooting occurred inside the house, because both direct and circumstantial evidence supported their theory of where the shooting occurred.

The affidavit described “facts and circumstances” that were sufficient to establish a reasonable inference that the shooting occurred inside the house and evidence from that shooting would be located within any room of the house. Therefore, officers had probable cause to obtain a search warrant for the house.

- b. The search warrant was not “overbroad” because officers were searching for evidence such as bullets, shell casings, and trace evidence from the shooting, and that evidence could have reasonably been transferred to any location in Nguyen’s house other than the exact room where the shooting occurred.

Nguyen argues that the search warrant was overbroad because there was not a nexus between the items sought in the search warrant and the second floor of his house. Br. of App. 21. Nguyen relies on *State v. Keodara*, 191 Wn. App. 305, 364 P.3d 777 (2015) to argue that the Court previously struck down an overbroad search warrant that was purportedly similar to the search warrant in the instant case. *Id.* In *Keodara*, the defendant was convicted of first degree murder after evidence from his cell phone was admitted at his trial. *Keodara*, 191 Wn. App. at 305. However, police initially apprehended the defendant for an unrelated

crime when they seized his cell phone and requested a search warrant based on the “officer's generalized statements about gang members commonly using their phones to take and store photos of illegal activity.” *Id.* at 308. The Court held that the search warrant was overbroad and it violated the Fourth Amendment. *Id.* at 317.

Nguyen attempts to analogize the search warrant in *Keodara* to the search warrant in the instant case, but his analogy fails for two reasons. First, when police requested the search warrant in *Keodara* they did not suspect the defendant was involved in a specific crime but instead they were concerned about gang related crimes in general; whereas here, officers obtained a search warrant of Nguyen’s house because they were investigating a specific crime, a shooting, that occurred inside his house. Second, the evidence police sought in *Keodara* was confined to a single location: the defendant’s cell phone; whereas here, the evidence police sought was in a residence with multiple rooms. CP 36. While the shooting occurred in the living room it is possible that evidence from the shooting was transferred to other rooms in the house. The trial court recognized that evidence may not be contained to the room where the shooting occurred. “[O]fficers [had] the authority [to] basically to look . . . anywhere in the residence. [I]t’s certainly not out of the realm of possibility that [the

evidence related to the shooting] might be found [in the upstairs bathroom].” RP 47.

Lastly, Nguyen argues, “The State presented no evidence that Sergeant Harris was searching for evidence related to the shooting when he entered that upstairs bathroom, or when he was ‘rooting around’ in the bowl.”³ Br. of App. at 22. Sergeant Harris entered Nguyen’s house lawfully with a search warrant that authorized him to search “all rooms.” CP 36. A search warrant for single residence does not need to specify a particular room to be searched. *State v. Alexander*, 41 Wn.App. 152, 155, 704 P.2d 618 (1985) (“a single warrant describing the entire premises so occupied is valid and will justify a search of the entire premises.”). Furthermore, since Sergeant Harris was searching for small items such as bullets, shell casings, and trace evidence, his search in the glass bowl was also permissible. *See State v. Witkowski*, 3 Wn.App 318, 327 415 P.3d 639 (2018), *review denied*, 191 Wn.2d 1016, 426 P.3d 747 (2018)(“[A] premises warrant authorizes a search of containers in a residence that could reasonably contain the object of the search.”)

When officers requested the search warrant, there was ample evidence that a crime occurred inside of Nguyen’s house. The bullet hole

³ Nguyen confuses the State’s burden. The State’s burden is to produce a search warrant that is supported by probable cause and is not overbroad. The State does not carry a burden to produce evidence that illustrates every action that an officer takes during the lawful execution of a search warrant.

in the door was consistent with a projectile being shot from within the house. CP 40. Furthermore, officers were unable to find evidence of a shooting outside of the home. *Id.* Lastly, after initially telling officers he was shot in a drive-by shooting, the victim later admitted the shooting occurred inside the house. *Id.* Thus, officers had probable cause to request a search warrant for the house. Additionally, the search warrant was not overbroad. The warrant authorized officers to search for evidence such as bullets, shell casings, and trace evidence, and this evidence could have been transferred to any room in the house. When afforded the “presumption of validity,” the warrant authorizing a search for “all rooms” is constitutional and valid. Since Nguyen is attacking the validity of the search warrant, he carries the burden of proving it is invalid. Nguyen failed to overcome his burden; therefore, the trial court’s ruling that the search warrant was valid should be affirmed.

III. Though the trial court erred in failing to enter written findings and conclusions, the error will soon be remedied and this issue will be moot.

Nguyen assigns error to the trial court’s failure to enter written findings of fact and conclusions of law following the bench trial as required by CrR 6.1(d). The State agrees this was error, but the error will be remedied by July 31, 2019 when the Superior Court will enter findings on this matter. *See Supp. CP 113-14.*

Following a bench trial, the trial court must enter findings of fact and conclusions of law. CrR 6.1(d). This aids in ensuring efficient and accurate appellate review. *State v. Cannon*, 130 Wn.2d 313, 329, 922 P.2d 1293 (1996). The trial court failed to enter written findings following the trial. However, the trial court has a date scheduled to enter written findings. *See* Supp. CP 113-14. Once the findings are entered the State will designate them as supplemental clerk's papers and have them as part of the record on review. Then Nguyen would be able to have any issue reviewed on this direct appeal through a request for leave to file a supplemental brief. This will expedite review, take away the need for a lengthy remand or a second appeal, and is in the best interests of expediency and justice. While as of the date of this brief, the findings have yet to be entered, the State anticipates by the time of this Court's review of this case, the findings will have been entered and the issue raised by Nguyen will be moot.

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CONCLUSION

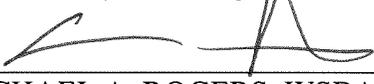
For the reasons stated above, this Court should affirm the trial court's ruling that there was sufficient evidence to prove beyond a reasonable doubt that Nguyen had constructive possession of the methamphetamine; this court should affirm the trial court's ruling that the search warrant was valid and supported by probable cause and; this Court should affirm Nguyen's conviction and sentence.

DATED this 23rd day of July, 2019.

Respectfully submitted:

ANTHONY F. GOLIK
Prosecuting Attorney
Clark County, Washington

By:


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for

CLARK COUNTY PROSECUTING ATTORNEY

July 23, 2019 - 11:20 AM

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Filed with Court: Court of Appeals Division II
Appellate Court Case Number: 52205-5
Appellate Court Case Title: State of Washington, Respondent v. Anthony Nguyen, Appellant
Superior Court Case Number: 18-1-01210-4

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