State of Wash[illegible]

v.

Samuel D. Schmittler

County Case No. 16-1-01607-7
[illegible]t of Appeals No. 52885-1-II

Statement of Additional Grounds

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STATE OF WASHINGTON

I, Samuel D. Schmittler, am writing this Statement of Additional Grounds in regards to blatant U.S.C. violations in my case that my attorney has overlooked. The first is pretty straightforward. I was denied my U.S.C. right to a Grand Jury. If I am accused of an Infamous crime or of a crime that carries a sentence of 1 yr. or more, then I am not to be charged with said crime until I am indicted by a Grand Jury. This is Federal Law. Despite the W.S.C. Article I Section 25 that withdraws the Grand Jury step to a court proceeding the State of Washington had no authority to pass such a law. In both the W.S.C. and U.S.C. it is clearly stated, "The U.S.C. is the Supreme Law of the Land". Which means that if there is any descrepency between State and Federal Law that the Laws of the U.S.C. are of higher authority and are to be enforced over the Laws of any State. To blatently and knowingly ignore this would constitute as Obstruction of Justice. I was not indicted by a Grand Jury before I was arrested or charged with a crime. There was also no warrant to search my home where the police found false, irrelevant evidence. I allowed the officers in my home, however it was out of fear and duress. When the police arrived at my home both times I was under the impression that to not allow the officers in my home would constitute as

Obstruction of Justice. Also during the intense, aggressive questioning the officer forcefully stopped me from reentering my home making me more fearful and putting me under duress. There is also the matter of the violation to treating me as "innocent until proven guilty" The restraining order that was placed on me is in clear violation of this. The most the court should have legally done was provide court instructions not to harrass or intimidate my "victim" and allowing me to have contact with under controlled, monitered conditions. But this was not done, I was treated guilty from day 1 for 18 months until my trial. And lastly there is the matters of Intimidation of a witness, Witness tampering and Coercian and Obstruction of Justice. The Prosecutors on my case violated all 3 of these every time they brought a Plead Guilty deal. I plead my innocence the whole 18 months and through my trial. I told my attorney once and only once. "I will plead guilty to Assault 3 or 4 as long as I can stay out on probation to continue to provide for my family. I am innocent of this crime, but will take the fall if it means I can stay out of jail or prison to keep my family from homelessness". My attorney, David at the time, told me that the Prosecutor would not go for it and that he wasn't going to present the offer. Otherwise I made no other requests. However, despite this the Prosecutor told my attorney to tell me that I either take her deal, or I will do more time if I take my

my case to trial. She did this many times, and each time in doing so she broke the. Not only did I not initiate negotiations at any point in my case, but the Prosecutor treated me as guilty before I had been convicted by a jury of my peers. In doing this she committed Intimidation of a witness, Witness tampering and Coercian and Obstruction of Justice. Anyone who is at the scene of a crime or incident is a witness even the one who committed the crime or incident. It is by interviewing all witnesses and collected evidence that we find out who to blame for such events. Anyone who is a part of or witness to the event is a witness regardless of what he does/n't play in it. Before I was arrested my wife and I were interviewed as witnesses to an allegded crime. And in claiming my innocence, and even after my false conviction, I am considered to be a witness to the event that took place in my case. Whether I was thought to be guilty or that there mighthve been compelling evidence to suggest my guilt I am still innocent until proven guilty and that in itself makes me a witness even if I am also considered to be a suspect. At any point someone commits a crime they have to obviously, at least in my case, have been present to commit it thus witnessing the event that took place and that you played a part in. The definition of witness is: To see or know by personal experience. And in Conclusion I ask

that this Statement of Additional Grounds be added to my Brief in my appeal. I know I had 30 days to do this after I recieved my copy of the brief. When I originally brought these claims up to my attorney she discouraged them and said they had no appealability and at the time I listened to her council. However after my research and thought, despite the fact that it might fail, I have changed my decision and would like to have this added to my Brief. And so I ask that Your Honor allow this so that justice can truly be served and no stone left unturned. Thank you.

Samuel D. Schmittler

Samuel Schmittler 01/26/20