

COURT OF APPEALS  
DIVISION TWO  
OF THE STATE OF WASHINGTON

FILED  
COURT OF APPEALS  
DIVISION II

2019 DEC 23 AM 9:54

STATE OF WASHINGTON

BY \_\_\_\_\_ DEPUTY

STATE OF WASHINGTON )  
)  
Respondent, )  
)  
v. )  
)  
Jacklynn Cuba Wilson )  
(your name) )  
)  
Appellant. )

No. 53715-0-11

STATEMENT OF ADDITIONAL  
GROUND FOR REVIEW

I, Jacklynn Wilson, 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

Exhibit A - Sarah Tofflemire atty (on case # 18-1-04345-1) gave me this to explain why I was charged with 1<sup>o</sup> ID Theft. ~~Forgotten for 3 months on this charge only.~~ in her own handwriting.

Additional Ground 2

Ineffectual counsel- did not advocate in my best interest, argued and told me false information and did not even know I turned myself into Pierce County Jail. I had no option but to take a plea as she was not counsel I felt good or competent to go to trial.

See attached pages

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

Date: December 17, 2019

Signature: Jacklynn Cuba Wilson

18-1-04345-1

Theft 1<sup>o</sup> 43-57  
ID Theft 1<sup>o</sup> 63-84  
Forgery counts 22-29 each

9 checks written were in excess of \$1500 which is 9 indiv. counts of ID Theft 1<sup>o</sup> I am collapsing into 1 count.

18-1-01160-6 (as charged)

ID Theft 2<sup>o</sup> 43-57  
Forgery 22-29  
Theft 2<sup>o</sup> 22-29

Aggravators:  
Abuse of position of trust  
Could ask for up to 120 mos. on ID Theft 1<sup>o</sup> consecutive

15-1-04607-3

Theft 1<sup>o</sup> 43-57 mos.

63 84  
43 57  
43 57  
-----  
149 — 198 mos.

sentences run consecutively and would NOT recommend concurrent sentences w/ her 3 King Co. cause numbers

Exhibit A

#### INEFFECTUAL COUNSEL

I met Sarah Tofflemire in mid-November 2018. I first was set to take the case 18-1-04345-1 (Mattress Makers) to trial because even though I had signed the checks I am charged with, I also signed many others with the owner's knowledge. I know that Chase Bank has documentation on each of the checks cashed at their branches because Raymond Burgess (owner) has a notice on the checking accounts that if anyone tries to cash any check over \$2,000.00 they must call him and get it verbally approved. I also asked Sarah to please do a "global resolution" on my cases out of Kent Regional Justice Center. Sarah said she was unsure if she could do this for me. My first impression was she must just be out of law school.

It took Sarah until the middle of January to send an investigator to see me about the Chase Bank issue. Then he had only read up on the other 2 cases pending. I told him that it was only Mattress Makers that I had an issue with the charges. So he took off to examine that case, came back 4 weeks later and had not even contacted the Bank to see if what I told him was true. So, here we are in February 2018 and no end in sight. I was sick of Pierce County jail and told him to tell Sarah I was ready to move on with a plea.

Sarah had not been able to resolve anything with Kent Regional Justice Center and took me to court to transport me there for 4-6 weeks. The DA (Dione

Hauger) called Kent and had this issue resolved in 1 phone call in mid- March 2018. I also was having issues with Sarah Tofflemire in regards to a charge on the Mattress Maker case on 1<sup>st</sup> Degree Identity Theft. I told her at least 50 times I did not commit that crime and refused to take this charge. I asked her to go to the DA and re-examine this because it was several months higher than any other charge that I was facing. Plus the main issue is I DID NOT DO 1<sup>st</sup> DEGREE IDENTITY THEFT. Sarah told me that the charge stemmed from me taking financial records from Mattress Maker (untrue) she ended up hanging up on me at the Pierce County Jail when I argued (politely I might add) that I did not do this, period. Starting March 18<sup>th</sup> I began leaving voice mails at the Department of Assigned Counsel office. I left several on Mary Kay Hall's voicemail requesting new counsel. Finally I gave up and left a message April 4, 2018 on Sarah Tofflemire's voicemail that I wanted new counsel. My daughter called her on April 5, 2018 and Sarah told her that yes, she had received my voicemail and was processing a request to the court. My next court date was April 24, 2018 and I was surprised to see that I still had Sarah as counsel. So, I decided I just want to get the plea done and get to prison. May 1, 2018 I was scheduled to sign the plea agreement and I signed off on the first two cases but Mattress Makers still had the 1<sup>st</sup> degree identity theft charge and I would not sign. Sarah started arguing again about how indeed I did do this crime and I told her I wanted new counsel immediately. She filled out papers right then and I

returned to my cell in jail. 20 minutes later the DA, Dione Hauger called me back to court to yell and threaten that if I did not sign the plea agreement as offered she would unwind the entire deal and make everything run consecutive. (See court proceedings May 1, 2018). I said nothing as I felt that my counsel should have said something to make the DA stop belittling me.

On June 4, 2018 prior to going into court Sarah Tofflemire gave me the attached Exhibit A in her handwriting to explain the new reason for the 1<sup>st</sup> degree identity theft and how much time I would be looking at if I did not sign the plea. I asked what I could plea to so that I could appeal the only charge I disagreed with. Sarah told me I would have to take a Barr Plea and this is where everything ended.

I never knew until I got the appeal paperwork that a deal had been agreed with Sarah Tofflemire and Dione Hauger to against me. I willingly accept the other charges and the time but I ask the Appeal Court to reconsider the lack of true counsel on this case.

Thank you,

Jacklynn Cuba Wilson