COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II
2020 MAR 19 PM 12: 26
STATE OF WASHINGTON
BY _____
DEPUTY

STATE OF WASHINGTON Respondent, v. Beau E. Nugent (your name) Appellant.	)))))))))	No. 53724-9-II STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW

I, Beau Nugent, 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

I would like to make a claim of ineffectiveness of counsel. My trial attorney was ineffective in the regards that he led witness into informing the jury that I was currently already in prison during the time of trial therefore eliminating any presumption of innocence and my right to due process. I objected to it at trial and requested a declaration of a mistrial.

Additional Ground 2

Insufficant summary of evidence, if officer testamony is evidence then all other testamony is evidence as well. and given proper consideration, the testamony of alibi witness placing me with her at home during the time of alleged crime. Had the jury not been wrongly informed of my current state of being incarcerated they would and should have reached a verdict of Notguilty. Given that the officer

Continued — appendix

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

Date: 3-10-20

Signature: [signature]

Form 23

appendix

had given clear testamony of his description of the driver and pertinant details such as a Large tattoo on the Neck of the driver so large that it covered the whole side of his Neck up to the Jaw line. All the while wearing more clothing that would cover more of the Neck than what I was wearing during trial and that same officer was unable to see any tattoo on my Neck because it didnt exist had the jury Not been given the presumption of guilt prior to deliberation they would ruled differently. Regardless of the judges order to disregard the testamony that I was in Prison already they could Not un hear what they already heard. I would also like to contest the courts decision to allow into trial an old looking photo to try and generate New evidence in the middle of trial is Not just. I also dont understand why my appelate counsel chose Not to contest the conviction, telling me that it is an issue for me to raise in a personal restraint pettition. It is my understanding that it is the duty of my attorny to raise these issues in my direct appeal.