

2020 JUN 26 PM 12: 13

COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION II

STATE OF WASHINGTON

BY _____
DEPUTY

STATE OF WASHINGTON,)

Respondent,)

v.)

THOMAS PLEASANT,)

Appellant.)

No. 53832-6-II

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW
RAP 10 10

I, Thomas L. Pleasant, 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

ON REMAND FOR RESENTENCING, MR. PLEASANT'S SENTENCING JUDGE WRONGFULLY RAN THE 7-16-08 LEWIS COUNTY OFFENSES CONSECUTIVELY TO COWLITZ COUNTY OFFENSES THAT HAD NOT YET OCCURRED AS EVIDENCED IN SECTION 2.2 OF THE AMENDED JUDGMENT AND SENTENCE IN QUESTION UNDER THIS APPEAL. THIS ABUSE OF DISCRETION VIOLATES RCW 9.94A.345. (SEE ATTACHMENT A).

Additional Ground 2

THE SENTENCING JUDGE WRONGFULLY USED POINTS NOT YET AVAILABLE BY COUNTING COWLITZ COUNTY OFFENSES THAT OCCURRED AFTER THE CURRENT OFFENSES, VIOLATING RCW 9.94A.589 (SEE ATTACHMENT B).

"ATTACHMENT B"

ADDITIONAL GROUND 2

RCW 9A.94A.589(1)(a); EXCEPT AS PROVIDED IN (b), (c), OR (d) OF THIS SUBSECTION, WHENEVER A PERSON IS TO BE SENTENCED FOR TWO OR MORE CURRENT OFFENSES, THE SENTENCING RANGE FOR EACH CURRENT OFFENSE SHALL BE DETERMINED BY USING ALL OTHER CURRENT AND PRIOR CONVICTIONS AS IF THEY WERE PRIOR CONVICTIONS FOR THE PURPOSE OF THE OFFENDER SCORE.

HERE AGAIN, PLEASANT'S SENTENCING JUDGE UNLAWFULLY REACHED INTO THE FUTURE TO USE NOT ONLY PRIOR AND CURRENT OFFENSES TO DETERMINE PLEASANT'S OFFENDER SCORE, BUT TO ALSO COUNT SUBSEQUENT OFFENSES THAT ARE OUTSIDE OF 589's MANDATED SCOPE OF CURRENT OR PRIOR OFFENSES.

PLEASANT'S OFFENDER SCORE IS WRONG. IT HAS ALL POINTS COUNTED; PAST, PRESENT, AND FUTURE. HIS SENTENCE IS THEREFORE INVALID. next →

" Attachment B "
Additional Grands 2

Dear, DIV II Court of Appeals

6-23-08

In Relavance to this Cause# 53832-6-II
Lewis Co.

This Crime Accured on July 16, 2008.

The Crimes being Referred to in Cowlitz, Co
Accured;

{
July 19th 2008
July 24th 2008
July 29th 2008
}

all 3 Cases From Cowlitz, Co Im Currently
Serving a 3 Strikes Sentence there.

Lewis Co waited nearly 8 yrs after the
Warrent was Filed in (Oct 2008) to Come
get me in 2016.

Thank you,

Sincerely
Thomas Pleasant