

No. 31832-0-III

IN THE COURT OF APPEALS
OF THE
STATE OF WASHINGTON

DIVISION THREE

STATE OF WASHINGTON,

Respondent,

v.

HEATH T. WISDOM

Appellant.

ON APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR YAKIMA COUNTY

The Honorable Judge Robert Lawrence-Berry

APPELLANT'S REPLY BRIEF

KRISTINA M. NICHOLS
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A. REPLY TO STATE'S RESPONSE BRIEF

Your Appellant has carefully reviewed the State's Response Brief, which was filed in in this case on July 16, 2014. The State's Response Brief appears substantially identical to the State's Motion on the Merits, previously filed in this case on April 22, 2014. Now, therefore, Mr. Wisdom respectfully requests that this Court review and incorporate his response to the State's Motion on the Merits for purposes of this Reply, which was filed by Mr. Wisdom on April 25, 2014. Based on the arguments in Mr. Wisdom's opening brief and this reply (which hereby incorporates Mr. Wisdom's response to the State's Motion on the Merits), the Appellant respectfully requests that this Court reverse and dismiss his drug conviction. The conviction was based on unlawfully obtained evidence; the drug evidence was obtained pursuant to, *inter alia*, an excessive and unlawful inventory search.

Respectfully submitted this 13th day of August, 2014.

/s/ Kristina M. Nichols
Kristina M. Nichols, WSBA #35918
Attorney for Appellant

COURT OF APPEALS
DIVISION III
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON)
Plaintiff/Respondent) COA No. 31832-0-III
vs.)
HEATH WISDOM) PROOF OF SERVICE
Defendant/Appellant)
_____)

I, Kristina M. Nichols, assigned counsel for the Appellant herein, do hereby certify under penalty of perjury that on August 13, 2014, I deposited for mailing with the U.S. Postal Service first class mail, postage prepaid, a true and correct copy of the Appellant's attached Reply Brief to:

Heath T. Wisdom, Register No. 13870-085
FCI Herlong
Federal Correctional Institution
P.O. BOX 800
Herlong, CA 96113

Having obtained prior permission, I also served David Trefry at David.Trefry@co.yakima.wa.us and appeals@co.yakima.wa.us.

Dated this 13th day of August, 2014.

/s/ Kristina M. Nichols
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