

FILED
October 13, 2015
Court of Appeals
Division III
State of Washington

NO. 33342-6-III

COURT OF APPEALS, DIVISION III
OF THE STATE OF WASHINGTON

THE STATE OF WASHINGTON, Respondent

v.

ELVIS CAMILLO RENTERIA LOPEZ, Appellant

APPEAL FROM THE SUPERIOR COURT
FOR BENTON COUNTY

NO. 10-1-00407-0

BRIEF OF RESPONDENT

ANDY MILLER
Prosecuting Attorney
for Benton County

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I. RESPONSE TO ASSIGNMENT OF ERROR

- A. The matter should be remanded for a hearing to determine that the defendant's prior conviction does not wash.**

II. STATEMENT OF THE CASE

For purposes of responding to this appeal, the State will rely on the Statement of the Case provided in Appellant's Brief at pages 1 through 4.

III. ARGUMENT

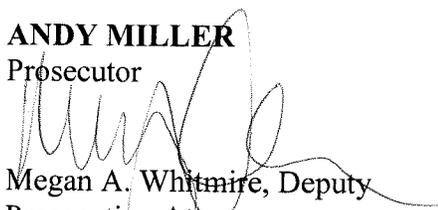
In light of the defendant's argument, the State agrees that the matter should be remanded for a hearing to establish that the defendant's prior conviction does not wash.

IV. CONCLUSION

Remand for a hearing regarding the defendant's offender score is warranted.

RESPECTFULLY SUBMITTED this 13th day of October, 2015.

ANDY MILLER
Prosecutor



Megan A. Whitmire, Deputy
Prosecuting Attorney
Bar No. 29933
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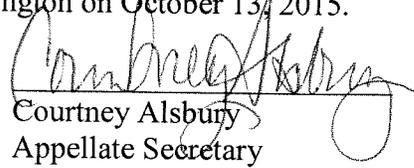
CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on this day I served, in the manner indicated below, a true and correct copy of the foregoing document as follows:

Eric Nielsen
Nielsen, Broman & Koch, PLLC
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E-mail service by agreement
was made to the following
parties:
Sloanej@nwattorney.net

Signed at Kennewick, Washington on October 13, 2015.


Courtney Alsbury
Appellate Secretary