

FILED

APR 07 2017

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

IN THE COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION III

NO. 34718-4-III

STATE OF WASHINGTON,
Respondent,

vs.

MEGHAN LILLIAN MIANECKI,
Appellant.

APPEAL FROM THE SUPERIOR COURT OF THE STATE OF
WASHINGTON FOR ADAMS COUNTY
CAUSE NO. 16-1-00033-9

BRIEF OF RESPONDENT



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I. RESPONSE TO ASSIGNMENTS OF ERROR

The Trial Court was correct that no preaccusatorial delay occurred in this case warranting a due process violation.

II. ISSUES PRESENTED

Whether the justifiable and reasonable delays in bringing forth this matter outweighs the prejudice of losing juvenile court jurisdiction.

III. STATEMENT OF THE CASE

The Appellant, Meghan L. Manecki, was seventeen when she has sex with a twelve year old child. This event occurred on July 23, 2015 in Grant County. CP 2 at 3. The Grant County Sheriff's Office initiated an investigation on that same date. *Id.* Deputy Overland and Deputy Fisher conducted an investigation, interviewed the victim, and collected evidence from the scene. *Id.* at 3-4.

On August 6, 2015, Deputy Overland and Deputy Fisher attempted to interview the Appellant about the incident. *Id.* at 8. The Deputies were informed by the Appellant's mother that she had hired a lawyer and that her daughter would not be speaking with the Deputies. *Id.*

On August 11, 2015, deputies attempted to serve a search warrant on the Appellant, but were unable to locate her. *Id.*

On August 14, 2015, deputies served the search warrant on the Appellant and obtained a DNA sample, among other evidence. *Id.* at 8-9.

On August 15, 2015, Deputy Overland submitted the evidence to the WSP Crime Laboratory for analysis.¹ RP 36.

Between August 18, 2015 and August 19, 2015, the WSP Crime Laboratory received the evidence for testing. RP 60.

On October 9, 2015, WSP scientist, Alison Walker, was assigned the case. *Id.*

On December 2, 2015, the Grant County Sheriff's Officer received the results from the WSP Crime Laboratory. RP 46.

Deputy Overland was off on December 2, 2015 and December 3, 2015. *Id.* Deputy Overland testified that he could not recall when he received the lab report and that it depended on the

¹ The Appellant argues in her Statement of the Case that Deputy Overland did not expedite testing and "chose to not 'rush the process' for Ms. Mianeki's DNA analysis." Brief of the Appellant, at 4. This is an inaccurate statement of Deputy Overland's testimony. Deputy Overland testified that he would have handled a hypothetical rape case involving a teacher the same as he did this case. RP 40-42. Deputy Overland did not testify that he chose to slow down the testing process. Appellant also asserts that Deputy Overland chose not to expedite the process by marking the samples as "for a pending court dates." Brief of the Appellant, at 4. However, no court dates were pending at the time he sent the sample, so there was no basis to mark this selection and mislead to the crime lab.

“speedy service of the evidence clerk.” *Id.* Deputy Overland did testify that he believed he received the report on December 23, 2015 or a day before or after that date. RP 50.

On December 19, 2015, the Appellant turned 18.

Deputy Overland reviewed the results from the WSP Crime Laboratory around December 23, 2015. RP 50. Deputy Overland testified that between December 2, 2015 and December 23, 2015, he worked eleven shifts and responded to forty-four calls for service. RP 44. Deputy Overland testified that during this time he was extremely busy. *Id.*

On January 5, 2016, Deputy Overland referred this case to the Grant County Prosecuting Attorney's Office. The Grant County Prosecuting Attorney's Office had a conflict regarding this case and referred the case to the Adams County Prosecuting Attorney.

On April 1, 2016, the Appellant was charged with one count of Rape of a Child in the Second Degree and one count of Child Molestation in the Second Degree.

On June 30, 2016, the Appellant filed a Motion to Dismiss for preaccusatorial delay. CP 17-19.

On September 22, 2016, the trial court denied the Appellant's motion to dismiss. The trial court correctly weighed the

prejudice that instills in the loss of juvenile court jurisdiction against the basis for the delay as provided by the State. The trial court found that “I don’t see any undue delay in this case. And balancing the prejudice against the fact that there was no undue delay, I deny defendant’s motion.” RP 88.

The Appellant has now appealed the order denying dismissal to this Court.

IV. ARGUMENT

Any preaccusatorial delay did not violate the Appellant’s due process rights.

The Appellant argues that the trial court erred in finding that the prejudice caused to the Appellant in losing juvenile court jurisdiction did not overcome the fact that there was no undue delay by the State. Whether preaccusatorial delay violated a defendant’s right to due process is a question of law and reviewed *de novo*. State v. Maynard, 183 Wn.2d 253, 259, 351 P.3d 159 (2015) (*citing State v. Oppelt*, 172 Wn.2d 285, 290, 257 P.3d 653 (2011)). Factual findings made by the trial court should not be questioned on appeal. State v. Carol M.D., 89 Wn. App. 77, 98, 948 P.2d 837 (1997) (“We do not sit as fact finders in the place of the trial judge. We cannot ignore the function of the trial court as a preliminary fact finder under ER 104.”);

Our Supreme Court has established a three part test to determine whether preaccusatorial delay violates due process when the delay leads to a loss of juvenile court jurisdiction. State v. Warner, 125 Wn.2d 876, 889, 889 P.2d 479 (1995) (citing State v. Dixon, 114 Wn.2d 857, 864, 792 P.2d 137 (1990)). (1) The Defendant must show prejudice resulting from the delay. (2) The court then must consider the reasons for the delay as provided by the State; and (3) If the state can justify the delay, the court will engage in balancing the State's interest against the prejudice to the accused. *Id.* at 890. "The ultimate issue in balancing the interest is 'whether the action complained of ... violates those 'fundamental concepts of justice which lie at the base of our civil and political institutions.'" *Id.* (quoting State v. Lidge, 111 Wn.2d 845, 852, 765 P.2d 1292 (1989)). "The State is given a great deal of discretion over the decision of when to file charges." *Id.*

"There is no constitutional right to be tried as a juvenile." *Id.* (citing State v. Sharon, 33 Wn. App. 491, 494, 655 P.2d 1193 (1982), *aff'd*, 100 Wn.2d 230, 668 P.2d 584 (1983)). "However, a delay that causes the loss of juvenile court jurisdiction will satisfy the minimal requirements of prejudice under the first prong of the test as a matter of law because it does result in the loss of certain

benefits.” *Id.* at 889-90 (*citing Dixon*, 114 Wn.2d at 861, 792 P.2d 137. “There are only two circumstances where delay can justify vacating a conviction: (1) an intentional delay by the State to circumvent the juvenile justice system will violate due process, and (2) a negligent delay *may* violate due process.” *Id.* (*Citing Lidge*, 111 Wn.2d at 848, 765 P.2d 1292.

A. PREJUDICE FROM DELAY

The Appellant argues that the delay in this case is highly prejudicial against her. By losing juvenile court jurisdiction, the Appellant has met her minimal burden of showing prejudice. However, Appellant argues the delay is highly prejudicial. Appellant's own case law counters her position. All of the cases cited by the Appellant in the chart on pages eleven and twelve of Appellant's brief hold that either the delay was justified or that it outweighed any prejudice. Notably, several of the cases cited by Appellant are juvenile sex cases. The Appellant argues that her case is unique and that this Court should ignore all of the prior precedence on this issue. The Appellant is mistaken. The issues in her case are not unique and require no special treatment by this Court in rendering its determination.

1. Age of Appellant not a factor

Appellant confuses the charges in this case by arguing that her age is a deciding issue before the Court. Repeatedly in Appellant's Brief she references that the crimes charged are prohibited sexual contact between two minors. Appellant states that of the cases she cites that "none involve an alleged crime where, like here, an essential element is the fact that the accused was a minor at the time the alleged act occurred..." Brief of the Appellant, at 13. Appellant misrepresents the elements of the offenses charged. The charges have nothing to do with sexual contact between two minors. It has everything to do with having sexual contact with a twelve year old when the other person is **more than** thirty-six months older.

Appellant is charged with Rape of a Child in the Second Degree and Child Molestation in the Second Degree. RCW 9A.44.076 provides for the first count that:

A person is guilty of rape of a child in the second degree when the person has sexual intercourse with another who is at least twelve years old but less than fourteen years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.

RCW 9A.44.076 (*Emphasis Added*). The only question regarding the Appellant's age is whether she is thirty-six months older than the victim. There is absolutely no mention of a requirement that she be under the age of eighteen. Such a notion is absurd, because it means that an eighteen year old could not commit Rape of a Child in the Second Degree. Similarly, RCW 9A.44.086 provides:

A person is guilty of child molestation in the second degree when the person has, or knowingly causes another person under the age of eighteen to have, sexual contact with another who is at least twelve years old but less than fourteen years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.

RCW 9A.44.086 (*Emphasis Added*). Again, there is absolutely no mention that a defendant has to be under the age of eighteen to be charged. A defendant merely must be more than thirty-six months older than the victim and not married to the victim. Neither statute cares whether a defendant is thirty-six months and one day older than the victim or thirty-six years. Appellant's argument is nonsensical and contrary to the law.

Appellant is attempting to persuade this Court that it needs to treat this case differently than every other case of child rape.

Appellant is confused in thinking that it is the age of the perpetrator and not the age difference between the perpetrator and the victim.

“Prior decisions involve acts that would be criminal regardless of the age of the accused.” Brief of the Appellant, at 13. “In contrast, what makes sexual contact between two juveniles lawful versus unlawful depends *precisely* on the age of the alleged perpetrator.” *Id.* The Appellant is flatly wrong in her argument. It is not the law.

What makes sexual contact between two juveniles illegal is not the age of the perpetrator but the age difference between the perpetrator and the victim. The Appellant is approximately fifty-seven months older than the victim.² The Appellant is twenty-one months older than the thirty-six month threshold of the statutes. It is a violation of the statutes for anyone older than thirty-six months of the victim. Whether the Appellant was seventeen at the time of the offense or eighteen or eighty it is the exact same violation of the statute. There is no difference in the offense. The Appellant is not prejudiced by her age because it is not an essential element of the offenses. Appellant’s argument fails.

² The victim was born on September 6, 2002. The Appellant was born on December 19, 1997.

2. Differences between adult and juvenile sentences

Appellant argues that she is prejudiced because of the disparate treatment she would receive in the adult court versus the juvenile system. Appellant grossly misunderstands the differences and, more importantly, the similarities between the juvenile and adult system. Appellant argues that if she was sentenced as a juvenile she could be incarcerated up to 36 weeks, her sentence could be suspended under “Option B” suspended Disposition, she could have her file sealed, no sex offender registration, no public humiliation, and no professional and academic restrictions related to the offense. Appellant is wrong on almost all of her points. The Appellant is correct that the standard range under RCW 13.40.0357 for this offense is 15-36 weeks. However, Appellant is not eligible for an “Option B” suspended sentence, where her sentence is suspended and she is placed on probation, because this is a sex offense. See RCW 13.40.0357(b). Similarly, appellant is not eligible to have this case sealed. See RCW 13.50.260(1)(c)(i)(A) and (B). A juvenile sex offender is required to register just as an adult offender must. See RCW 9A.44.130.

Appellant is also eligible for sex offender alternative sentences. In the juvenile system she would be eligible for a

Special Sex Offender Disposition Alternative. RCW 13.40.162. Sentencing under RCW 13.40.162 includes up to 30 days of detention, court ordered treatment, the possibility of court ordered inpatient treatment, and at least two years community supervision. In the adult system, the Appellant is eligible for a Special Sex Offender Sentencing Alternative. RCW 9.94A.670. Sentencing under RCW 9.94A.670 includes a sentence of up to twelve months (0-12 months) or the maximum term of the standard range, whichever is less; a term of community custody of at least three years; and court ordered treatment.

Appellant is also wrong about her contentions of social stigmas resulting from this case. Because the Appellant would not have been able to seal her juvenile record, if she has been tried as a juvenile, the same public humiliation, social stigma, and professional and academic restrictions would attach. Appellant's contentions fail.

Appellant further contends that as an adult she is subject to a term up to "life" in prison. This is not so. Under RCW 9.94A.507, an adult convicted of Rape of a Child in the Second Degree would receive an indeterminate sentence with a maximum range of life. RCW 9.94A.507(3). This is not the case for adults who's offense

was committed when they were under the age of eighteen, such as the Appellant. RCW 9.94A.507(2) provides:

[a]n offender convicted of rape of a child in the first or second degree or molestation in the first degree who was seventeen years of age or younger at the time of the offense shall not be sentenced under this section.

RCW 9.94A.507 does not apply to the Appellant. Appellant is not eligible to be sentenced to a maximum of "life" in prison.

As this Court is well aware, the Sentencing Reform Act does not impose a standard range of "life" on an offender with no prior history without egregious reasons. Appellant's standard range in this case, with an offender score of zero, would be seventy-eight to one hundred and two months. The Appellant further ignores the fact that she qualifies for a Special Sex Offender Sentencing Alternative in which the above sentence could be suspended. Between the two courts the Appellant could in fact be looking at less time in custody as an adult than as a juvenile.

The Appellant is not highly prejudiced by being treated as an adult. Most of the prejudice argued by Appellant is the same either way. The only prejudice that exists is the loss of juvenile court jurisdiction

B. BASIS FOR THE DELAY

Appellant argues that the State has absolutely no basis for the delay in this case. That is flatly not true. The initial delay in this case was for the purposes of investigation. Between July 23, 2015 and August 15, 2015 officers were investigating the case, collecting evidence, attempting to interview the Appellant, and obtaining search warrants. Delays due to investigations are justified. See State v. Lidge, 111 Wn.2d 845, 850, 765 P.2d 1292 (1989) (“Forcing prosecutors to proceed precipitously may waste scarce resources on cases in which the defendant’s guilt cannot be established beyond a reasonable doubt. More devastating, however, is the risk that incomplete police investigation will result in charges being brought against innocent persons. These are costs that society should not bear. For these reasons, courts generally conclude that investigative delays are justified.”).

Between August 15, 2015 and December 2, 2015, the evidence was at the crime lab being tested. Delays due to the crime lab are also justified and juvenile cases should not take priority over adult cases. See State v. Calderon, 102 Wn.2d 348, 354, 684 P.2d 1293 (1984) (waiting for lab results because of backlog at state crime lab was justified. “Absent extraordinary

circumstances, it is appropriate for juvenile offenses to be managed in the same manner as are adult crimes. We are reluctant to interfere with standard investigatory procedures by requiring special treatment for juvenile suspects.”)

On December 2, 2015, the result of the testing was received by the Grant County Sheriff’s Office. Deputy Overland testified that he believed that he did not receive the report until approximately December 23, 2015. RP 50. The Appellant turned eighteen on December 19, 2015. Deputy Overland could not account for the span of time, but did state in his testimony that getting the results depended on the “speedy service of the evidence clerk.” RP 46. Deputy Overland further testified that he was extremely busy during this time period working eleven shifts and responding to forty-four service calls. *Id.* Routine administrative office processes and scheduling conflicts are justifiable delays. See: State v. Alvin, 109 Wn.2d 602, 606, 746 P.2d 807 (1987) (“No suspect has a constitutional right to expect the judicial process to anticipate routine delays, common in the administrative and investigatory process, which may uniquely affect that individual’s case.”). Deputy Overland was also not required to provide special treatment to the Appellant just because she was a juvenile. After the Appellant

turned eighteen any further delay is not at issue in this appeal. Delays after the Appellant turned eighteen were also justified.

Appellant argues that there was no basis for the delay after December 2, 2015, because Deputy Overland could not account for why he had not reviewed the DNA results prior to the Appellant turning eighteen. Brief of the Appellant, 18. Appellant again mischaracterizes Deputy Overland's testimony. Deputy Overland did testify that he reviewed the DNA report when he received it on or about December 23, 2015. RP 50.

Q: And, to your knowledge when did you receive the Crime Lab Report?

A: I'm unaware, ma'am. But I do have a date on the top of the Supplemental Officer's Report of December 23rd of 2015, which leads me to believe that it was received probably that day or a day before or a day after.

RP 50. Deputy Overland never testified that he received the report on December 2, 2015. The record indicates that the Grant County Sheriff's Office received the Crime Lab Report on December 2, 2015 and it took until December 23, 2015 for the evidence custodial, with all of their other duties, to process that report and the evidence and get the report to Deputy Overland. Appellant's claim is inaccurate and misleading.

C. Balancing interests

The Appellant argues that the trial court failed to accurately balance the interests between the prejudice to the Appellant and the justifications for the delays. The Appellant argues that she is highly prejudiced and there is no justification for the delay.

As set forth above, the Appellant is prejudiced, but only to the extent that any juvenile is prejudiced by the loss of juvenile court jurisdiction. Appellant's claim of severe prejudice does not exist in this case. The harshest penalties for a conviction are the same in the juvenile system as the adult: sex offender registration, probation, inability to seal or vacate record, social stigma, professional restrictions. The only true difference is incarceration time. It is true that the standard range for an adult is greater than for a juvenile, but that ignores the fact that the Appellant qualifies for a Special Sex Offender Sentencing Alternative which would result in little to no jail time being imposed. The Appellant has failed to show any substantial prejudice.³

³ The Appellant also ignores the fact that were she charged when she was a juvenile she would have been subject to a mandatory declination hearing. RCW 13.40.110. The Court would have considered the *Kent* factors in deciding whether to decline juvenile court jurisdiction and send her to adult court. *Kent v. United States*, 86 S.Ct. 1045, 383 U.S. 541, 16 L.Ed.2d 84 (1966). 1. Seriousness of the alleged offense, Rape of a Child Second; 2. Whether aggressive, violent, premeditated, or willful, the evidence shows the act was premeditated or willful; 3. The crime was against a twelve year old child; 4. Prosecutorial merit, DNA has confirmed she had sexual contact with the child; 5. There

The State has articulated several reasonable and justifiable bases for the delay in this case. Delays for investigations, lab testing, and administrative processes are all justifiable reasons to delay cases and all present in this case. Appellant argues that the delays prejudiced her. However, what is more prejudicial: dragging a seventeen year old out of school in hand cuffs, filing charges, placing her in detention, and prosecuting her for a crime she may not have committed; or carefully and diligently collecting evidence, having that evidence tested, having lab results that proved the seventeen year old committed the offense, and then prepared detailed report information for charging? Appellant contends that the second process is more prejudicial because it takes time for the State to be sure it is charging the right person with an A felony sex offense. Appellant's contention is absurd. It serves society, justice, and the Appellant herself that the State waited until it had confirmed the account of a twelve year old child before charging her with an A felony. The fact that the process went past her eighteenth birthday

was no presence of an adult co-suspect; 6. Sophistication and maturity, the Appellant was five months shy of being eighteen and there is no evidence that she was not mature; 7. Criminal history, Appellant does not have a criminal record; and 8. Availability for safety and rehabilitation, Appellant was nearly eighteen and the services aimed at juveniles would not be beneficial or necessarily applicable to her. Applying the factors above the trial court would have had a strong basis to have declined juvenile court jurisdiction and she would have been in adult court anyway.

does not violate the fundamental concepts of justice. Taking the time to do the process right upholds the fundamental concepts of justice.

The Court weighs the prejudice of the Appellant to the justification for the delay by the state. The Court weighs it by applying the fundamental concepts of justice which lie at the base of our civil and political institutions. In this case, the Appellant was denied juvenile court jurisdiction and is now being treated as an adult. The Appellant has been prejudiced, but only minimally. The State, on the other hand, has set forth numerous recognized bases for the delay in this case. The investigation leading to the filing of charges was done in a manner that is expected for charges of this nature. Law enforcement delayed sending this matter to the prosecuting attorney until they were sure that the Appellant committed the crime and that it could be proven. Law enforcement waited until they had more evidence than the statement of a twelve year old victim to support the charges. Courts have consistently held that delays for investigations are justified.

Forcing prosecutors to proceed precipitously may waste scarce resources on cases in which the defendant's guilt cannot be established beyond a reasonable doubt. More devastating, however, is the risk that incomplete police

investigation will result in charges being brought against innocent persons. These are costs that society should not bear. For these reasons, courts generally conclude that investigative delays are justified.

State v. Lidge, 111 Wn.2d 845, 850, 765 P.2d 1292 (1989). The delays in this case were justified and warranted based upon the seriousness of the charges. The trial court correctly concluded:

I don't see any undue delay in this case. And balancing the prejudice against the fact that there was no undue delay, I deny defendant's Motion.

RP 88.

In rendering its decision on preaccusatorial delay, the trial court was sitting as both judge and fact finder. The trial court took testimony of witnesses, weighed the credibility of those witnesses, and the explanations for any delays in this case. The trial court found as a matter of fact that no undue delay existed. *Id.* Written findings were not entered in this case, but the trial court's oral findings are clear. An appellate court should not question the determination of the fact finder. See: ER 104; State v. Carol M.D., 89 Wn. App. 77, 98, 948 P.2d 837 (1997) ("We do not sit as fact finders in the place of the trial judge. We cannot ignore the function of the trial court as a preliminary fact finder under ER 104."); State

v. Bencivenga, 137 Wn.2d 703, 709, 974 P.2d 832 (1999) (*citing* State v. Snider, 70 Wn.2d 326, 327, 422 P.2d 816 (1967) (“An essential function of the fact finder is to discount theories which it determines unreasonable because the finder of fact is the sole and exclusive judge of the evidence, the weight to be given thereto, and the credibility of witnesses.”). The trial court’s findings are clear. The trial court found as a matter of fact that no undue delay existed. The trial court found no evidence of any undue delay, because there was none.

There was no undue delay in bringing the prosecution in this case. Any delays in this case were justifiable, reasonable, and permissible. While the Appellant was prejudiced by the loss of juvenile court jurisdiction, it is far outweighed by the State’s interest in ensuring that this matter was brought against the correct person and that conclusions were not rushed. Investigations take time, lab work takes time, writing reports takes time, and these delays are justifiable and reasonable. There was no preaccusatorial delay in this case.

V. CONCLUSION

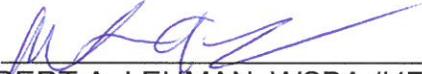
The Appellant's due process rights were not violated by the delay in bringing this case. Appellant has failed to show any evidence of an intentional or negligent act by the State of prosecutorial delay. The fact finder that took all the testimony on this issue clearly found that no undue delay existed and that any delay that did exist was justified. While the Appellant was prejudiced by the loss of juvenile court jurisdiction, it is clearly outweighed by the reasonable and logical bases for the delay. The Appellant's claim fails.

The trial court properly weighed the preaccusatorial delay factors and found in favor of the State. Permitting this matter to proceed upholds our fundamental concepts of justice. Holding an adult accountable for their actions when they were five months short of being eighteen years old is just. Allowing a defendant to escape being held accountable for raping a twelve year old boy because law enforcement followed proper investigative procedures is not just. Our society is based upon the idea of holding people accountable for their actions. The Appellant needs to be accountable for hers.

The State respectfully requests this Court deny the Appellant's interlocutory appeal and permit this matter to proceed.

DATED this 6 day of APRIL, 2017.

RANDY J. FLYCKT
Adams County Prosecuting Attorney

By: 
ROBERT A. LEHMAN, WSBA #47783
Deputy Prosecuting Attorney

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5 **COURT OF APPEALS**
6 **OF THE STATE OF WASHINGTON**
7
8 **DIVISION III**

9 STATE OF WASHINGTON)
10 Respondent,) COA NO. 34718-4-III
11 v.)
12 MEGHAN LILLIAN MIANECKI,) AFFIDAVIT OF MAILING
13 Appellant,)
14)

15
16 STATE OF WASHINGTON)
17 County of Adams)ss.
18)

18 HELEN KENYON, being first duly sworn, on oath deposes and says:

19 That on this day affiant deposited in the mails of the United States of America
20 a properly stamped and addressed envelope directed to:

- 21 1. Ms. Renee Townsley, Clerk/Administrator
22 Court of Appeals
23 500 N. Cedar St.
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25 2. Mr. Joseph W. Moore
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7 containing a copy of the Respondent's Brief.

8 DATED this 6th day of April, 2017.

10 *Heleen + Kenyon*
11 HELEN KENYON, Legal Assistant

12 SUBSCRIBED AND SWORN to before
13 me this 6th day of April, 2017.



14 *Rachel Plager*
15 NOTARY PUBLIC in and for the State of
16 Washington, residing in Ritzville.
17 My commission expires: 7/18/2020.

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COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

April 6, 2017

Ms. Renee S. Townsley, Clerk/Administrator
Court of Appeals
500 North Cedar Street
Spokane, WA 99201

Via First Class Mail

Re: State of Washington v. Meghan Mianecki
Court of Appeals Cause No. 34718-4-III

Dear Ms. Townsley:

Please find enclosed the following documents for the above entitled cause:

1. Respondent's Brief
2. Affidavit of Mailing

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Helen Kenyon".

Helen Kenyon
Legal Assistant

HK

cc: William A. Gilbert, Attorney at Law
Joseph W. Moore, Attorney at Law
Meghan Mianecki

Enclosures