

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

MATTHEW R. RUTH,
Respondent,
VS.
STATE OF WASHINGTON,
Appellant.

NO. 78611-9
STATEMENT OF ADDITIONAL
AUTHORITY

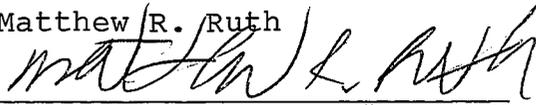
Pursuant to RAP 10.8, Appellant cites to the following Additional authority's on the following question whether trial Counsel rendered ineffective assistance of counsel for failure to request the lesser included instruction of assault in the second degree.

UNITED STATES V. SPAN, 75 F.3d 1383, 1389-90 (9th.Cir.1996)

HARRIS V. WOODS, 64 F.3d 1432, 1438 (9th.cir 1995)

Dated this 30 day of September, 2007.

Respectfully Submitted,

Matthew R. Ruth

MATTHEW R. RUTH DOC# 879492

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