

RECEIVED
SUPREME COURT
STATE OF WASHINGTON

2001 OCT 15 A 10:02

BY RONALD R. CALVERTER

OLEM

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Petitioner,

v.

KHA DANH MAGERS,

Respondent.

NO. 79332-8

STATEMENT OF ADDITIONAL
AUTHORITY

Pursuant to RAP 10.8, Petitioner, State of Washington, respectfully submits the following as additional authority:

1. State v. Kirkman, 159 Wn.2d 918, 155 P.3d 125 (2007) (witnesses' opinion testimony indirectly referring to victim's credibility does not constitute manifest constitutional error that could be raised for first time on appeal).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

2. State v. Young, 160 Wn.2d 799, 161 P.3d 967 (2007) (hearsay statements admissible as excited utterances even though the declarant later recanted the statements).

Dated: October 15, 2007.

GERALD A. HORNE
Pierce County
Prosecuting Attorney


P. GRACE KINGMAN
Deputy Prosecuting Attorney
WSB # 16717

Certificate of Service:

The undersigned certifies that on this day she delivered by U.S. mail or ABC-LMI *& Fax* delivery to the attorney of record for the appellant and appellant c/o his or her attorney or to the attorney of record for the respondent and respondent c/o his or her attorney true and correct copies of the document to which this certificate is attached. This statement is certified to be true and correct under penalty of perjury of the laws of the State of Washington. Signed at Tacoma, Washington, on the date below.

**FILED AS ATTACHMENT
TO E-MAIL**

10.15.07 *incert*
Date Signature