

80380-3

IN THE
WASHINGTON STATE COURT OF APPEALS
SEATTLE, WASHINGTON.,

Yellow

STATE OF WASHINGTON,

) CASE NO: 56460-9-1

(RESPONDENT)

)

) "APPELLANT'S SUPPLEMENTAL BRIEF"

VS:

)

ALI ELMI,

)

(APPELLANT)

)

)

)

2006 MAY 11 PM 5:01
COURT CLERK
WALLA WALLA
FILED

.....

ALI ELMI
(APPELLANT)

~~Today I deposited in the mail of the United States of America a properly stamped and addressed envelope directed to the attorneys of record of plaintiff/defendant containing a copy of the document to which this declaration is attached.~~

WASHINGTON STATE PENITENTIARY
1313 NORTH 13th AVENUE
WALLA WALLA, WASHINGTON. (99362)

I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

me
Name

MAY 10 2006
Date

Done in Seattle, Washington

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A: ASSIGNMENT OF ERROR

#1: I WAS DENIED MY 14th AMENDMENT RIGHT TO EQUAL PROTECTION. THE STATE DISCRIMINATED AGAINST ME, BY TREATING THE APPELLANT "DIFFERNT", THAN THOSE WHO ARE SIMILARLY SITUATED TO THE DEFENDANT/APPELLANT.

I SHOULD HAVE BEEN CHARGED WITH RECKLESS ENDANGERMENT INSTEAD OF ATTEMPTED MURDER.

#2: THE STATE TRIAL COURT INTRODUCED INTO EVIDENCE A "GUN" FROM ANOTHER STATE THAT NEVER SHOULD HAVE BEEN ENTERED INTO EVIDENCE AS IT CONSTITUTED "FRUIT FROM A POISONOUS TREE".

#3: THE STATE'S WITNESS COULD NOT IDENTIFY THE APPELLANT AS THE SHOOTER IN THE CRIME.

#4: MY TRIAL ATTORNEY WAS INEFFECTIVE, IN THAT SHE FAILED TO BRING FORTH MY WITNESSES, OR SUBPOENA WITNESSES. SHE FAILED TO PROPERLY CROSS EXAMINE WITNESSES.

ASSIGNMENT OF ERROR/PART. 11:

5: I WAS CHARGED WITH "ASSAULT", AND "ATTEMPTED MURDER" IN
FIRST
THE RIRST DEGREE ON THE SAME PERSON.

THIS ERROR VIOLATED DOUBLE JEOPARDY IN THAT THE ASSAULT
INVOLVED THE SAME PERSON, THE SAME PLACE, AND THE SAME TIME,
THE ATTEMPTED MURDER SHOULD NEVER HAVE BEEN INCORPORATED INTO
THE CHARGE:

CONCLUSION

I FEEL THAT I AM ENTITLED TO A "NEW TRIAL" AT THE LEAST, AND THAT AT THE MOST, I AM ENTITLED TO MY "IMMEDIATE" RELEASE, AS MY CONSTITUTIONAL RIGHTS HAVE BEEN GROSSLY, AND MANIDFESTLY VIOLATED.

ALL OF MY ISSUES ARE "CONSTITUTIONAL", AND GERMAINE TO EQUAL PROTECTION, AND DUE PROEESS OF LAW.

MY ISSUES ALL INVOLVE "PLAIN ERROR", AND PLAIN ERROR REQUIRES AUTOMATIC REVERSAL OF THE CONVICTION.

/s/

Ali

ALI ELMI # 885292

WASHINGTON STATE PENITENTIARY
1313 NORTH 13th AVENUE
WALLA WALLA, WASHINGTON. (99362)

STATE OF WASHINGTON)
COUNTY OF WALLA WALLA)

AFFIDAVIT OF SERVICE BY MAILING
SS: PURSUANT TO: 28 U.S.C.A. 1746;

I ALI ELMI, DO HEREBY DECLARE UNDER THE PAIN, AND PENALTY OF PERJURY THAT I FAITHFULLY SERVED ON THE RESPONDENTS, AND THE COURT (1) COPY OF THE "SUPPLEMENTAL BRIEF". ADDRESSED TO; THE KING COUNTY PROSECUTOR-516 THIRD AVENUE-THE KING COUNTY COURTHOUSE-SEATTLE, WA.,(98104)

& TO: OLIVER DAVIS ATTORNEY FOR THE APPELLANT
WASHINGTON APPELLATE PROJECT
1511 THIRD AVENUE-SUITE 701
SEATTLE, WA. 98101

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/s/ 

ALI ELMI

885292

DATED: 5/3/2006