

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

In re Personal Restraint Petition of)
)
)
)
RAYMOND MARTINEZ,)
)
Petitioner.)
)
)
)
_____)

No. 83219-6

STATEMENT OF
ADDITIONAL
AUTHORITY

Pursuant to RAP 10.8, petitioner cites to the following additional authority:

In re Pers. Restraint of Heidari, ___ Wn. App. ___, ___ P.3d ___ (No. 63040-7-I, filed Jan. 24, 2011) (remand for resentencing on lesser included offense is precluded where jury was not instructed on that offense)

DATED this 18th day of January, 2011.

Respectfully submitted,

NIELSEN, BROMAN & KOCH



JENNIFER J. SWEIGERT, WSBA No. 38068
Office ID No. 91051
Attorneys for Appellant

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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

In re the Personal Restraint of:)

RAYMOND MARTINEZ,)

Petitioner.)

NO. 83219-6

DECLARATION OF SERVICE

I, PATRICK MAYOVSKY, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOLLOWING IS TRUE AND CORRECT:

THAT ON THE 24TH DAY OF JANUARY, 2011 I CAUSED A TRUE AND CORRECT COPY OF THE **PETITIONER'S SUPPLEMENTAL BRIEF** TO BE SERVED ON THE PARTY / PARTIES DESIGNATED BELOW BY DEPOSITING SAID DOCUMENT IN THE UNITED STATES MAIL.

[X] DOUGLAS MITCHELL
GRANT COUNTY PROSECUTOR'S OFFICE
P.O. BOX 37
EPHRATA, WA 98823-0037

SIGNED IN SEATTLE WASHINGTON, THIS 24TH DAY OF JANUARY, 2011.

x. Patrick Mayovsky