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SUPREME COURT  
STATE OF WASHINGTON  
May 24, 2011, 2:00 pm  
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SUPREME COURT OF THE STATE OF WASHINGTON

IN RE THE PERSONAL	)	NO. 83788-1
RESTRAINT PETITION OF:	)	
	)	PETITIONER'S
	)	STATEMENT OF
	)	ADDITIONAL AUTHORITY
	)	PURSUANT TO RAP 10.8
DEMAR RHOME,	)	
	)	
	)	
Petitioner.	)	
	)	
	)	
	)	

Pursuant to RAP 10.8, Petitioner Demar Rhome submits the following additional authority for the Court's consideration:

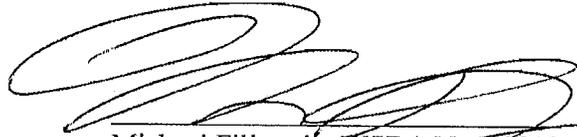
*State v. Martin*, --- P.3d ---, 2011 WL 1896784 \*3 (Wash. May 19, 2011) (No. 83709-1) (prior cases analyzing article I, section 22 of the Washington State Constitution as not being coextensive with the Sixth Amendment to the United States Constitution were not determinative of the outcome in *Martin*, because the Court had not previously held "that article I, section 22 is to be analyzed independently in the context presented by this case").

This authority is relevant to the argument in the Personal Restraint Petition, pages 39 to 40, that prior cases interpreting the scope of the state

due process clause are not determinative of how that provision should be interpreted in Mr. Rhome's case.

DATED this 24th day of May, 2011.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Filipovic", written over a horizontal line.

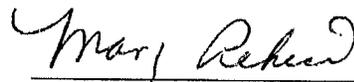
Michael Filipović, WSBA No. 12319  
Assistant Federal Public Defender  
*Attorney for Demar Rhome*

**CERTIFICATE OF SERVICE BY MAIL**

Today I deposited in the mail of the United States of America, postage prepaid, a properly stamped and addressed envelope directed to Deborah H. Dwyer, Senior Deputy Prosecuting Attorney, King County Prosecuting Attorney, W554 King County Courthouse, 516 Third Ave., Seattle, WA 98104, containing a copy of Statement of Additional Authority Pursuant to RAP 10.8, Cause No. 83788-1, in the Supreme Court of the State of Washington.

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

DATED this 24th day of May, 2011.



Mary Pekich, Legal Assistant

**OFFICE RECEPTIONIST, CLERK**

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**To:** Mary Pekich  
**Subject:** RE: In Re the Personal Restraint of Demar Rhome, No. 83788-1

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Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

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**From:** Mary Pekich [[mailto:Mary\\_Pekich@fd.org](mailto:Mary_Pekich@fd.org)]  
**Sent:** Tuesday, May 24, 2011 2:00 PM  
**To:** OFFICE RECEPTIONIST, CLERK  
**Subject:** In Re the Personal Restraint of Demar Rhome, No. 83788-1

Attached for filing in the above-referenced matter is Petitioner's Statement of Additional Authority Pursuant to RAP 10.8. Thank you for your assistance.

Mary Pekich  
Legal Assistant  
Federal Public Defender  
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(206) 553-0120 - fax  
[mary\\_pekich@fd.org](mailto:mary_pekich@fd.org)