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STATE OF WASHINGTON
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No. 85591-9

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SUPREME COURT
OF THE STATE OF WASHINGTON

LYNETTE KATARE,

Respondent,

v.

BRAJESH KATARE,

Petitioner.

PETITIONER'S STATEMENT OF ADDITIONAL AUTHORITIES

Gregory M. Miller, WSBA No. 14459
James E. Lobsenz, WSBA No. 8787
CARNEY BADLEY SPELLMAN, PS
701 Fifth Avenue, Suite 3600
Seattle, WA 98104
Telephone: (206) 622-8020

Attorneys for Petitioner

Pursuant to RAP 10.8, Petitioner Brajesh Katare submits the following additional authorities for consideration with respect to Issues Nos. 1 & 3 in the Petition for Review, pp. 2, 16:

1. *Vartelas v. Holder*, ___ U.S. ___, 132 S.Ct. 1479, 1488 (March 28, 2012) (recognizing the fundamental nature of the right to travel abroad for permanent resident alien who had earlier committed and served time for a felony, forbidding retroactive application of new immigration statute that would prevent re-entry after visit to family in Greece, where the alien had not engaged in any criminal activity after passage of the new act that would prevent re-entry), and the cases cited therein:

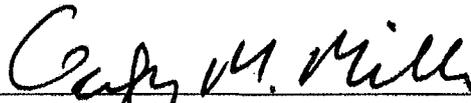
Loss of the ability to travel abroad is itself a harsh penalty, FN6 made all the more devastating if it means enduring separation from close family members living abroad. *See* Brief for Asian American Justice Center et al. as Amici Curiae 16–23 (describing illustrative cases).

FN6: *See Kent v. Dulles*, 357 U.S. 116, 126, 78 S.Ct. 1113, 2 L.Ed.2d 1204 (1958) (“Freedom of movement across frontiers ... may be as close to the heart of the individual as the choice of what he eats, or wears, or reads.”); *Aptheker v. Secretary of State*, 378 U.S. 500, 519–520, 84 S.Ct. 1659, 12 L.Ed.2d 992 (1964) (Douglas, J., concurring) (right to travel, “at home and abroad, is important for ... business [,] ... cultural, political, and social activities—for all the commingling which gregarious man enjoys”).

Dated this 4th day of July, 2012.

CARNEY BADLEY SPELLMAN, P.S.

By



Gregory M. Miller, WSBA No. 14459

James E. Lobsenz, WSBA No. 8787

Attorneys for Petitioner

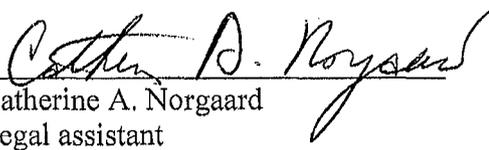
CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury under the laws of the State of Washington that on the 5th day of July, 2012, I caused a true and correct copy of *Petitioner's Statement of Additional Authorities* to be delivered to the following persons:

Washington Supreme Court Attn: Ronald R. Carpenter, Clerk Temple of Justice Bldg. Olympia, WA 98504 P: (360) 357-2077 Fax: (360) 357-2102 Email: supreme@courts.wa.gov	<input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Messenger <input type="checkbox"/> Fax <input checked="" type="checkbox"/> E-filing
Catherine Wright Smith Valerie A. Villacin Smith Goodfriend, P.S. 1109 First Avenue, Suite 500 Seattle, WA 98101-2988 P: (206) 624-0974 F: (206) 624-0809 Email: cate@washingtonappeals.com Email: valerie@washingtonappeals.com	<input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Messenger <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Email
Gordon W. Wilcox 999 3 rd Ave, Ste 3650 Seattle 98104 P: (206) 233-9300 F: (206) 233-9194 Email: gwilcox@gwwinc.com	<input type="checkbox"/> U.S. Mail, postage prepaid <input checked="" type="checkbox"/> Messenger <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Email
Lorraine K. Bannai 901 12 th Avenue Seattle, WA 98122 P: (206) 398-4009 F: (206) 398-4036 Email: bannail@seattleu.edu	<input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Messenger <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Email

<p>Huyen-Lam Q. Nguyen-Bull 1191 Second Ave., Ste. 1800 Seattle, WA 98101 P: (206) 816-1427 F: (206) 464-0125 Email: hqnguyen@gsblaw.com</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Messenger <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Email</p>
<p>Keith A. Talbot Patterson Buchanan Fobes Leitch & Kalzer, Inc., P.S. 2112 Third Ave., Ste. 500 Seattle, WA 98121-2391 P: (206) 462-6700 F: (206) 462-6701 Email: kat@pattersonbuchanan.com</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Messenger <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Email</p>
<p>Arnold R. Jin Nancy L. Talner ACLU of Washington 901 Fifth Ave., Ste. 630 Seattle, WA 98164 P: 206-624-2184 ajin@aclu-wa.org ntalner@aclu-wa.org</p>	<p><input checked="" type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Messenger <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Email</p>

Dated this 5th day of July, 2012 at Seattle, Washington.


Catherine A. Norgaard
Legal assistant

OFFICE RECEPTIONIST, CLERK

To: Norgaard, Cathy
Cc: bannail@seattleu.edu; ajin@aclu-wa.org; ntalner@aclu-wa.org; hqnguyen@gsblaw.com; cate@washingtonappeals.com; kat@pattersonbuchanan.com; valerie@washingtonappeals.com; gwilcox@gwwinc.com; Miller, Greg; carrie@washingtonappeals.com
Subject: RE: Attached court filing - SCT No. 85591-9 Katare

Rec. 7-5-12

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Subject: Attached court filing - SCT No. 85591-9 Katare

To: Supreme Court Clerk

Attached please find Petitioner Katare's Statement of Additional Authorities and certificate of service.

If you have any questions please don't hesitate to call. Thank you.

Case Name: In re the Marriage of Katare
SCT No. 85591-9 (COA Case No. 63438-1-I)
Filer: Gregory M. Miller, WSBA #14459, (206) 622-8020 ext. 176, miller@carneylaw.com

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