

RECEIVED ^{VSC}
SUPREME COURT
STATE OF WASHINGTON
Dec 05, 2011, 2:24 pm
BY RONALD R. CARPENTER
CLERK

RECEIVED BY E-MAIL ^{12/h}

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Petitioner,

v.

MONTE W. HUNLEY,

Respondent.

NO. 86135-8

STATEMENT OF
ADDITIONAL
AUTHORITIES

COMES NOW the petitioner, State of Washington, by and through, Pamela B. Loginsky, Special Deputy Prosecuting Attorney for Grays Harbor County, and respectfully requests that the Court consider the following additional authority pursuant to RAP 10.8:

State v. Turner, 98 Wn.2d 731, 733, 658 P.2d 658 (1983) (an assignment of error is moot if there is no remedy that the court can provide to the appellant).

Erie v. Pap's A.M., 529 U.S. 277, 287, 120 S.Ct. 1382, 146 L. Ed. 2d 265 (2000) (a petitioner who has earlier prevailed on a legal claim may not later assert that a case is moot, thereby avoiding final resolution of the legal question, and leaving his opponent disadvantaged)

In re McNeal, 99 Wn. App. 617, 994 P.2d 890 (2000) (a court will reach a technically moot issue if the issue is "of continuing and substantial public interest.").

STATEMENT OF ADDITIONAL AUTHORITIES RE:
MOTION TO MODIFY DEPUTY CLERK'S RULING—1

ORIGINAL

Respectfully submitted this 5th day of December, 2011.



PAMELA B. LOGINSKY
WSBA NO. 18096
Special Deputy Prosecuting Attorney
Washington Association of Prosecuting Attorneys
206 10th Avenue SE
Olympia, WA 98501-1399
(360) 753-2175

PROOF OF SERVICE

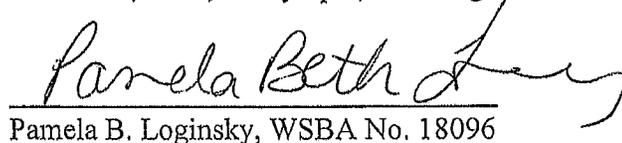
I, Pamela Beth Loginsky, declare that I have personal knowledge of the matters set forth below and that I am competent to testify to the matters stated herein.

On the 5th day of December, 2011, I deposited in the mails of the United States of America, postage prepaid, a copy of the document to which this proof of service is attached in an envelope addressed to:

Jodi R. Backlund
Manek R. Mistry
Backlund & Mistry
203 Fourth Avenue East, Suite 404
Olympia, WA 98501-1189

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

Signed this 5th day of December, 2011, at Olympia, Washington.



Pamela B. Loginsky, WSBA No. 18096