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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

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8 In re the Personal Restraint of)
9) NO. 87654-1
10 RUSSELL McNEIL,) PETITIONER'S TENTH
11) STATEMENT OF
12) ADDITIONAL AUTHORITIES
Petitioner.)

13 Pursuant to RAP 10.8, Petitioner respectfully submits the
14 following additional authority in support of his Petition on the
15 following issue.

16 **ISSUE: RETROACTIVE APPLICATION OF MILLER v. ALABAMA:**

17 *Petition of State of New Hampshire (State v. Soto),* ___
18 N.E.3d ___ (N.H. No. 2013-566, 8/29/2014):

19 After thoroughly reviewing the decision in
20 *Miller* and the jurisprudence of both sides of the
21 matter, we agree with the reasoning of those courts
22 finding the *Miller* rule to be "a new, substantive
rule which should be applied retroactively to cases
on collateral review."

23 Slip Opinion at 7 (applying federal rule of retroactivity).

24 Respectfully submitted this 2d day of September, 2014.

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26 LENELL NUSSBAUM, WSBA No. 11140
Attorney for Mr. McNeil

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DECLARATION OF SERVICE

ALEXANDRA FAST declares:

On this date I cause this document to be filed in the State of Washington Supreme Court; and caused a copy of this document to be served on the following entities via email, addressed as follows:

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I declare under penalty of perjury under the laws of the state of Washington that the above statement is true and correct to the best of my knowledge.

Sept 2, 2014 - SEATTLE, WA
Date and Place

Alexandra Fast
ALEXANDRA FAST

OFFICE RECEPTIONIST, CLERK

To: Alexandra Fast
Subject: RE: McNeil, Russell - 87654-1

REc'd 9/2/14

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Subject: McNeil, Russell - 87654-1

Please accept for filing the attached "Petitioner's Tenth Statement of Additional Authorities" in regards to the Personal Restraint of Russell McNeil, 87654-1. A certificate of service is attached to the pleading.

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