

Jun 24, 2016, 12:43 pm

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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

DOMINIC BAIRD AND )  
COLLETTE ADAMS, )  
 ) No. 90419-7  
 Respondents, )  
 )  
 vs. ) STATEMENT OF ADDITIONAL  
 ) AUTHORITIES  
 STATE OF WASHINGTON, )  
 )  
 Petitioner, )  
 )  
 )

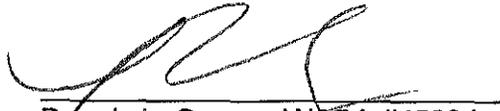
Pursuant to RAP 10.8, The State respectfully cites the following as additional authority:

Birchfield v. North Dakota, 579 U.S. \_\_\_, \_\_\_ S. Ct. \_\_\_, \_\_\_ L. Ed. 2d \_\_\_ (No. 14-1468, decided June 23, 2016, Slip. Op. available at [http://www.supremecourt.gov/opinions/15pdf/14-1468\\_8n59.pdf](http://www.supremecourt.gov/opinions/15pdf/14-1468_8n59.pdf), last visited June 23, 2016) (holding that a breath test, but not a blood draw, is a categorically permissible search incident to arrest after a lawful arrest for drunk driving, and that laws imposing criminal penalties for refusing a breath test are constitutional, but

laws imposing criminal penalties for refusing a blood test are not,  
absent some other exception to the warrant requirement).

Dated this 24 day of June, 2016.

DANIEL T. SATTERBERG  
Prosecuting Attorney



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Brandy L. Gevers, WSBA #45234  
Deputy Prosecuting Attorney  
Attorney for Petitioner

W554 King County Courthouse  
Seattle, WA 98104  
Telephone: 206-296-9000

Certificate of Service by Electronic Mail

Today I directed electronic mail addressed to the attorneys for the respondents and amici:

- (1) Jennifer Sweigert, attorney for Respondent Baird  
at: SweigertJ@nwattorney.net
- (2) Shira Stefanik, attorney for Respondent Adams  
at: shira@stefanikdefense.com
- (3) Jacey Liu, attorney for Respondent Adams  
at: Jacey@callahanlaw.org
- (4) Pamela Loginsky, on behalf of Washington Association of  
Prosecuting Attorneys  
at: pamloginsky@washingtonprosecutors.org
- (5) Christopher Davis, on behalf of Mothers Against Drunk Driving  
(MADD)  
at: chris@davislawgroupseattle.com
- (6) Gregory Colburn, on behalf of MADD  
at: greg@davislawgroupseattle.com
- (7) Schuyler Rue, Assistant Attorney General, on behalf of  
Washington State Patrol and Department of Licensing  
at: schuylerr@atg.wa.gov

(8) Leah Harris, Assistant Attorney General, on behalf of Washington State Patrol and Department of Licensing  
at: leahH1@atg.wa.gov

(9) Ryan Robertson, on behalf of Washington Foundation for Criminal Justice (WFCJ)  
at: ryan@robertsonlawseattle.com

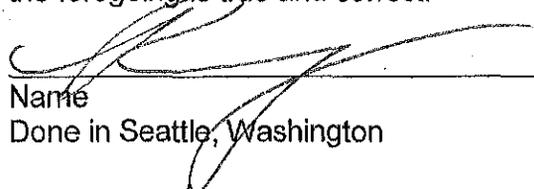
(10) Howard Stein, on behalf of WFCJ  
at: howards@slsps.com

(11) Diego Vargas, on behalf of WFCJ  
at: dvargas@djvlaw.com

(12) Jonathan Rands, on behalf of WFCJ  
at: jrands@jonathanrands.com

containing a copy of the Statement of Additional Authorities, in STATE V. DOMINIC BAIRD AND COLLETTE ADAMS, Cause No. 9041-7, in the Supreme Court, for 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.

  
\_\_\_\_\_  
Name  
Done in Seattle, Washington

6/24/16  
\_\_\_\_\_  
Date

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**Cc:** PAO Appellate Unit Mail; Norgaard, Erin; schuylerr@atg.wa.gov; LeahH1@atg.wa.gov; 'greg@davislawgroupseattle.com'; chris@davislawgroupseattle.com; pamloginsky@waprosecutors.org; ryan@robertsonlawseattle.com; jrand@jonathanrands.com; george@thebianchilawfirm.com; dvargas@djvlaw.com; hstein@slsps.com; shira@stefanikdefense.com; jacey@callahanlaw.org; 'sweigertj@nwattorney.net'  
**Subject:** RE: State v. Dominic Baird, No. 90419-7 / Statement of Additional Authority

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Supreme Court Clerk's Office

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**Subject:** State v. Dominic Baird, No. 90419-7 / Statement of Additional Authority

Good morning,

Please accept for filing the attached Statement of Additional Authority and Certificate of Service.

Thank you,

**Brandy L. Gevers**  
Deputy Prosecuting Attorney  
WSBA #45234  
King County Prosecutor's Office  
W554 King County Courthouse

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206-477-1947

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