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SUPREME COURT  
STATE OF WASHINGTON  
Feb 17, 2015, 2:53 pm  
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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

MICHAEL REEDER,

Petitioner.

NO. 90577-1

STATEMENT OF  
ADDITIONAL AUTHORITIES  
FROM AMICUS CURIAE  
WACDL

Pursuant to RAP 10.8, Amicus Curiae Washington Association of Criminal Defense Lawyers respectfully submits the following additional authorities in support of its brief regarding the issue of the Court considering the materials submitted with the brief:

Mr. McCuistion urges this court to disregard the factual assertions in King County Prosecutor Satterberg's amicus brief, arguing that appellate briefs cannot rely on facts outside the record. However, we declined the invitation to disregard this information when we denied Mr. McCuistion's petition to strike Satterberg's brief. At the same time, by allowing answers to the State's motion for reconsideration and to the various amicus briefs filed on behalf of the State, we gave Mr. McCuistion an opportunity to counter the factual assertions of the State and its amici.

*State v. McCuistion*, 175 Wn.2d 369, 395, n.7, 275 P.3d 1092, 1105 (2012).



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Because this case raises significant legal and public policy issues that were not adequately addressed in the parties' briefs on appeal, we requested amicus briefs from the Office of the Attorney General and the Family Law Section of the Washington State Bar Association. We take this opportunity to express our appreciation to both amici for their thoughtful, thorough, and capable briefing of the procedural, legal and public policy issues raised by this appeal. The contribution by amici of their valuable time and considerable legal expertise has been of great assistance to the court, and is in accord with the highest ethical standards of the legal profession.

*In re Marriage of Furrow*, 115 Wn. App. 661, 666-67, 63 P.3d 821, 824 (2003).

(e) **Amicus Curiae Brief.** The brief of amicus curiae ... should set forth a separate section regarding the identity and interest of amicus and be limited to the issues of concern to amicus. Amicus must review all briefs on file and avoid repetition of matters in other briefs.

(f) **Answer to Brief of Amicus Curiae.** The brief in answer to a brief of amicus curiae should be limited solely to the new matters raised in the brief of amicus curiae.

RAP 10.3 (emphasis added).

RULE 1005. PUBLIC RECORDS

The contents of an official record, or of a document authorized to be recorded or filed and actually recorded or filed, including data compilations in any form, if otherwise admissible, may be proved by copy, certified as correct in accordance

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with rule 902 or testified to be correct by a witness  
who has compared it with the original. ...

ER 1005.

Respectfully submitted this 17<sup>th</sup> day of February, 2015,

  
LENELL NUSSBAUM,  
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Attorney for Amicus Curiae  
WACDL

  
SUZANNE LEE ELLIOTT  
WSBA No. 12634  
Co-Chair of Amicus Curiae  
Committee, WACDL

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DECLARATION OF SERVICE

I, Alexandra Fast, hereby certify that on this date I caused a copy of this document to be mailed using U.S. Postal Service, postage prepaid, as well as emailed to the following individuals, address as follows:

Mr. Peter Gonick  
Washington Attorney General's Office  
P.O. Box 40100  
Olympia, WA 98504-0100

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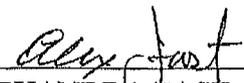
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I declare under penalty of perjury under the laws of the state of Washington that the above statement is true and correct to the best of my knowledge.

2.17.2015 - SEATTLE, WA  
Date and Place

  
ALEXANDRA FAST

## OFFICE RECEPTIONIST, CLERK

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**To:** Alexandra Fast; peterg@atg.wa.gov; sgoolyef@atg.wa.gov; david@washapp.org;  
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Please accept for filing the attached "Statement of Additional Authorities From Amicus Curiae WACDL" in regards to Mr. Michael Reeder case No. 90577-1. A certificate of service is attached to the pleading.

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