

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

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|----------------------|---|-------------------|
| STATE OF WASHINGTON, |) | |
| Respondent, |) | No. 101279-9 |
| |) | |
| vs. |) | ANSWER TO STATE’S |
| |) | MOTION TO |
| ALEJANDRO MARTINEZ, |) | SUPPLEMENT THE |
| Petitioner. |) | RECORD |
| _____ |) | |

The State argues its late request to supplement the record should be granted, claiming, “For the first time in the Petition for Review, the defendant claimed that his birth certificate shows this name.” Motion to Supplement, 2. This is incorrect.

In his amended opening brief, filed in the court of appeals on January 27, 2021, Petitioner Alejandro (Alex) Ocampo Martinez made the same representation, “His Mexican passport and birth certificate, as well as his marriage license, are all in the name Alex Ocampo or Alex Ocampo Martinez. 3RP 28; 9RP 656-57; 10RP 1298, 1305, 1310-11.” Am. Br. of Appellant, 32. Mr. Ocampo Martinez’s reply brief was not filed until August 26, 2021.

The State therefore had seven months to file a supplemental designation of clerk's papers, designating the exhibit list, but did not do so. RAP 9.6(a) (allowing any party to designate clerk's papers and exhibits "prior to or with the filing of the party's last brief"). The State makes no attempt to argue the existing record is "not sufficiently complete to permit a decision on the merits of the issues presented for review." RAP 9.10 (allowing supplementation of the record on this basis).

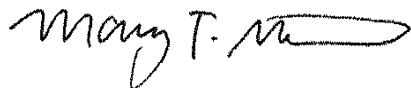
For these reasons, the State's belated request should be denied.

DATED this 8th day of November, 2022.

I certify this document contains 204 words, excluding those portions exempt under RAP 18.17.

Respectfully submitted,

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Appellate Court Case Title: State of Washington v. Alejandro S. Martinez
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The following documents have been uploaded:

- 1012799_Answer_Reply_20221108104741SC386348_6143.pdf
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