

COODY

COURT OF APPEALS
DIVISION THREE
OF THE STATE OF WASHINGTON

FILED

SEP 12 2012

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

STATE OF WASHINGTON)
)
 Respondent,)
)
 v.)
)
 Sebastian Cortez A)
 (your name))
)
 Appellant.)

No. #307387
STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Sebastian Cortez A, have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

LLO NO SIENTO QUE FUE SUFICIENTE LO LOQUE MI ABOGADO ME REPRESENTO PORQUE LOQUE LLO LE DICE EL NO LO DIO EN LA CORTE Y LLO QUE PORQUE NODESIA LOQUE LLO LEDESIA SI EL MESTABA REPRESENTANDO PORQUE NODESIA LOQUE LLO LEDISIA LLO MIRE QUE EL NO ESTABA SIENDO NADA PORMI EL DEJABA QUE EL FISCAL ABLARA Y JUES Y EL NO ABLAVA MUCHO ESPOROSO QUE NO ME GUSTO LA CORTE PORQUE ESTAN COMPRADOS LOS TRES FUE LO QUE LLO MIRE PORQUE SEGUNTABAN LOS TRES ABLAR PRIVADO PORQUE SIENTIA QUE DESIR ALGO PORQUE NO LODESIAN AL PUBLICO Y NO ME GUSTO TAMBIEN OTRA COSA

Additional Ground 2

QUE MI COMPADRE LE DIO REGALO EL PROSE SECURI PORQUE NI SE CONOSEN QUE ESTO NO ES CONFEDENCIA PORQUE AL PROSE SECURI LA DA REGALO AMI COMPADRE ESO FUE LOQUE LLO MIRE Y TAMBIEN NO ES SIERTO QUE ERA PRIMINITADA LA MUERTE DE MI ESPOSA ESO ES MENTIRA LOQUE DISE EL PROSE SECURI ESO NO ES VERDAD LLO NO TENIA PLAN DE MATAR A MI ESPOSA ESTO QUE NO PASO FUE UNA COSA ENQUE IBLE PORQUE FUE EN UN MINUTO O SEGUNDO Y TAMBIEN FALTO DELAS 12 DEL JURADO EL ULTIMO DIA FALTO UNA PERSONA Y ESO NO ME GUSTO TAMPOCO Y ESTO ES TODO LO QUE LE DIO SEÑORA O SEÑOR GRACIAS PORTADO ADIOS

If there are additional grounds, a brief summary is attached to this statement.

Date: 9/17/12
Form 23

Signature: Sebastian Cortez A

RULE OF APPELLATE PROCEDURE 10.10

(a) **Statement Permitted.** A defendant/appellant in a review of a criminal case **may** file a pro se statement of additional grounds for review **to identify and discuss those matters which the defendant/appellant believes have not been adequately addressed by the brief filed by the defendant/appellant's counsel.**

(b) **Length and Legibility.** The statement, which shall be limited to no more than 50 pages, may be submitted in handwriting so long as it is legible and can be reproduced by the clerk.

(c) **Citations; Identification of Errors.** Reference to the record and citation to authorities are not necessary or required, but the appellate court will not consider a defendant/appellant's statement of additional grounds for review if it does not inform the court of the nature and occurrence of alleged errors. Except as required in cases in which counsel files a motion to withdraw as set forth in RAP 18.3(a)(2), the appellate court is not obligated to search the record in support of claims made in a defendant/appellant's statement of additional grounds for review.

(d) **Time for Filing.** The statement of additional grounds for review should be filed within 30 days after service upon the defendant/appellant of the brief prepared by defendant/appellant's counsel and the mailing of a notice from the clerk of the appellate court advising the defendant/appellant of the substance of this rule. The clerk will advise all parties if the defendant/appellant files a statement of additional grounds for review.

(e) **Report of Proceedings.** If within 30 days after service of the brief prepared by defendant/appellant's counsel, defendant/appellant requests a copy of the verbatim report of proceedings from defendant/appellant's counsel, counsel should promptly serve a copy of the verbatim report of proceedings on the defendant/appellant and should file in the appellate court proof of such service. The pro se statement of additional grounds for review should then be filed within 30 days after service of the verbatim report of proceedings. The cost for producing and mailing the verbatim report of proceedings for an indigent defendant/appellant will be reimbursed to counsel from the Office of Public Defense in accordance with Title 15 of these rules.

(f) **Additional Briefing.** The appellate court may, in the exercise of its discretion, request additional briefing from counsel to address issues raised in the defendant/appellant's pro se statement.

GENERAL RULE 14 FORMAT FOR PLEADINGS AND OTHER PAPERS

(a) **Format Requirements.** All pleadings, motions, and other papers filed with the court shall be legibly written or printed. The use of letter-size paper (8-1/2 by 11 inches) is mandatory. The writing or printing shall appear on only one side of the page. The top margin of the first page shall be a minimum of three inches, the bottom margin shall be a minimum of one inch and the side margins shall be a minimum of one inch. All subsequent pages shall have a minimum of one inch margins. Papers filed shall not include any colored pages, highlighting or other colored markings. This rule applies to attachments unless the nature of the attachment makes compliance impractical.

Renee S. Townsley
Clerk/Administrator

(509) 456-3082
TDD #1-800-833-6388

*The Court of Appeals
of the
State of Washington
Division III*



500 N Cedar ST
Spokane, WA 99201-1905

Fax (509) 456-4288
<http://www.courts.wa.gov/courts>

August 30, 2012

Sebastian Cortes Aguilar
#356954
1313 N 13th Ave
Walla Walla, WA 99362

CASE # 307387
State of Washington v. Sebastian Cortes Aguilar
CHELAN COUNTY SUPERIOR COURT No. 111003401

Dear Mr. Aguilar:

Your attorney has filed a proof of service indicating that you were mailed a copy of the opening brief in your appeal. If, after reviewing that brief, you believe there are additional grounds for review that were not included in your lawyer's brief, you may list those grounds in a Statement of Additional Grounds for Review. RAP 10.10.

Because the Statement of Additional Grounds for Review is not a brief, there is no required format and you may prepare it by hand. No citations to the record or legal authority are required, but you should sufficiently identify any alleged error so that the appellate court may consider your argument. A copy of the rule is enclosed for your reference.

Your Statement of Additional Grounds for Review must be sent to the Court within 30 days. It will be reviewed by the Court when your appeal is considered on the merits.

Sincerely,

Renee S. Townsley
Clerk/Administrator

RST:sh

c: David R Partovi
Partovi Law
900 N Maple St # LL
Spokane, WA 99201-1807

E-mail
Douglas J. Shae
Attorney at Law
PO Box 2596
Wenatchee, WA 98807-2596

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DIVISION III
OF THE STATE OF WASHINGTON

FILED
SEP 12 2012

27M
10/16/12

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON

By

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STATE OF WASHINGTON)
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Respondent,)
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v.)
)
Sebastian Cortez A)
(your name))
)
Appellant.)

No. #307387

OCT 17 2012

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

I, Sebastian Cortez A, have received and reviewed the opening brief prepared by my attorney. Summarized below are the Additional Grounds for Review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

I do not feel that my attorney's representation was sufficient because what I told him, he did not say it in Court; and he didn't say what I was telling him. If he were representing me, why wasn't he saying what I was telling him to? I realized that he was not doing anything for me. He allowed the prosecutor and the judge to speak, and he did not say much [himself]. That is why I did not like the court [proceedings], because what I saw is that the three of them were in cahoots¹; because the three of them would get together to talk privately. If [they] had something to say, why didn't they say it in public? Also I did not like one more thing,

Additional Ground 2

that the prosecutor² gave my buddy³ a present [when] they don't even know each other. This is not a secret because what I saw was that the prosecutor⁴ gave a present to my buddy. Also, it is not true that my wife's death was premeditated⁵. That is a lie. What the prosecutor says is not the truth. I did not have a plan to kill my wife. It wasn't so. It was something unreal⁶ because it was over in a minute, or a second. Also, on the last day, one of the 12 jurors was missing and I did not like that either. So that's all I have to say, Madam or Sir. Thank you for everything. Goodbye.

If there are additional grounds, a brief summary is attached to this statement.

Date: 9/7/12
Form 23

Signature Sebastian Cortez A

TRANSLATOR'S COMMENTS AND ENDNOTES

JTM
10/16/12

Source document

The handwritten portion of the source document has no punctuation, has inconsistent usage of upper and lower case, has numerous misspellings, and has numerous grammatical errors. Endnotes are provided (below) only for a subset of these cases – those for which the translator's judgment is that further discussion is warranted.

Brackets

Text in brackets does not explicitly appear in the source document, but in the judgment of the translator more clearly communicates the meaning intended by the author.

Endnotes

The following notes provide information about ambiguous or unclear language in the source document; in each case the language in the target document is marked with a superscript numeral, and the corresponding note appears below.

- ¹ “están comprados los tres” was translated as “in cahoots”. The literal meaning of the Spanish phrase is “the three of them were bought”. The colloquial meaning is that a group of people conspired against a third party.
- ² The text “prose sicuri” appears in the source document. From the context the translator believes the author likely intended to phonetically spell the English word “prosecutor”.
- ³ “compadre” was translated as “buddy”. The literal meaning of the Spanish word is “godfather of my children”. The slang meaning is “brother”, “pal”, “buddy”, or “friend”. (The word is used again in the next sentence.)
- ⁴ The text “prose securi” appears in the source document. From the context the translator believes the author likely intended to phonetically spell the English word “prosecutor”. (The text is used again later in the paragraph.)
- ⁵ The text “priminitada” appears in the source document. From the context the translator believes the author likely intended the Spanish word “premeditada”, which means “premeditated”.
- ⁶ The text “enque ible” appears in the source document. From the context the translator believes the author likely intended the Spanish word “increible”, which was translated as unreal (and can also mean unimaginable, incredible, or unbelievable).

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DIVISION THREE
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DIVISION III
STATE OF WASHINGTON
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STATE OF WASHINGTON)

Respondent,)

v.)

Sebastian Cortez A
(your name)

Appellant.)

No. #307387

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GROUND FOR REVIEW

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COURT OF APPEALS
DIVISION III
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Additional Ground 1

Lo NO SIENTO QUE FUE SUFICIENTE Lo Loque Mi ABOGADO ME
REPRESENTO PORQUE Loque Llo ledise El No Lo dijo EN LA CORTE Y Llo que
porque No desia Loque Llo ledesia Si El MESTABA REPRESENTANDO porque No desia
Loque Llo ledisia Llo MIRE que EL NO ESTABA SIENDO NADA PORMI
EL deaba que el FISCAL Ablara y Lues y El No Ablava MUCHO ESPEROSO
que NO ME GUSTO LA CORTE porque ESTAN Comprados Los TRES FUE Lo que Llo
Mire porque seguntaban Los Tres Ablar pribado porque si TENIA que desir Algo
porque No Lodesian AL publico Y NO ME GUSTO TAMBIEN OTRA Cosa

Additional Ground 2

que Mi COMPADRE Le dio Regalo el prose securi porque Ni Se conocian
que esto NO ES CONFIDENCIA porque el prose securi Le da Regalo AMI COMPADRE
eso fue Loque Llo Mire y TAMBIEN NO ES Sierta que era priminitada
La muerte de Mi esposa eso es mentira Loque dise el prose securi eso
NO es verdad Llovo Tenia plan de Matar A Mi Esposa Esto que no Paso fue una
Cosa en que ibe porque fue en UN MINUTO o SEGUNDA y TAMBIEN Falto de las 12
del Jurado El ultimo dia Falto una persona y eso NO ME GUSTO tampoco
Y ESTO ES Todo Lo que ledijo señora o señor gracias por todo ADIOS

If there are additional grounds, a brief summary is attached to this statement.

Date: 9/17/12
Form 23

Signature: Sebastian Cortez A

CERTIFICATE OF TRANSLATION

FILED

OCT 17 2012

COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON

I, JENNY TUPPER-MOOMAW, do solemnly declare:

I am a Washington State Certified Court Interpreter certified for competency in the Spanish and English languages by the Administrative Office of the Courts.

I have personally prepared the attached Target Document, which is a true and accurate translation of the attached Source Document, to the best of my ability.

I have also personally prepared the attached "Translator's Comments and Endnotes".

The attached Source Document consists of one page, and is identified as follows:

"STATEMENT OF ADDITIONAL GROUNDS FOR REVIEW"

Dated "9/7/12"

Bears a Court of Appeals Division III stamp with the date "SEP 12 2012"

"No. #307387" appears in the caption area on the top part of the document

Handwritten text in the Spanish language appears on the document

The attached Target Document consists of one page, and is identified as follows:

Same as info above for Source Document, but typed (not handwritten)

and translated into English

Translators's Notes appear on an additional page with the heading "TRANSLATOR'S COMMENTS AND ENDNOTES".

I have initialed the Source Document, the Target Document, and Translator's Notes.



Jenny Tupper-Moomaw
Certified Court Interpreter #4700

October 16, 2012
Date

Jenny Tupper-Moomaw
Certified Court Interpreter #4700
P.O. Box 40204
Spokane, WA 99220
Ph. 509-879-6787
Email: jenny@jennytupper.com