

NOV 18 2013

FILED

Ethan L. Dooley
127 E. Nora Ave #305
Spokane, WA 99223

November 18, 2013

Renee Townsley
Clerk Administrator
State of Washington Court of Appeals:
Division III
500 N. Cedar St
Spokane, WA 99201

Petition For Review
CASE # 314791-III
State of Washington v. Ethan Levi Dooley
SPOKANE COUNTY SUPERIOR COURT No. 121094819

89626-7

PRV

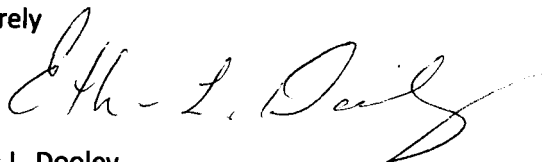
Dear Supreme Court:

As the petitioning party, I ask that all information pertaining to the above case be carefully reviewed. It is with great patience that I have endured this process and continue to pursue a decision that will overturn the wrongful conviction corresponding to the case listed above. From the beginning of proceedings by the County of Spokane, WA, I have been charged, convicted and deliberately discriminated against pertaining to a violation I did not commit. There has been obvious discrepancies committed by officials involved in this matter and as a result of being violated by the justice system, it is my full intention to pursue action against those whom are responsible.

I am natural born citizen of the United States of America, have an Honorable Discharge after serving over eight years in the Armed Forces and am an avid believer in due process and the integrity of our government. It is with a reserved sense of disappointment that I petition the court to reconsider whom it is intended to serve in requesting this review in hopes that it will serve the interests of its citizens.

Please consider that when one is innocent of a charged crime, there is very little that individual is not willing to do, to be treated fairly and judged accordingly. I have enclosed a letter provided by the Mrs. Dooley to support my cause for review. Also enclosed is a copy of the Motion to Modify, provided in the proceeding prior to this Petition for Review, as it is the only document I currently possess due to lack of resources. Please also note that this case caused the reversal of a previous case being in Show of Cause status. Minus the interference of this case, I met all requirements of the Show of Cause and asked that its change of status also be reversed when and if this court proceeds fairly and justly. Thank you for all considerations given to these matters. I am seeking the reversals of both decisions. Thank you.

Sincerely



Ethan L. Dooley

BY RONALD H. CAMPBELL
13050 - 9 AM 8:15
CCL

Catherine M. Dooley
127 E. Nora Ave #305
Spokane, WA 99223

November 18, 2013

Renee Townsley
Clerk Administrator
State of Washington Court of Appeals:
Division III
500 N. Cedar St
Spokane, WA 99201

13DFC-9 21 8:15
BY RONALD R. DANFELTER

Petition For Review
CASE # 314791-III
State of Washington v. Ethan Levi Dooley
SPOKANE COUNTY SUPERIOR COURT No. 121094819

To Whom It Concerns:

I am writing this letter to rectify the injustice I committed against Ethan Dooley on September 30, 2012. My fragile state of mind resulted from the physical, emotional and mental abuse exercised against me by my mother and father, continually in the duration of my life, leading up to and including that day. Their actions against my family in the days preceding September 30 were unwarranted and unfair. I was left in a very deep state of overwhelming depression and emotional outrage. Although my father's demands were unlawful, my personal sense of control of my behavior was entirely lost at that time. Consequently, I also lost my sense of right and wrong. Inadvertently, I lashed out at my partner, Mr. Dooley, in a severely harsh and uncompromising emotional and physical manner. I needlessly attacked him several times despite his numerous pleadings and continued to do so after Mr. Dooley informed me that my behavior was scaring him and that he was considering contacting police. Subsequently, when he initiated an attempt to acquire personal safety by leaving, I attacked Mr. Dooley from behind. Out of fear and anger, I allowed Mr. Dooley to face and endure punishment for a crime I committed.

I am a personal witness of Mr. Dooley's laborious endeavor to avoid physical engagement with me during said altercation. As the aggressor and perpetrator of attacks against Mr. Dooley on September 30, 2012, I, Catherine M. Dooley, do hereby affirm, by my own will and influence, that Mr. Dooley acted only in the interest of self-defense to prevent further injury and/or harm to himself. Furthermore, I assume full responsibility for the altercation occurring on September 30, 2012 involving myself and Mr. Dooley and will accept any legal repercussion imposed upon me by the court. Please allow me to I offer my sincerest apologies to the court and to Mr. Dooley for my indiscretions pertaining to this matter. Please note that I provided information to Mr. Dooley's court appointed attorney and the prosecuting attorney in a combined meeting between the three of us, expressing similar sentiment in an attempt to come forward prior to Mr. Dooley's trial. Thank you for your time and consideration related to this matter.

Sincerely,

Catherine M. Dooley

Catherine Mary Dooley

Ethan Dooley
127 E. Nora Ave #305
Spokane, WA 99207

September 6, 2013

Renee Townsley
Clerk Administrator
State of Washington Court of Appeals:
Division III
500 N. Cedar St
Spokane, WA 99201

13PTC-9 AM 9:45
BY RONALD N. CARPENTER

Appellate Review
Motion To Modify
Case No.314791
SPOKANE COUNTY SUPERIOR COURT No. 121094819

First and foremost, the moving party for the lesser included charge was the defense. During trial proceedings, there was not an oral motion to the court for this inclusion in the presence of the defendant. Neither the alleged victim nor the defendant were given an opportunity during examination to provide testimony concerning self-defense. In order for the defendant to be convicted of any assault, the prosecution has the lawful responsibility of providing sufficient evidence ruling out self-defense. The defendant's attorney knowingly compromised her representation of the defendant and his rights when she passed the paperwork for the inclusion across tables to the prosecuting attorney without the defendant's knowledge. The defendant has the right as a citizen of the state of Washington to direct his legal counsel in a manner beneficial to him but cannot do so if he is not informed appropriately. An oral motion for inclusion including his counsel's reasoning for moving for the court to consider the inclusion would have provided an opportunity for the defendant to be aware of the events in his proceedings. In the decision, received by mail, that the defendant received from the State of Washington's Division III Court of Appeals, it was stated that the defendant's attorney acted in the best interest of the law. The defendant's attorney is assigned with the legal duty of representing her client. If such a motion exists for the interest of justice and/or the law, the prosecutor holds the obligation to initiate that motion. The defense motions for a lesser included charge when the defendant can be better served by giving the jury a viable alternative to the original (higher) charge. When the defendant's attorney consulted him concerning an inclusion during a consultation several days prior to the trial, the defendant was given the choice to have the defense motion for an inclusion of a lesser misdemeanor charge. Understanding that a conviction of a misdemeanor, as an alternative to a felony, could prove beneficial to defendant, the defendant informed his attorney of his decision to have the defense proceed forward without initiating this motion. The defendant's attorney advised him the court had the option to motion for a lesser included charge regardless of the defense's decision not to do so. After the defendant's attorney agreed that an inclusion would not benefit her client, she informed the defendant that she would proceed accordingly with his decision. Before departing the visit with her client, the defense attorney again assured the defendant that it was his legal right to direct his counsel in such a manner.

To place it into clear prospective, the defendant entered his trial knowingly willing to face a strike and a point against his record rather than opting to have his 12-man jury of peers consider a misdemeanor, which carries less harsh consequences for the defendant. The defendant has the legal right to a fair trial. The jury was informed by the prosecutor that I was guilty of a felony. The jury disagreed. As stated above, the prosecutor did not motion for the inclusion in order to serve the law he was protecting. The defendant has reason to believe that his attorney acted out of the interest of her employer, the County of Spokane, rather than in a manner beneficial to his defense. Please note that the defendant's attorney was appointed to him by the County of

Spokane, merely due to his inability to afford the cost of a private attorney, to act in his behalf.

On numerous occasions prior to trial, the defendant's attorney stated that she felt he was within his rights and acting in self-defense on September 30, 2012. The defendant's attorney's demeanor and attitude changed five months later when the defendant mentioned to her, in private and under confidentiality agreement, that he was weighing the options of filing a legal suit against the County of Spokane for Unlawful Imprisonment. The defense attorney became defensive and discontented as the defendant felt obligated to explain that he was deeply by his arrest and incarceration, the false allegations and the neglect of the county to recognize his rights as a citizen to be afforded due process and legal proceedings without the obstructions of justice and intentional ignorance to the exculpatory evidence available for his defense. The defendant's case was sabotaged and the jury found him not guilty of the charge in which he was held for so long.

The defendant has past service in a law enforcement setting for a period of eight years and possesses sufficient knowledge of what actions constitute criminal activity. He was repeatedly physically attacked and received verbal threats of death by the alleged victim on September 30, 2012. The alleged victim stated "I am going to kill you" as she struck the defendant in the back of the head and continued to strike him with left and right fists without provocation or other reason to do so prior to any physical engagement initiated by the defendant. These details were provided to the trial court. When all other methods of removing himself from danger were exhausted, the defendant was forced into the situation of physically engaging his attacker to remove himself from additional harm and injury. The defendant was within his constitutional right to defend his safety and well-being in such manner at the point of time which he acted, given the circumstance and ongoing onslaught of strikes being inflicted the alleged victim. My actions were not criminal and I will not permit the County of Spokane or the State of Washington to escape the crimes committed against me from the moment I walked into the City of Spokane Police Department to file charges against my attacker and got ignored, arrested and neglected concerning my defense and medical needs due to the injuries that the alleged victim inflicted upon me. I had broken skin, bleeding, bruising and swelling on various parts of my body, as well as injuries to my hearing and sight that I was refused medical treatment.

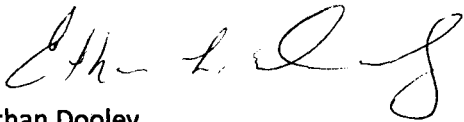
Together, the defense and prosecution attorneys interviewed the alleged victim prior to the trial. The points that were stressed at trial were not the points made during said interview. The defense attorney specifically stated to the defendant that she felt I was actual victim of the incident after interviewing the alleged victim. Motioning for a charge of any degree to be entered into the trial proceedings would be contradictory to the defense attorney's stated view of the case and has provided the defendant reasonable cause to question his attorney's motives for doing so. Again, the prosecutor was present and involved in the interview with the alleged victim. During the trial, the prosecutor did not permit the police report, which included a three page statement of facts by the defendant, to be presented to the jury. Additionally, the prosecutor also did not provide physical evidence of any injury nor did he present medical confirmation that anything suffered by the alleged victim was inflicted by the defendant. The fact that the alleged victim suffered a hyper-extended thumb is not proof that the defendant did not act in self-defense. Considering the defendant had suffered several injuries, was facing a life threat and was currently being bombarded with close-handed fists, the alleged victim's single minor injury to one of her striking hands holds no ground in establishing that the defendant acted inappropriately or beyond the allowance of his legal rights.

The documentation sent to the defendant by the State of Washington Court of Appeals Division III concerning the reasons for rejection of the appeal cited that the alleged victim's statement alone provided enough evidence to rule out a self-defense argument for the defendant. The alleged victim claimed to have been kicked on three separate occasions during the altercation in a way not in accordance with self-defense, but the prosecution failed to provide a witness or any other form of material evidence to substantiate the alleged victim's claim. The defendant was the only other party present during the time of these alleged attacks and provided a testimony describing events contrary to the allegations. The defendant's story was supported by a statement by the arresting officer who described the damage to the defendant's mouth. The defendant stated to the court that the alleged victim's statement concerning the incident was fabricated. There were no markings on the alleged victim in the areas she claimed to have been kicked by the defendant. The alleged victim claims that she bruises easily due to being anemic. The alleged victim did not provide a statement to

responding police that mirrored her statement during trial. The defendant is certain that the alleged victim's account inconsistencies are the reason the prosecution omitted the police report as evidence. Furthermore, the statement police received from the defendant during his arrest provided a recollection of his consistent with his trial testimony. The jury was misled to believe the alleged victim was assaulted because self-defense was not examined. Self-defense was not examined because the prosecutor did not have a case to disprove the defendant's claim of having acted in self-defense.

The alleged victim sent a letter to the presiding judge explaining how Child Protective Services forced her false testimony. As another point of the defendant's appeal, the transcript of the trial proceedings does not provide an accurate record of the answers he provided to the court during examination. Please note that the defendant's legal counsel has withdrawn his counsel and the defendant is proceeding Pro Se.

Thank You,

A handwritten signature in black ink, appearing to read 'Ethan Dooley', written in a cursive style.

Ethan Dooley
Defendant