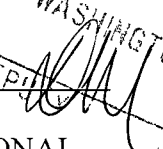


COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II
2013 JUN 10 AM 9:26
STATE OF WASHINGTON
BY 

STATE OF WASHINGTON)
)
 Respondent,)
)
 v.)
)
 Dale Purser)
 (your name))
)
 Appellant.)

No. 44119-5-IDEPT
STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Dale Purser, 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

violations of rule 403 on additional papers.

Additional Ground 2

ineffective assistance of Counsel on additional paper.

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

Date: 6-4-13

Signature: Dale Purser

Violation of rule 403

All of the testimony given by Dr. Grace Yelland violates 403 because the value of the evidence is substantially outweighed by the danger of unfair prejudice, confusion of the issues, and misleading the jury. There was evidence that he was bruised, but no evidence as to how it happened or who caused them. As Mr. Gaznick states in the verbatim report of proceedings dated Aug 28th 2012 pages 49-51 he says this evidence is very prejudice, because it's just not possible for anybody to hear these alleged crimes and in the end be able to judge fairly. Also during closing the state openly state that I did in fact strike Brayden there was no if, ands, or buts, about it. That was not proven at all so the jury should not have been able to hear any of that testimony made by Dr. Yelland. It was misleading and there for violates rule 403. Also violation of 403 is Jennifer's statements made during her testimony of alleged events that took place during the course of our marriage. Not only are these crimes alleged they were never reported. Again as Mr. Gaznick stated this was very prejudice because the value is substantially outweighed by the unfair prejudice that it can place in the mind of the jurors. Also the pictures added into evidence of the front door of the house on 1310 Caroline St. were entered into evidence against me, but was figured out at the end of trial that the cause of the damage was done by Jennifer's father. Those pictures were misleading also a violation of rule 403 and also ineffective assistance.

Ineffective assistance of counsel

The verbatim report of proceedings dated Aug 27th told I was seeking new counsel because I had witnesses I wanted to bring in for the defence. My counsel stated that the police officer that was willing to testify, was only gonna testify that the alleged victim filed a domestic violence case against me, and that was not the case. If he would have called him like I had asked him to he would have learned that the alleged victim filed a false police report with his department. It was a report involving assault but the report was made against my daughter's mom as stated by dr. Yelland. My second witness would have testified that Jennifer was a well known drug dealer of pain pills and that issue was brought up in the trial outside the presents of the jury. The reason it was brought up was the state had a witness who was using information given by one of his informants to investigate Jennifer during the times I was in jail. He was investigating her for indeed selling pain pills. Mr. Gaznick felt that calling these witnesses would have pointless when he didn't even know the full nature of what they would have testified to. I wanted them called to attack credibility because according to federal rules 607, 608 that is my right. Also I was not receiving visits when I called him it sometime took him 2 weeks to see me or he would wait until the day before or the day of court. I requested a private investigator to search my witnesses and get their story and he took almost 5 weeks just to touch base and see what I wanted. He then told me that Mr. Gaznick told him that if those were my

Witnesses to not even look into it because he would take care of it. Which he didnt. I was not represented to the best of his ability.

With these issues now stated and on the record with the court of appeals. I am requested that based on these facts and the issues raised by my appellate attorney that the decision be reversed and I be granted a new trial on all charges. Also requesting that the evidence stated be thrown out.

Thank you for taking the time to hear this.

Respectfully,
Dale Purser
Dale Purser