

Form 7. Statement Of Additional Grounds for Review  
[Rule 10.10(a)]

COURT OF APPEALS OF THE STATE OF WASHINGTON  
2013 JUL 19 PM 4:45

IN THE COURT OF APPEALS OF THE STATE OF  
WASHINGTON  
DIVISION I

STATE OF WASHINGTON, )  
)  
Respondent, )  
)  
V. )  
)  
Amy Carol Taylor, )  
)  
Appellant, )

Court of Appeals Cause No. 69799-4

STATEMENT OF ADDITIONAL  
GROUND FOR REVIEW

I Amy Carol Taylor 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 I**


SCSO Narrative [pg. 1, paragraph 4] Officer Deseuvoir states 'I immediately recognized the driver and passenger, Amy Taylor and Erin Graafstra are well known among area deputies from prior VUSCA contacts and my last contact with Taylor and Graafstra resulted in a successful search warrant and the recovery of a large amount of methamphetamine and cash.' Attached to this statement is a copy of my file per the Washington Access To Criminal History WATCH database, which concludes the officers statement to be false. I have never been involved in any prior VUSCA contacts, with or without, a resulting conviction. This is another example of the officers error in demonstrating probable cause which led to the warrantless search that followed.

**Additional Ground II**

SCSO Narrative [page 2, paragraph 2] Officer Deseuvoir states 'I searched the area near the pickup for approximately 30 minutes but the thick gravel on the road made the search difficult, and I was unable to locate anything.' As Officer Deseuvoir states it was a full 30 minutes of his time in searching the gravel he had left my passenger, Erin Graafstra [currently incarcerated for narcotics], ALONE, in the cab of the truck giving her ample time to dispose of the narcotics from being on her person. Enclosed again with my statement is SCSO Narrative [page 3, paragraph 1] Finally after that 30minute timeframe, Officer Deseuvoir asks the passenger, Erin Graafstra, to step out of the vehicle; proving that he left her unattended in the vehicle.

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

Date: 7/17/13

Signature: 

# NARRATIVE

ORIGINAL PAGE 1 OF 8

AGENCY NAME <b>SNOHOMISH COUNTY SHERIFF'S OFFICE</b>	INCIDENT CLASSIFICATION <b>VUCSA/PSP</b>	INCIDENT NUMBER <b>SO 10-16330</b>
NAME OF ORIGINAL VICTIM(S)		REPORT DATE

Initial Stop

On 09-03-10 around 0112 hours I was in the area of 528 and Hwy 9 when I heard a Marysville Officer Pete Shove make a traffic stop with a warrant subject in the area of 9400 84<sup>th</sup> St NE. As he made the stop, he broadcast that a second vehicle had pulled over and stopped with them.

I responded to Officer Shove's location to assist. My initial concern was that the occupants of the other vehicle were intending to interfere with Officer Shove's investigation. I had no additional information at the time of my arrival.

When I arrived on scene I saw that the vehicle on the traffic stop was parked directly in front of Officer Shove's patrol car. Approximately 25 yards east of the stop location, was a blue Chevrolet S-10, with a large amount of property in the back. I pulled in directly behind the pickup and activated my rear facing flashing lights.

I approached the pickup, WA B18644C, and made contact with the occupants around 0112 hours. I immediately recognized the driver, Amy Taylor, and the passenger, Erin Graafstra. Taylor and Graafstra are well known among area Deputies and Officers from prior VUCSA contacts. My last contact with Taylor and Graafstra was a traffic stop which resulted in a successful search warrant, and the recovery of a large amount of methamphetamine and cash.

Upon contact, Taylor told me that she didn't know what was going on, and thought that the Marysville Officer was trying to stop them as well. I advised her that I was merely there to assist, and did not know if they wanted to speak with her. I asked her if she was valid. She told me that she was and handed me a Washington driver license.

I ran Taylor and Graafstra over the radio. The dispatcher advised me that Graafstra was clear and current, but Taylor had a warrant for theft.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

OFFICER NAME/NUMBER <b>DISBVOIR 1468</b>		APPROVED: <i>[Signature]</i>			
IIR CLEARANCE: <input checked="" type="checkbox"/> ARRA <input type="checkbox"/> ARRU	<input type="checkbox"/> EXCA <input type="checkbox"/> EXCJ	<input type="checkbox"/> MISUFFI CLO <input type="checkbox"/> OTHER CLO <input type="checkbox"/> UNF	COPIES MADE FOR <input type="checkbox"/> PA <input type="checkbox"/> CPS <input type="checkbox"/> JUV <input type="checkbox"/> COURT. <input type="checkbox"/> PA <input type="checkbox"/> DSHS <input type="checkbox"/> M4 <input type="checkbox"/> DET.	CAS / EVS / SOUTH / EVT PREC / CTM / SRJ	DATA ENTRY

NARRATIVE

ORIGINAL

AGENCY NAME <b>SNOHOMISH COUNTY SHERIFF'S OFFICE</b>	INCIDENT CLASSIFICATION <b>VUCSA/PSP</b>	INCIDENT NUMBER <b>SO 10-16330</b>
NAME OF ORIGINAL VICTIM(S)		REPORT DATE

I told Taylor that she had a warrant and advised her that she was under arrest. In her left hand I could see that she was holding her wallet and a small sized folder containing vehicle information. Her seatbelt was already off. I opened her door and took hold of her left wrist. She immediately tensed up and began twisting her body to the right. It appeared to me that she was trying to get rid of something that she was holding, or attempting to retrieve something between the seats. I immediately pulled her from the vehicle and took control of her hands but she remained tensed up, and had balled her fists. I told her to drop the wallet and folder but she continued to hold her grip. I pulled the wallet and folder from her hands and dropped them to the ground. As I cuffed Taylor, she suddenly opened her hands and appeared to drop something, but lighting conditions were poor and I did not see what fell. She then confirmed my suspicion by grinding her foot in the gravel and then kicking something away. I searched Taylor, and put her in the back seat of my patrol car.

Marysville Officer Bartl was with me and around 0125 hours I asked him if K9 Sgt. Johnson was available to apply his narcotic canine to the vehicle. Officer Bartl called Sgt. Johnson on the phone and advised me that he was en route.

I later searched the area near the pickup for approximately 30 minutes but the thick gravel on the road we were on made the search difficult, and I was unable to locate anything.

I Mirandized Taylor. She told me she understood her rights and wanted to talk to me. Taylor stated that she borrowed the pickup from Amanda Marsh in the morning of 09-01-10. **Taylor told me that she was moving, and stated that she owned everything in the bed, but nothing in the cab was hers.**

I asked Taylor if there were any narcotics in the truck and she immediately said, "No," with no apparent thought or consideration. I felt that her answer was suspicious since, according to her, nothing in the cab was hers, but the area behind the seats was filled with bags and boxes. It seemed to me that a more appropriate answer would have been "I don't know".

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

OFFICER NAME/NUMBER <b>D. J. ... 1466</b>		APPROVED BY <b>[Signature]</b>	
IBR CLEARANCE: <input type="checkbox"/> ARRA <input type="checkbox"/> ARRJ	<input type="checkbox"/> EXCA <input type="checkbox"/> EXCU	<input type="checkbox"/> INSUFF/ CLO <input type="checkbox"/> OTHER/ CLO <input type="checkbox"/> UNF	COPIES MADE FOR: <input type="checkbox"/> PA <input type="checkbox"/> PA
<input type="checkbox"/> CPS <input type="checkbox"/> DSHS	<input type="checkbox"/> JUV <input type="checkbox"/> MH	COURT: <input type="checkbox"/> DET. <input type="checkbox"/> OTHER:	CAS / EVO PREC / CTR / SOUTH / EVT / SHU
			DATA ENTRY

3

ORIGINAL PAGE 3 OF 8

# NARRATIVE

AGENCY NAME <b>SNOHOMISH COUNTY SHERIFF'S OFFICE</b>	INCIDENT CLASSIFICATION <b>VUCSA/PSP</b>	INCIDENT NUMBER <b>SO 10-16330</b>
NAME OF ORIGINAL VICTIM(S)		REPORT DATE

I asked Graafstra to step out of the passenger seat and she did. I patted her down for my safety. I asked her if anything in the vehicle was hers. She pointed to a yellow satchel (computer bag), a black backpack, and a gray bag, and stated that they were hers. I asked her if there were narcotics in the vehicle. Graafstra told me that she had been picked up minutes earlier and had no information or knowledge regarding what was inside the truck.

Around 0130 hours, K9 Sgt. Johnson arrived on scene with narcotic canine Brody and applied. After the application, he told me that Brody alerted to the vehicle around the passenger door seam, and that the alert was consistent with past alerts where narcotics have been located. See attachments "A" and "B" for additional information from Sgt. Johnson.

Graafstra asked me if she was free to leave and I told her that she was. She asked if she could take her bags and I told her she couldn't take the bags because it would affect the integrity of the search, but she was free to leave.

Minutes later, Graafstra walked away.

Taylor was booked for her warrant.

Mary's Tow responded to the location for the evidence impound. I watched the tow driver as he opened the driver door and secured the seat belt to the steering wheel for towing purposes, and then shut the door. At no other time did he access the cab of the pickup. At 0222 I followed the tow to the North Precinct. Upon arrival at 0234 I secured the vehicle in the storage bay. I secured the doors using evidence tape bearing my initials.

### Search Warrant Service

On 09-08-10 I secured a search warrant for the pickup and served it around 2200 hours. One of the first items I located was a yellow computer bag, which I opened. Inside was an HP Presario notebook computer bearing serial number 2CE0051LFD. I ran the serial via dispatch and it returned stolen from Skagit County (see attached

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

OFFICER NAME/NUMBER <b>DISCOVER 146</b>		APPROVED BY
IBR CLEARANCE:	COPIES MADE FOR:	
<input type="checkbox"/> ARRIA <input type="checkbox"/> EXCIA <input type="checkbox"/> INSUFF/ CLO <input type="checkbox"/> ARRJ <input type="checkbox"/> EXCJ <input type="checkbox"/> OTHER/ CLO <input type="checkbox"/> <input type="checkbox"/> UNF	<input type="checkbox"/> PA <input type="checkbox"/> CPS <input type="checkbox"/> JUV <input type="checkbox"/> PA <input type="checkbox"/> DSMS <input type="checkbox"/> NH	<input type="checkbox"/> COURT: CAS / EVS / SOUTH / EVT <input type="checkbox"/> DET:    PREC / CTH / SUJ <input type="checkbox"/> OTHER:
		DATA ENTRY

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# WATCH

WASHINGTON ACCESS TO CRIMINAL HISTORY

cc confirm #  
078537  
\$1000

## Web Search Transcript

Washington State Patrol

Identification and Criminal History Section

P.O. Box 42633

Olympia, Washington 98504-2633

Telephone (360) 534-2000

This report was generated from a transaction run on 11/08/2012 at 13:59  
on conviction Criminal History RCW 10.97.050(1)

Pursuant to the purpose of inquiry, A possible match was found in the Washington  
State Criminal History Repository based on the descriptors provided:

TAYLOR, AMY CAROL DOB 06/01/1978

WASHINGTON STATE CRIMINAL HISTORY RECORD FOR SID/WA21418381  
WASHINGTON STATE PATROL  
IDENTIFICATION AND CRIMINAL HISTORY SECTION  
P.O. BOX 42633  
OLYMPIA, WASHINGTON 98504-2633

\*\*\*\*\*  
CRIMINAL HISTORY INFORMATION AS OF 11/08/2012  
\*\*\*\*\*

NOTICE

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COMMUNICATE DIRECTLY WITH THE AGENCY THAT SUPPLIED THE INFORMATION TO THE  
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THIS CONVICTION RECORD INCLUDES INFORMATION FOR WHICH A PERSON IS CURRENTLY BEING  
PROCESSED BY THE CRIMINAL JUSTICE SYSTEM.

\*\*\*\*\*  
MASTER INFORMATION  
\*\*\*\*\*

NAME: TAYLOR, AMY CAROL DOB: 06/01/1978  
SID NUMBER: WA21418381  
DOC NUMBER:

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NO KNOWN CUSTODY HISTORY INFORMATION  
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\*\*\*\*\*  
NO KNOWN SEX/KIDNAPPING OFFENDER REGISTRATIONS  
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\*\*\*\*\*  
NO KNOWN APPLICANT DETAILS  
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GLOSSARY OF TERMS IS AVAILABLE IN THE CRIMINAL JUSTICE TRAINING MANUAL (CJTM)  
HOSTED AT <http://www.wsp.wa.gov/crime/crimhist.htm>  
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RESOURCES  
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ADMINISTRATIVE OFFICE OF THE COURTS (AOC)-----[WWW.COURTS.WA.GOV](http://WWW.COURTS.WA.GOV)  
PUBLIC CHURCH -----[CRIMHIS@WSP.WA.GOV](mailto:CRIMHIS@WSP.WA.GOV) OR  
(360) 534-2000  
DEPARTMENT OF CORRECTIONS (DOC)-----[WWW.DOC.WA.GOV](http://WWW.DOC.WA.GOV)  
PUBLIC SOR UNIT----- (360) 534-2000  
PUBLIC CRIME LAB CODIS----- (206) 262-6020  
N-----[HTTP://APPS.LEG.WA.GOV/RCW/](http://HTTP://APPS.LEG.WA.GOV/RCW/)  
LEGISLATION-----[HTTP://APPS.LEG.WA.GOV](http://HTTP://APPS.LEG.WA.GOV)  
DEPARTMENT OF RECORD