

August 1

~~22~~

(P.1)

Verbatim Transcript of Proceedings (Hearing Dates)

COURT FILED
DIVISION II
2013 AUG -5 PM 1:15
STATE OF WASHINGTON
CLERK
DEPUTY

My attorney filed an opening brief without basing me on what concerns I may of had, so now I am forced to file an S.A.G prematurely.

First off and foremost, the following letter is a brief summary of all the additional grounds I believe were not adequately if at all touched upon in my attorney's brief. I never recieved a copy of the voir dire but will continue with this S.A.G to the best of my abilities.

Even though the voir dire proved to be of exceptional relevance in one aspect of my statement for additional grounds. Due to correctional staff's inconsistency and ineffectiveness with providing me with support to obtain the most basic legal supplies to write and send out this S.A.G with, I was forced to write this S.A.G at the very last second. I spent over three weeks trying to obtain paper and a manilla envelope to get started on my S.A.G. I kept documentation of the staff's ineffectiveness to provide me with the most basic of legal supplies to get started on my S.A.G. I kept the staff's written consent to providing me with some basic legal materials but in reality they did not untill the very last second. I kept these documentations in the event that the corrections officers' ineffectiveness prevented me from filing my S.A.G successfully, which it basically did.

P. 2

Now, down to the matter at hand.

Concern #①: Let it be remembered that on September 25th, 2012, in the State of Washington, County of Lewis, city of Chehalis, in the Superior courtroom of the Honorable Judge Nelson Hunt, within the verbatim transcript of proceedings titled 'Hearing Dates' on pages 5-7, there was mention of one of the jurors (Ms. Williams) having given information and filing an affidavit pertaining to one of the other jurors (Juror #14) of previously withholding information that ultimately affected the decision upon the verdict.

Within these pages of 5-7 there was allegations of misconduct and omission made by Ms. Williams against juror #14.

Within these pages the allegations brought upon by Ms. Williams ~~are~~ aren't looked upon in depth but on pages 12-18 they are to a certain extent.

On p. 5-7 the judge voiced his opinion of this being irrelevant but I think otherwise.

Verbatim Transcript of proceedings (Hearing Dates, continued)

Now, to my second concern: On pages 12-18 the trial record shows that the court proceedings went into depth on the allegations set forth by Ms. Williams against juror #14. Those allegations were in regard to juror #14 withholding information and engaging in 'misconduct'. For the first time, on page 13, sentences 17-25, and page 14, sentence 1-9, it is shown that one of the jurors did indeed withhold information. ~~It is also shown that~~

To quote Mr. Baum: "To what extent wasn't disclosed really related to the voir dire." On p. 13, sentences 15-16. Another thing is that within the trial record it shows that Juror #14 disclosed that she was previously employed at Green Hill. Well this is clearly germane because jurors #19 and #41 got dismissed from the jury panel for simply having relatives who work for or used to work for Green Hill. And by allowing juror #14 to enter upon the jury panel even though she was directly employed by Green Hill I believe this prejudiced the trial.

And to the same issue, on p. 15, sentence 20, the State, Mr. Halstead, said: "I think that's important."

Now, to issue number three:

Concern #③: This essentially relates to concern number 2.

On page 17, sentences 2-8, the judge talks about not knowing what question was asked, therefore: "can't be able to make a determination as to whether there was a disclosure or not, a failure to disclose. But more important, the voir dire was reported here, and there's no verbatim report. That would answer the question immediately. And the fact that it isn't there, that makes me concerned."

And with this being the case, this makes me concerned.

The writing within the quotation marks was the judge, to quote the judge. The issue here is that the court somehow managed to lose evidence by not effectively documenting everything that occurred during trial.

This is a big issue because if the question would of been on the verbatim report of proceedings the juror who withheld information by omission would of been dismissed and there would of been a trial record as to what occurred throughout the whole trial.

Verbatim Transcript of Proceedings (Hearing Dates, continued)

On pages 18, sentences 18-20, the judge attempts to make it a point that Ms. Williams made bare allegations which could of been corroborated if the "alleged conduct actually occurred" if it would of been on the verbatim report of proceedings. But that's just the point, how could they prove Ms. Williams allegations if they weren't documented in the verbatim report of proceedings. Like the judge said, to quote the judge, "Can't make a determination as to whether there was a disclosure or not, a failure to disclose. But more important, the voir dire was reported here, and there's no verbatim record. That would answer the question immediately. And the fact that it's not there, that makes me concerned." To quote the judge on p. 17, sentences 2-8.