

COURT OF APPEALS
DIVISION TWO
OF THE STATE OF WASHINGTON

FILED
COURT OF APPEALS
DIVISION II

2014 MAR 18 AM 11:25

STATE OF WASHINGTON

DEPUTY

STATE OF WASHINGTON)
)
Respondent,)
)
v.)
)
Chandra Witt)
(your name))
)
Appellant.)

No. 45049-6-IIv

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Chandra Witt, 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 was not given adequate council for my defense. Multiple times I had to insist on something before he would put forth any efforts. I gave a list of witnesses that could corroborate my innocence that he did nothing with. I eventually had to go and collect the witness statements myself. He did at that time meet with each of them, but at trial, refused to asked questions that I wrote down as the trial went on. He suppressed all but only called 2. He left out the most (see page 1, notes)

Additional Ground 2

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

Date: _____

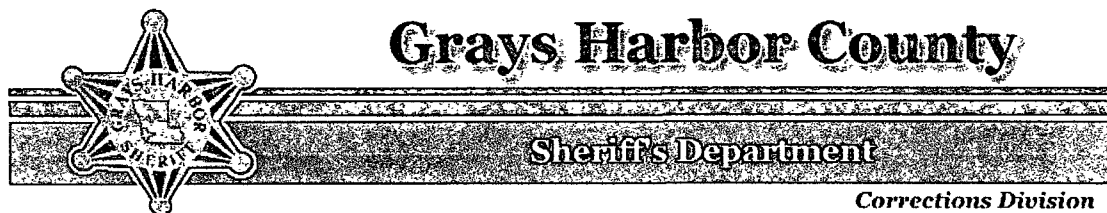
Signature: _____

Additional Ground I pg. 1

cont. important witness, the witness (Lee Clark) wrote a declaration for my defense that he stole the copper & left it at my house, while I was gone. This declaration was available and put into discovery but never entered into evidence. He was subpoenaed to court as a witness but never called, I objected multiple times but my lawyer did nothing. In fact he actual refused to put him on the stand. He did put my ex-roommate on the stand but didn't even address the biggest issue. The fact that the 3 declarations enclosed written by one Lee Clark, one Willow Rashford & one Mike Anderson clearly removes me from any knowledge of the stolen copper. All three also state I was not even home when the copper in question came into my house and then stolen by Michelle. I did not know the copper had even come thru my door until Lee heard the story on the Radio News & came to me stating that he thought it was him the News cast was referring to. I think its clear that my witnesses clearly show that I am not at fault w/ this crime in anyway - yet my attorney flat refused to tell my side of the story. Additionally, Michelle Hinkles testimony should have been impeached as she was not a reliable witness according to Rule 609 a witness can be impeached for a previous conviction if their crime is one of dishonesty or false statement. Michelle Hinkles criminal convictions are specifically, "Possession of Stolen property" and "Theft" both on the list of crimes of dishonesty. In fact she was in jail serving a sentence on a separate issue than

Cont. Ground I pg 2

mine for theft and possession of Stolen property. She has had an additional conviction of the same kind since my trial! I have never been charged with or convicted of a crime of dishonesty. Its clear her motive to point me out was to avoid being charged herself. Multiple Charges will only cause her sentence to increase that's moroph motive to point someone else out, How were the police officers involved and the prosecutors unaware that Michelle had this record. And, knowing that we know her record why was her allegation against me taken even into consideration much less enough to get a search warrant (where nothing relevant was found) much less enough to bring charges and a conviction, None of my witnesses were not credible - None had convictions of dishonesty either. Only she had... I know my witness testimony especially combined with the impeachment of Michelle's testimony, the outcome of my trial would have been completely different. I know I would have been found not guilty. Altogether when a defendant provides not only one but three witnesses telling the same story to corroborate her testimony & completely exonerating her not only should her attorney enter it in to evidence but also do everything in his power to tell her side of the story. A failure to do so is a total injustice, and if I may say criminal. I feel like I told the truth provided witnesses who told the truth and was totally ignored by council and fed directly to the wolves on a platter. They wanted to convict me and did crooked things to accomplish just that.



HINKLE, MICHELLE LYNN

Female, Age: 42

ID:32823

Bookings

- Daily Releases
- Daily Register
- Daily Bookings
- Visiting Hours

Bail Bond Companies

Around The State
Aberdeen Muni Crt

- Pierce Co.
- King Co.
- Snohomish Co.
- Skagit Co.
- Lewis Co.

Book-No 185490	Statute: 46.20.342.3 - Driving While Lic Susp 3rd Offense: FTA - Failure to Appear Arrest Type: ORD Charging Agency: HPD-Hoquiam Police Department Court: HMUN-Hoquiam Municipal Court Bail Amount: \$750.00 Disposition: ROA-Released to Other Agency
Booked	
5/10/2011 19:00	
Released	
5/17/2011 08:00	

Seq# 1

Book-No 185490	Statute: 46.20.342.3 - Driving While Lic Susp 3rd Offense: TOFF - Traffic Offense Arrest Type: ORD Charging Agency: HPD-Hoquiam Police Department Court: HMUN-Hoquiam Municipal Court Bail Amount: \$750.00 Disposition: ROA-Released to Other Agency
Booked	
5/10/2011 19:00	
Released	
5/17/2011 08:00	

Seq# 1

Book-No 185490	Statute: 69.41.030(2)(B) - Poss Legend Drug W/O Pres. Offense: CSSO - Cont Substance/Sale/Manu/Other Arrest Type: ORD Charging Agency: HPD-Hoquiam Police Department Court: HMUN-Hoquiam Municipal Court Bail Amount: \$750.00 Disposition: ROA-Released to Other Agency
Booked	
5/10/2011 19:00	
Released	
5/17/2011 08:00	

Seq# 1

Book-No 185490	Statute: 69.41.030(2)(B) - Poss Legend Drug W/O Pres. Offense: CSSO - Cont Substance/Sale/Manu/Other Arrest Type: ORD Charging Agency: HPD-Hoquiam Police Department Court: HMUN-Hoquiam Municipal Court Bail Amount: \$750.00 Disposition: ROA-Released to Other Agency
Booked	
5/10/2011 19:00	
Released	
5/17/2011 08:00	

Seq# 1

Book-No 193323	Statute: 69.41.030(2)(B) - Poss Legend Drug W/O Pres.
	Offense: WARA - Warrant Arrest
	Arrest Type: WAR
Booked	Charging Agency: HPD-Hoquiam Police Department
6/22/2012 13:05	Court: HMUN-Hoquiam Municipal Court
Released	Bail Amount: \$600.00
6/25/2012 10:00	Disposition: PRD-Released on Personal Recog

Seq# 1

Book-No 193323	Statute: 69.41.030(2)(B) - Poss Legend Drug W/O Pres.
	Offense: WARA - Warrant Arrest
	Arrest Type: WAR
Booked	Charging Agency: HPD-Hoquiam Police Department
6/22/2012 13:05	Court: HMUN-Hoquiam Municipal Court
Released	Bail Amount: \$2,100.00
6/25/2012 10:00	Disposition: PRD-Released on Personal Recog

Seq# 1

Book-No 195784	Statute: 9A.82.050(1) - Trafficking Stolen Property 2
	Offense: WARA - Warrant Arrest
	Arrest Type: WAR
Booked	Charging Agency: HPD-Hoquiam Police Department
10/29/2012 03:30	Court: DC1-Grays Harbor District Court 1
Released	Bail Amount: \$5,000.00
10/29/2012 14:30	Disposition: DIS-Dismissed

Seq# 1

Book-No 195784	Statute: 69.50.4013(1) - VUCSA - Poss of Meth
	Offense: CSPA - Cont Subst/Posess Synthetics
	Arrest Type: WAR
Booked	Charging Agency: HPD-Hoquiam Police Department
10/29/2012 03:30	Court: DC1-Grays Harbor District Court 1
Released	Bail Amount: \$5,000.00
10/29/2012 14:30	Disposition: DIS-Dismissed

Seq# 1

Book-No 195784	Statute: 69.50.4013(1) - VUCSA - Poss of Meth
	Offense: CSPA - Cont Subst/Posess Synthetics
	Arrest Type: ORD
Booked	Charging Agency: GHCJ-Grays Harbor County Jail
10/29/2012 15:00	Court: SC1M-GHC Superior Court 1
Released	Bail Amount: \$0.00
10/29/2012 17:00	Disposition: PRD-Released on Personal Recog

Seq# 2

Book-No 195784	Statute: 9A.82.050(2) - Trafficking Stolen Property 1 Offense: TSPR - Trafficking-Stolen Property
Booked	Arrest Type: ORD Charging Agency: GHCJ-Grays Harbor County Jail
10/29/2012 15:00	Court: SC1M-GHC Superior Court 1
Released 10/29/2012 17:00	Bail Amount: \$0.00 Disposition: PRD-Released on Personal Recog

Seq# 2

Book-No 196045	Statute: 9A.56.050 - Theft 3 Offense: TPOT - Theft, Property, Other
Booked	Arrest Type: CIT Charging Agency: HPD-Hoquiam Police Department
11/14/2012 16:24	Court: HMUN-Hoquiam Municipal Court
Released 11/20/2012 08:15	Bail Amount: \$500.00 Disposition: ROA-Released to Other Agency

Seq# 1

Book-No 196045	Statute: 69.41.030(2)(B) - Poss Legend Drug W/O Pres. Offense: CSSO - Cont Substance/Sale/Manu/Other
Booked	Arrest Type: CIT Charging Agency: HPD-Hoquiam Police Department
11/14/2012 16:24	Court: HMUN-Hoquiam Municipal Court
Released 11/20/2012 08:15	Bail Amount: \$500.00 Disposition: ROA-Released to Other Agency

Seq# 1

Book-No 196045	Statute: 69.41.030(2)(B) - Poss Legend Drug W/O Pres. Offense: WARA - Warrant Arrest
Booked	Arrest Type: CIT Charging Agency: HPD-Hoquiam Police Department
11/14/2012 16:24	Court: HMUN-Hoquiam Municipal Court
Released 11/20/2012 08:15	Bail Amount: \$500.00 Disposition: ROA-Released to Other Agency

Seq# 1

Book-No 196045	Statute: 69.50.412 - Drug Paraphernalia Offense: WARA - Warrant Arrest
Booked	Arrest Type: CIT Charging Agency: HPD-Hoquiam Police Department
11/14/2012 16:24	Court: HMUN-Hoquiam Municipal Court
Released 11/20/2012 08:15	Bail Amount: \$500.00 Disposition: ROA-Released to Other Agency

Seq# 1

Book-No 196978	Statute: <u>69.50.000 - VUCSA Felony</u> Offense: CSPO - Controlled Substance/Possession
	Arrest Type: PC
Booked	Charging Agency: APD-Aberdeen Police Department
1/3/2013 16:20	Court: -
Released	Bail Amount: No Bail
1/5/2013 08:00	Disposition: RPM-Released Per Memo

Seq# 1

Book-No 196978	Statute: <u>9A.82.050(2) - Trafficking Stolen Property 1</u> Offense: WARA - Warrant Arrest
	Arrest Type: PC
Booked	Charging Agency: APD-Aberdeen Police Department
1/3/2013 16:20	Court: SC1M-GHC Superior Court 1
Released	Bail Amount: \$20,000.00
2/4/2013 14:30	Disposition: TS-Time Served

Seq# 1

Book-No 196978	Statute: <u>69.50.000 - VUCSA Felony</u> Offense: CSPS - Cont Subst/Possess Synthetics
	Arrest Type: COM
Booked	Charging Agency: GHCJ-Grays Harbor County Jail
2/4/2013 14:30	Court: SC2-GHC Superior Court 2
Released	Bail Amount: \$0.00
2/4/2013 16:30	Disposition: TS-Time Served

Seq# 2

Book-No 197871	Statute: <u>9A.56.040 - Theft 2</u> Offense: TPOT - Theft, Property, Other
	Arrest Type: PC
Booked	Charging Agency: HPD-Hoquiam Police Department
2/19/2013 17:50	Court: SC1M-GHC Superior Court 1
Released	Bail Amount: No Bail
5/30/2013 06:00	Disposition: TS-Time Served

Seq# 1

Book-No 197871	Statute: <u>9A.46.140 - Poss Stolen Property</u> Offense: SPRP - Receive/Posses Stolen Property
	Arrest Type: PC
Booked	Charging Agency: HPD-Hoquiam Police Department
2/19/2013 17:50	Court: -
Released	Bail Amount: \$10,000.00
2/21/2013 07:20	Disposition: RPM-Released Per Memo

Seq# 1

Book-No Statute: **9A.56.040 - Theft 2**
 197871 Offense: TPOT - Theft, Property, Other
 Arrest Type: PC
Booked Charging: HPD-Hoquiam Police Department
 Agency:
 2/19/2013 17:50 Court: SC1M-GHC Superior Court 1
Released Bail Amount: \$10,000.00
 5/30/2013 Disposition: TS-Time Served
 06:00

Seq# 1

Book-No Statute: **9A.82.050(1) - Trafficking Stolen Property 2**
 200218 Offense: WARA - Warrant Arrest
 Arrest Type: WAR
Booked Charging: GHCJ-Grays Harbor County Jail
 Agency:
 7/6/2013 09:50 Court: SC1M-GHC Superior Court 1
Released Bail Amount: \$2,500.00
 7/19/2013 Disposition: TS-Time Served
 06:00

Seq# 1

Book-No Statute: **69.50.4013(1) - VUCSA - Poss of Meth**
 200218 Offense: WARA - Warrant Arrest
 Arrest Type: WAR
Booked Charging: GHCJ-Grays Harbor County Jail
 Agency:
 7/6/2013 09:50 Court: SC1M-GHC Superior Court 1
Released Bail Amount: \$2,500.00
 7/19/2013 Disposition: TS-Time Served
 00:00

Seq# 1

Book-No Statute: **9A.82.050(1) - Trafficking Stolen Property 2**
 202240 Offense: WARA - Warrant Arrest
 Arrest Type: WAR
Booked Charging: HPD-Hoquiam Police Department
 Agency:
 10/24/2013 14:45 Court: SC2-GHC Superior Court 2
Released Bail Amount: \$10,000.00
 12/2/2013 Disposition: PRD-Released on Personal Recog
 14:45

Seq# 1

Book-No Statute: **9A.82.050(2) - Trafficking Stolen Property 1**
 203498 Offense: WARA - Warrant Arrest
 Arrest Type: WAR
Booked Charging: GHCJ-Grays Harbor County Jail
 Agency:
 1/15/2014 11:25 Court: SC1G-GHC Superior Court 1
Released Bail Amount: \$25,000.00
 2/24/2014 Disposition: TS-Time Served
 06:00

Seq# 1



[Grays Harbor County](#)

[Sheriff's Office](#)

[Jail](#)

[Bookings](#)

[Court Docket](#)

[Sex Offenders](#)

Superior Court of Washington
County of

In re:

Petitioner(s),

No.

and

Declaration of

Respondent(s).

[Name]
(Optional Use)
(DCLR)

This declaration is made by:

Name:

LEE CLARK

Age:

43

Relationship to the parties in this action:

FRIEND/WITNESS

I Declare:

ON THE MORNING OF 6-20-2012 I WAS WALKING
DOWN THE TRACKS WHEN I HEARD A HISSING NOISE. WHEN
I LOOKED OVER I SAW PEOPLE DOING SOMETHING
BEHIND THE LICENSING BUILDING. A COP DROVE BY
AND THE PEOPLE RAN ACROSS THE TRACKS AND INTO THE
TALL GRASS BEHIND THE BUILDING. I WAITED ABOUT
30 MINUTES BUT NOBODY RETURNED SO I WENT TO
INVESTIGATE. I SAW SOME PIPE HANGING DOWN
SO I GRABBED IT.

I walked over the bridge. It was cold and wet so I stopped by CHANDRA WILTS place to dry and warm up. CHANDRA WAS NOT HOME but ~~WILLOW~~ ROOMMATE Willow let me in. AFTER WARMING UP I ASKED Willow to give the pipe to CHANDRA. I had offered to help CHANDRA with her VET bills. Willow threw the pipe ON A SCRAP PILE. I did not tell ANYONE where I got the pipe. I did give a statement to the HOQUIAM Police Department later about this.

(Attach Additional Pages if Necessary and Number Them.)

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at Hoquiam [City] WA [State] on 4/14/2013 [Date].

Lee Clark
Signature of Declarant

LEE CLARK
Print or Type Name

Do not attach financial records, personal health care records or confidential reports to this declaration. Such records should be served on the other party and filed with the court using one of these cover sheets:

- 1) Sealed Financial Source Documents (WPF DRPSCU 09.0220) for financial records
- 2) Sealed Personal Health Care Records (WPF DRPSCU 09.0260) for health records
- 3) Sealed Confidential Report (WPF DRPSCU 09.270) for confidential reports

If filed separately using a cover sheet, the records will be sealed to protect your privacy (although they will be available to all parties in the case, their attorneys, court personnel and certain state agencies and boards.) See GR 22(C)(2).

On 6-20-12 Lee Clark Stopped by to see Chandra but she wasn't home. Since it was raining I let him come in and get dry. He had some Copper pipe and said he was sick of packing it around. He told me to just give it to Chandra to help with her dogs vet bills. I said ok and tossed it in the corner with the rest of the scrap

After he left I went to sleep for most of the day. Later I was woke up by Michelle Hinkle pacing back and forth about how she wasn't doing the dishes for free and she should "just take that scrap for payment." I told her to be quiet. The next thing I know Chandra is waking me up and wanting to know where her copper was because it was gone and so was Michelle

(Attach Additional Pages if Necessary and Number Them.)

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at Hoquiam [City] WA [State] on April 14, 2013 [Date].

Willow Rashford
Signature of Declarant

Willow Rashford
Print or Type Name

Do not attach financial records, personal health care records or confidential reports to this declaration. Such records should be served on the other party and filed with the court using one of these cover sheets:

- 1) Sealed Financial Source Documents (WPF DRPSCU 09.0220) for financial records
- 2) Sealed Personal Health Care Records (WPF DRPSCU 09.0260) for health records
- 3) Sealed Confidential Report (WPF DRPSCU 09.270) for confidential reports

If filed separately using a cover sheet, the records will be sealed to protect your privacy (although they will be available to all parties in the case, their attorneys, court personnel and certain state agencies and boards.) See GR 22(C)(2).

exhibit I-C
Mike Anderson

Superior Court of Washington
County of

In re:

Petitioner(s),

No.

and

Declaration of

Respondent(s).

[Name]
(Optional Use)
(DCLR)

This declaration is made by:

Name:

Mike Anderson

Age:

50

Relationship to the parties in this action:

friend/witness

I Declare:

On 6/20/12 I stopped by Willow's and Chandra's. Chandra wasn't home. Willow was a sleep. Tammy was sitting on the Couch and Michelle was complaining about doing the dishes. I sat there for a few and told Willow to tell Chandra to come over and I will go to the vets with her in the morning. Chandra came and stayed the night and the next morning we stopped by her place before we went to the vets and we saw Michelle walking down the alley carrying a blue

1
sister. Chandra wanted to stop and confront her, but I advised her that we were running late and she wasn't worth missing his appointment over it was his before surgery appointment and was too important to miss. Within a couple hours after I got home, the cops were at my house looking for Annie about selling some stolen copper.

(Attach Additional Pages if Necessary and Number Them.)

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at _____ (City) Hoquiam ^{WA} (State) on 4/18/13 (Date).

M. Anderson
Signature of Declarant

Mike Anderson
Print or Type Name

Do not attach financial records, personal health care records or confidential reports to this declaration. Such records should be served on the other party and filed with the court in accordance with the following instructions:

- 1) Sealed Financial Source Documents (WPP DRPSCU 09.0220) for financial records
- 2) Sealed Personal Health Care Records (WPP DRPSCU 09.0260) for health records
- 3) Sealed Confidential Reports (WPP DRPSCU 09.210) for confidential reports

If filed separately using a cover sheet, the records will be sealed to protect your privacy (although they will be available to all parties in the case, their attorneys, court personnel and certain state agencies and boards.) See CR 2010(2).