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Washington State Supreme Court

JUL 20 2015  
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Ronald R. Carpenter  
Clerk

**SUPREME COURT OF THE STATE OF WASHINGTON**

STATE OF WASHINGTON,  
RESPONDENT,

VS.

JERRY LYNN DAVIS,  
PETITIONER.

Case No. 91343-9

MOTION FOR ACCELERATED REVIEW

AND

MOTION ON THE MERITS

**COMES NOW PETITIONER**, Jerry Lynn Davis, in pro se and respectfully seeks permission from the Washington Supreme Court to file the foregoing motion(s) for accelerated review, and, motion on the merits. SEE: RAP 18.12; 18.14, inclusive. The core purpose to both of the foregoing motions is to serve the ends of justice. This Honorable Court retains jurisdiction. Further, Petitioner is in pro se, without meaningful access to a law library, and prays the court will be liberal to promote justice of the State and Federal Constitutions guaranteed to all persons.

**ARGUMENT**

On April 9, 2015 Petitioners Petition for Review was filed. Respondent decided not to file an answer. Petitioner is scheduled for release on or about July 07, 2015. There was no supervision ordered upon release in this matter, but rather, an LFO debt Petitioner does not have the present or future ability to pay. Petitioner firmly contends the LFO and appeal cost bill debts will create an unconstitutional

manifest injustice of punishment for being too poor to pay a debt that places a hardship on Petitioner that is inconsistent with president case law under the U.S. Supreme Court's ruling in BEARDEN V. GEORGIA, 416 U.S. 660, 669, 103 S. Ct. 2064 (1983).

Petitioner has remained indigent, will be released with approximately \$40.00 gate money, no job, no income, no housing, and is currently on mental health medications. The LFO and cost bill debts of over \$5,000.00 will seriously hinder Petitioners chances of success upon release, to include the growing interest of 12% added onto the debt, in which Petitioner clearly has no way of ever paying off. In short, Petitioner is too poor to pay the growing debt in this consolidated matter, and firmly contends that it would be unconstitutional to be further punished for being too poor to pay.

Petitioner contends that irreparable harm will occur without an accelerated review and a just ruling on the merits in this matter in regards to the filed, unanswered, Petition for Review.

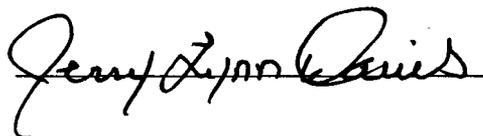
Further, Petitioner prays this Honorable Court will consider the entire Petition for Review, the entire record from the Pierce County Superior Court and the Court of Appeals, Division II, and render a decision that will correct the unconstitutional harm defendants are being abused by due to ineffective assistance of counsels.

### CONCLUSION

**WHEREFORE**, Petitioner respectfully prays this Honorable Court will grant the relief Petitioner in his Petition for Review in its entirety to best serve the ends of justice. For these reasons Petitioner prays this Court will grant his motion for accelerated review and motion on the merits pursuant to RAP 18.12; 18.14, inclusive.

Dated this 10<sup>th</sup> day of July, 2015.

RESPECTFULLY SUBMITTED,

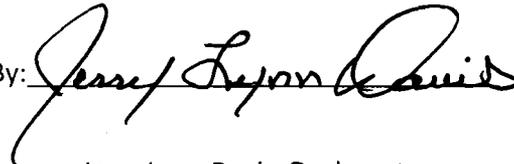


Jerry Lynn Davis, Petitioner in pro se

**DECLARATION**

Petitioner hereby declares under penalty of perjury under the law of the State of Washington that the foregoing information in the foregoing "MOTIONS" is true and correct.

Dated this 10<sup>th</sup> day of July, 2015 and signed in Tacoma, Washington.

By: 

Jerry Lynn Davis, Declarant

**DECLARATION OF SERVICE**

Petitioner hereby declares under penalty of perjury under the law of the State of Washington that a true and correct copy of the foregoing "MOTIONS" were placed in the U.S. mail, postage prepaid, and mailed to Respondent as follows:

Thomas Charles Roberts  
Pierce County Prosecuting Attorney  
930 Tacoma Ave., S. Rm. 946  
Tacoma, WA 98402-2171

Dated this 10<sup>th</sup> day of July, 2015.

By: 

Jerry L. Davis, Petitioner in pro se  
RAP/Lincoln Park Work Release  
3704 S. Yakima Ave  
Tacoma, WA 98418