

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

STATE OF WASHINGTON)
)
 Respondent,)
)
 v.)
)
 Kevin Robert Skaar)
 (your name))
)
 Appellant.)

No. 71563-1-I

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Kevin Skaar, 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

See attached brief

Additional Ground 2

See attached brief

FILED
APPEALS DIV 1
COURT OF WASHINGTON
STATE OF WASHINGTON
2011 OCT 22 AM 10:40

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

Date: 10-16-11

Signature: [Signature]

Additional Ground 1

FILED
COURT OF APPEALS DIV 1
STATE OF WASHINGTON

2014 OCT 22 AM 10:40
The first issue I would like to address is the substantial step. The legal definition for substantial step is "conduct strongly corroborative of the actor's criminal purpose". The detectives in this case had a very vague description of the person who was going to show up. Their only descriptive they had was the color and make of the car, the age, and that the suspect would be wearing a green shirt. Only one of those three descriptions match me and that is they saw me exit a vehicle that matched the color and make. I did not match the age and I had on a blue hoodie. Does exiting a vehicle in the vicinity that matches the vehicle they are looking for a walking around the vicinity constitute a substantial step? The other portion of this is the meeting place was in the park and ride, not the vicinity of the park and ride. My car was never once in or parked in the park and ride it was parked about 3 blocks north of it. In addition I never went into the park and ride or loitered at the entrance of it. According to detective Macdonald her and detective Washington were the first two to arrive in the same vehicle. Detective Macdonald claimed they and detective Washington drove in the park and ride when they first got there and did not see any car matching the description but when they exited the park and ride they saw one a couple blocks up that did match. Detective Washington claimed

park and ride looking for the vehicle. Detective Macdonald claimed once she saw my vehicle then detectives never looked around the vicinity for any other potential vehicles that might match the description. Detective Holland during his correspondence with the suspect told the suspect to meet him in a silver Tahoe parked in the park in ride. I never once looked for this silver Tahoe. Had I entered the park in ride I would say that the "conduct strongly corroborates my criminal activity". If the agreed meeting place was a motel then I would have to meet at the motel for thier to be a substantial step, walking in the vicinity of the motel would not be sufficient evidence. Therefore being in a car that matches the color and make and walking in the vicinity ~~does~~ not constitute a substantial step. Therefore, I am asking you to reverse the conviction and remand for a new trial or dismiss the case.

Additional Ground 2

The second issue I would like to address is the judge handing the case over to the jury at the end of the court day. Closing arguments ended at 3:40pm on January 15th 2014. Judge Bradshaw handed the case over to the jury for deliberations at that time when the end of the court day was 4pm. The judge did give the jury till 5pm to deliberate and come up with a verdict otherwise they would

The feelings the jury was rushed into making a verdict and therefore my right to a fair trial was hindered.

I know that there was at least one juror that didn't want to be there on the panel and tried to get himself removed once the jury had been selected.

Based on this it's very unlikely he wanted to come back for another day of deliberations. My general feeling is that he was not the only one that felt this way.

Based on this my feeling is that the jury rushed their deliberations to get a verdict by 5pm to avoid having to have to come back the next day and deliberate.

I feel had the judge held off on handing the case over to the jury for deliberations until the following morning the jury would have had all day to deliberate and carefully look at all the evidence and not felt so rushed their could have been a different outcome.

Therefore I am asking you to reverse the conviction and remand for a new trial.

Additional Ground 3

The last issue I would like to address is concerning the No-contact order. Currently I am not allowed to have any indirect or direct contact with minors except for I am allowed to have contact with my fiancées children as long as there is an adult who knows of my situation around to supervise. This no-contact order is for 5 years. I have

be able to see family members who are minors. I would like to be able to have my friends bring over their kids to have play dates with my fiancée's kids when I'm around. I want to be a part of my fiancée's kids' lives as much as I can and this no-contact order makes things really difficult. I have cousins who have kids who absolutely love and adore me and would be heartbroken not being able to see me for 5 years. When I've been a part of their lives for so many years already, I want to be able to hang out with friends and not have them have to try to find someone to watch their kids just to be able to see me. That is why I am asking to have the no-contact order amended. I would like to be able to have contact with minors as long as there is a responsible adult around who knows of my situation to supervise me. If you're willing to amend this, it would of course require an evaluation first. I would also ask that it be dropped from 5 years to 3 years. I thank you for your consideration on this.