No. 92035-4
Court of Appeals No. 70750-7-I

THE SUPREME COURT OF THE STATE OF WASHINGTON

In re the Detention of:

DENNIS BREEDLOVE,

Petitioner.

ON DISCRETIONARY REVIEW FROM THE SUPERIOR COURT
OF THE STATE OF WASHINGTON FOR SNOHOMISH COUNTY

PETITION FOR REVIEW

GREGORY C. LINK
Attorney for Petitioner

WASHINGTON APPELLATE PROJECT
1511 Third Avenue, Suite 701
Seattle, Washington 98101
(206) 587-2711

TABLE OF CONTENTS

TABLE OF AUTHORITIES

A. IDENTITY OF PETITIONER AND RELIED REQUESTED

Petitioner Dennis Breedlove asks this court to accept review of the opinion of the court of appeals in *In re the Detention of Breedlove*, 70750-7-I (May 18, 2015), (order denying motion to reconsider entered June 25, 2015).

B. OPINION BELOW

A commissioner of the Court of Appeals granted discretionary review of an issue on which neither party sought review. After granting review the Court of Appeals opinion reversed the trial court's finding that Mr. Breedlove was entitled to a trial on his release under RCW 71.09.090. In doing so, the Court of Appeals reasoned contrary to this Court's decision in *In re the Detention of Meirhofer* that unless a confined person's diagnosis has changed they cannot demonstrate that their condition has changed such that they no longer meet the definition of a sexually violent predator.[1]

C. ISSUES PRESENTED

1. A person committed under RCW 71.09 is entitled to a trial on his release if he establishes probable cause that his condition has changed as a result of positive response to treatment. Due process

[1] *In re the Detention of Meirhofer*, 182 Wn.2d 632, 343 P.3d 731 (2015).

demands such a trial be granted if there is evidence that either the person mental condition has changed or he is no longer sufficiently dangerous to warrant commitment. Although the evidence established Mr. Breedlove was no longer sufficiently dangerous, the Court of Appeals concluded he must also show his mental condition had changed. Does the opinion raise a significant constitutional issue?

2. In *Meirhofer*, this Court concluded a change in diagnosis does not establish a change in condition. Here, the Court of Appeals concluded a person could not establish a change in condition without establishing a change in diagnosis. Does the pinion conflict with *Meirhofer*?

3. The Court of Appeals granted discretionary review of an issue reversed the trial court's ruling even where neither party ever presented the claim in trial court, in a motion discretionary review or in the Court of Appeals. Is the court's sua sponte grant of review and reversal contrary to the Rules of Appellate procedure and this Court's opinions?

D. STATEMENT OF THE CASE

Mr. Breedlove filed petitions requesting a trial on a less restrictive alternative and/or his unconditional release. CP 80-86, 146-56. He offered an evaluation prepared by Dr. Christopher Fisher in

support of his claim that he no longer met the criteria of an SVP and that a less restrictive alternative was appropriate. CP 157-200. Dr. Fisher pointed to Mr. Breedlove's participation in a self-confrontation course. CP 169-70.

The parties agreed Mr. Breedlove met the criteria for a trial on his petition for release to a less-restrictive alternative. RP 3, 30. Mr. Breedlove also petitioned to permit the fact finder at that trial to address his unconditional release. CP 146-56. The State objected. CP 11-16. The State acknowledged Mr. Breedlove had engaged in sexual offender treatment during two different periods during his confinement. RP 12. The State acknowledged there was no statutory definition of what constituted treatment. RP 19-20. The State, nonetheless, argued Mr. Breedlove had not engaged in "relevant" treatment. RP 16.

The trial court reasoned that in the absence of a statutory definition of the term treatment, Mr. Breedlove had satisfied his burden of establishing that he had made a positive change through participation in treatment. CP 31-33.

Despite its earlier concession to the contrary, the State for the first time in a motion to reconsider argued the term "treatment" in RCW 71.09.090 is limited to sex offender treatment as defined by the

department. CP 3-9. The trial court denied the State's motion to reconsider. CP 1.

Although it conceded in the trial court that there was no statutory limitation on what constitutes "treatment," and although it did not properly present this argument to the trial court, the State sought discretionary review in the Court of Appeals contending "treatment" is narrowly limited to include only sex offender treatment. Importantly, the State never took issue with the court's conclusion that Mr. Breedlove's condition had changed.

A commissioner of the Court of Appeals found that the trial court's conclusion that Mr. Breedlove had engaged in treatment was not obvious error warranting review. However the commissioner granted review on an issue which the State had never raised - whether Mr. Breedlove's condition had changed where he still met the diagnostic criteria for a mental abnormality.

In its brief after review was granted, the State addressed only the question what constitutes "treatment" – the issue on which it initially sought review but on which the commissioner declined to grant review. Again, the State never challenged the conclusion that Mr.

Breedlove's condition had changed; rather it only challenged the causal connection between that change and "treatment."

In his response brief, Mr. Breedlove pointed out that the issue on which the commissioner granted review was never raised by the State in its initial motion. Further, Mr. Breedlove noted the State has never argued in the trial court or on appeal that "change in condition" means no longer meeting the diagnostic criteria of an abnormality or disorder.

The Court of Appeals issued an opinion reversing the trial court's ruling. The opinion expressly refuses to address the "treatment" the only issue raised by the State. Instead, the Court of Appeals reversed the trial court ruling concluding Mr. Breedlove cannot demonstrate a change in condition unless he can show he no longer meets the diagnostic criteria for a mental abnormality or disorder. Again, this issue was never raised by the State or any party in this matter.

E. ARGUMENT

The Opinion of the Court of Appeals is in conflict with is Court's decision in *Meirhofer*. Additionally, the opinion's reasoning that a change in condition only arises with a change in diagnosis is

conflicts with a recent opinion issued by Division Two of the Court of Appeals concluding that a change in diagnosis does not establish a change in condition. *In re the Detention of Sease*, (45512-9-II, July 14, 2015).[2] Finally, the opinion presents a significant constitutional question as it permits indefinite confinement beyond the limits identified in *Foucha v. Louisiana*, 504 U.S. 71, 77, 112 S. Ct. 1780, 118 L. Ed. 2d 437 (1992). Thus review is proper under RAP 13.4.

1. *Meirhofer* and Division Two have concluded a change in diagnosis does not establish and is not relevant to the determination of whether a committed person's condition has changed for purposes of RCW 71.09.090.

To indefinitely confine a person the State must prove the person is both mentally ill and dangerous before confining him against his will. *Kansas v. Hendricks*, 521 U.S. 346, 358, 117 S. Ct. 2072, 138 L.Ed.2d 501 (1997). Consistent with the requirement, RCW 71.09.020(18) defines "sexually violent predator" to mean a person with a predicate conviction who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence if not confined in a secure facility.

[2] Mr. Breedlove cites to this unpublished opinion to demonstrate the conflict between divisions of the Court of Appeals and not as authority on any substantive issue.

Even where an initial commitment is proper, the State violates due process when it continues to confine a person who is no longer both mentally ill and dangerous. *Foucha*, 504 U.S. at 77 (reversing where individual was dangerous but no longer suffered from psychosis). Thus, under RCW 71.09.090 a court must order a new trial for a committed person if either (1) the State fails to present prima facie evidence that the committed person continues to meet the definition of an SVP, or (2) probable cause exists to believe that the person's condition has so changed that he no longer meets the definition of a sexually violent predator.

Focusing only on the second of these, and consistent with the dictates of due process, a committed person is entitled to a new trial where he establishes either he no longer suffers a mental condition or where he is no longer dangerous despite the continuing mental condition.

Probable cause exists where there are sufficient facts which if believed would establish a proposition. *In re the Detention of Petersen,* 145 Wn.2d 789, 797, 42 P.3d 952 (2002). When assessing whether probable cause exists, a court is not permitted to weigh the evidence. *Id.* at 798. Mr. Breedlove presented evidence that he had participated in

treatment, and that his risk of re-offense was less than 50%, *i.e.*, below the more likely than not standard. CP 113, 117, 119, 169, 173-80. On this point the State's expert also agreed Mr. Breedlove's actuarial risk level placed him below the 50% mark. CP 116-17. By presenting evidence that he is no longer likely to commit new offenses, Mr. Breedlove established probable cause that he no longer satisfies the "dangerousness" component of the definition of a sexually violent predator. Thus, the trial court properly ordered a new trial.

The Court of Appeals opinion reversing the trial court's order rests upon the erroneous conclusion that a committed person may only establish his condition has changed by showing he no longer meets the diagnostic criteria of the mental disorder in addition to showing he is no longer dangerous. The court's opinion changes the conjunction "and" to the disjunctive "or." The opinion would permit confinement where the person remains mentally ill but is no longer dangerous, or is no longer mentally ill but remains dangerous. But each of those outcomes is expressly precluded by the constitutional limits recognized in *Foucha*. 504 U.S. at 77

In *Meirhofer*, this Court concluded the State met its prime facie burden of showing a person's condition had not changed despite a

change in diagnosis. 182 Wn.2d at 644. Division Two recently extended the reasoning of *Meirhofer* to concluding a defendant who shows his diagnosis has changed as a result of treatment does not establish his condition has changed. *Sease*, 45512-9-II. But here, the court concluded Mr. Breedlove cannot establish a change in condition without establishing a change in diagnosis. The Court of Appeals's opinion creates a Catch-22 - if Mr. Breedlove shows a change in diagnosis he does not establish a change in condition yet he cannot show change in condition without showing a change in diagnosis.

As demonstrated the opinion of the Court of Appeals is contrary to *Meirhofer* and *Sease*. Further, the opinion permits the continued confinement of an individual beyond the limits of due process recognized in *Foucha*. By concluding RCW 71.09.090 does not permit a new trial despite evidence that the person is no longer dangerous, the opinion cast significant constitutional doubt on the statute. This Court should accept review under RAP 13.4.

2. Reversing the trial court on an issue not presented nor contested by either party is contrary to the provisions of RAP 2.5 and opinions of this Court applying that rule.

As the State has at least implicitly acknowledged throughout this case, a person may no longer meet the criteria of a sexually violent

predator under RCW 71.09 even if they still have a mental abnormality but their risk to re-offend has decreased due to a positive response to treatment. The State did not argue in the trial court that Mr. Breedlove's condition had not changed. The State did not seek discretionary review on the question of whether Mr. Breedlove's condition has changed. In its briefing to the Court of Appeals, the State never mentioned such a claim. Indeed, the State's only dispute throughout this case has been whether Mr. Breedlove's change in condition was the result of treatment.

> In the context of RAP 2.5 this Court has observed
>
> it would be imprudent for us to address . . . complex issues for the first time on discretionary review without the benefit of full development of the issues and complete briefing.

City of Bothell v. Barnhart, 172 Wn.2d 223, 234, 257 P.3d 648 (2011). That conclusion should dictate the result here. The Court of Appeals *sua sponte* granted discretionary review and reversed the trial court based on a constitutionally complex issue which never raised, briefed or argued by either party.

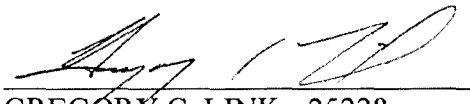
In a similar context, in *State v. Ibarra-Cisneros* this court found it the Court of Appeals erred in affirming a trial court's suppression ruling based upon an issue raised sua sponte by the Court

of Appeals. 172 Wn. 2d 880, 885, 263 P.3d 591, 594 (2011). The present scenario is arguably worse, as the Court sua sponte granted discretionary review and reversed the trial court based upon an issue that neither party has ever presented at any level. That is contrary to the RAP 2.3, RAP 2.5, and cases such as *Ibarra-Cisneros* and *Barnhart*. This Court should granted review under RAP 13.4 and remand the matter to the Court of Appeals to dismiss this matter as improvidently granted.

F. CONCLUSION

For the reasons above this Court should grant review under RAP 13.4

DATED this 22nd day of July, 2015.



GREGORY C. LINK - 25228
Washington Appellate Project – 91052
Attorneys for Petitioner

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

In the Matter of the Detention of DENNIS WAYNE BREEDLOVE, Respondent.	)	No. 70750-7-I ORDER DENYING MOTION FOR RECONSIDERATION

The respondent, Dennis Wayne Breedlove, has filed a motion for reconsideration herein. The court has taken the matter under consideration and has determined that the motion should be denied.

Now, therefore, it is hereby

ORDERED that the motion for reconsideration is denied.

Done this 25th day of June, 2015.

FOR THE COURT:

Trickey, J

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

In the Matter of the Detention of	)	
	)	No. 70750-7-I
DENNIS WAYNE BREEDLOVE,	)	
	)	DIVISION ONE
Respondent.	)	
	)	UNPUBLISHED OPINION
	)	
	)	
	)	FILED: May 18, 2015

TRICKEY, J. — An individual confined as a sexually violent predator (SVP) must present sufficient evidence that he has "so changed" to obtain an unconditional release trial. Here, the petitioner relies on a report that does not meet the necessary criteria to establish a sufficient change such that a release trial should be granted. Accordingly, we reverse the trial court's decision granting an unconditional release trial.

FACTS

Dennis Breedlove is confined as a sexually violent predator (SVP) under chapter 71.09 RCW, Washington's SVP statute. That statue requires annual review of an SVP status. RCW 71.09.070(1). Breedlove's annual reviews, since his commitment in 2004, have supported his continued detention. In June 2011, the trial court found that Breedlove continued to meet the criteria for commitment as an SVP and that he failed to present prima facie evidence that his progress warranted an unconditional release trial. Breedlove did not demonstrate that a

less restrictive alternative (LRA) was in his best interest or that conditions could be imposed that would adequately protect the community.[1]

On January 28, 2013, the Special Commitment Center (SCC) completed another review pursuant to RCW 71.09.070(1). In that review, Wendi L. Wachsmuth, Ph.D, opined that Breedlove continued to meet the criteria for commitment as an SVP and that no less restrictive alternatives could be imposed that would adequately protect the community, nor would such restrictions be in Breedlove's best interest. Dr. Wachsmuth cited specific examples of failed or ignored treatment along with a history of malfeasance at the SCC.

In 2012, Breedlove retained Christopher J. Fisher, Psy.D to assess his current condition. Dr. Fisher noted that since Breedlove's commitment in 2004, he "only participated in two brief periods of focused sex offender treatment."[2] In 2007, Breedlove was a "stellar participant" in a 12-week introductory group, "Awareness and Preparation."[3] Breedlove did not continue into the Cohort group at that time.

In early 2009 he started a Cohort group, but only stayed in the group for approximately one month. Three years later, in March 2012, Breedlove completed a 12- or 24-week "Biblical Counseling Foundation Self Confrontation Course" designed to assist individuals in changing their cognitive thoughts, feelings, and behaviors based on biblical principles.[4] After receiving a behavioral management report for marijuana possession, Breedlove attended a "Counselor Assisted Self

---

[1] The Mack House (the LRA) does not provide adequate supervision for an untreated high-risk sex offender.
[2] Clerk's Papers (CP) at 168.
[3] CP at 168.
[4] CP at 169.

Help Group," in 2008 through 2009, where he was described to be diligently working on sobriety, including the relationship between his drug addiction and sexual offending.[5]

Dr. Fisher noted and agreed with the most recent annual review that focused on "Breedlove's mental disorder, namely pedophilia, and states that there is little indication that his mental disorder has changed since his initial commitment."[6]

Dr. Fisher set forth the definition of "pedophilia" in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Text Revision (DSM-IV-TR) and had "little doubt" that Breedlove "continue[d] to show evidence of pedophilia" as defined in DSM-IV-TR.[7] Even so, Dr. Fisher criticized the annual review for its failure to address the considerable changes that have occurred in the field of sex offender risk assessment. Those changes, he opines, form the basis to judge Breedlove's risk level as quite different now from when he was first committed. As an example, he cited a 2003 chapter 71.09 RCW evaluation performed by Dr. Packard that used what Dr. Fisher described as outdated and obsolete methodologies and a "gross simplification" of an adequate sex offender risk assessment.[8]

Dr. Fisher concluded that Breedlove no longer met the definition of an SVP "by virtue of the changes he has made in himself through treatment and a generalized maturational process over the last 12 years, combined with wholesale

---

[5] CP at 170.
[6] CP at 184.
[7] CP at 186.
[8] CP at 184.

changes in the field of risk assessment and large amounts of new empirical data now available that was not available at the time of his initial commitment."[9]

After review of the documents and oral argument, the trial court issued the following order:

> [P]ursuant to RCW 71.09.080 the court finds Mr. Breedlove has shown cause to schedule a trial on (1) whether he has changed [and] that he no longer meets criteria of a sexually violent predator; and (2) whether he should be released to a less restrictive alternative.[10]

The trial court denied the State's motion to reconsider the order granting Breedlove an unconditional release trial. The State does not object to a trial on whether Breedlove should be released to a less restrictive alternative.

The State filed a motion for discretionary review arguing that the trial court committed obvious error in granting a release trial when Breedlove showed no evidence of change under the statutory criteria. The State also argued that the statutory term "treatment" is limited to sex offender specific treatment and the trial court erred in failing to support the State's interpretation.

A commissioner of this court agreed that the lack of evidence of change in Breedlove's mental condition of pedophilia warranted discretionary review, but found the trial court's rejection of the State's statutory interpretation of the term "treatment" did not. Accordingly, the commissioner granted discretionary review as to only whether the trial court erred in granting an unconditional release trial on the basis that Breedlove had changed.

---

[9] CP at 186.
[10] CP at 10.

ANALYSIS

A sexually violent predator is defined as "any person who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence if not confined in a secure facility." RCW 71.09.020(18). The standard for "[l]ikely" is "more probably than not." RCW 71.09.020(7).

Because indefinite civil commitment gives rise to serious constitutional concerns, the SVP statute contains certain procedural safeguards, including mandating annual order to show cause hearings under RCW 71.09.090. At a show cause hearing, the State must make a prima facie case that the individual still meets the criteria of an SVP. The SVP also has the opportunity to present evidence that they have "so changed" since the time of their commitment to warrant a new full evidentiary hearing or a new commitment trial. In re Meirhofer, __ Wn.2d __, 343 P.3d 731 (2015); In re Det. of Petersen, 145 Wn.2d 789, 798, 42 P.3d 952 (2002). The trial court may not weigh the evidence, but rather must simply determine whether sufficient evidence has been presented to establish probable cause that the SVP's continued civil commitment is unlawful. Petersen, 145 Wn.2d at 797-98 ("Probable cause exists if the proposition to be proven has been prima facie shown."); In re Det. of Ambers, 160 Wn.2d 543, 557, 158 P.3d 1144 (2007).

Each year, as required by statute, the State had a qualified professional review Breedlove's mental condition to determine whether or not his confinement

was still warranted. RCW 71.09.070(1); WAC 388-880-031. Under the statutory scheme, after each annual review, a show cause hearing is held to determine whether probable cause exists for a new evidentiary hearing on the civil commitment. RCW 71.09.090(1),(2)(a). The court must order a new evidentiary hearing if, at the annual show cause hearing, the State fails to present prima facie evidence establishing that the committed person "continues to meet the definition of a sexually violent predator" and that a less restrictive alternative is not warranted. RCW 71.09.090(2)(a)-(c). In making this showing, the State can rely exclusively on the annual review report. RCW 71.09.090(2)(b).

Even if the State meets its prima facie burden, the confined person may still obtain a new evidentiary hearing if the court determines that "probable cause exists to believe that the person's condition has so changed," that he is no longer a sexually violent predator, or that a less restrictive alternative than full confinement is appropriate. RCW 71.09.090(2)(c). Apart from the annual review process, the confined person may independently petition the court for release at any time. RCW 71.09.090(2)(a); WAC 388-880-050(3)(b).

As a result of legislation in 2005, the confined person cannot establish probable cause merely by showing advancing age or any other "single demographic change." RW 71.09.090(4)(c). If the State satisfies its prima facie burden, a full evidentiary hearing is available only upon a showing that the confined person has undergone either (1) a profound and permanent physiological change, such as a stroke, paralysis, or dementia, potentially rending him no longer dangerous; or (2) a profound mental change by receiving psychological treatment

services during confinement—potentially rendering him no longer mentally ill. RCW 71.09.090(4)(b)(i),(ii); State v. McCuistion, 174 Wn.2d 369, 392, 275 P.3d 1092 (2012), cert. denied, __ U.S.__, 133 S. Ct.1460, 185 L. Ed. 2d 368 (2013).

This court reviews de novo a trial court's legal conclusion as to whether evidence meets the standard of probable cause required for a sexually violent predator to obtain a new commitment trial. Petersen, 145 Wn.2d at 799. The court must order a full evidentiary hearing on the person's civil commitment if the court finds either (1) a deficiency in the State's prima facie case for continued commitment, or (2) sufficiency of proof by the committed person that he has "so changed" that he no longer meets the criteria for a sexually violent predator. RCW 71.09.090(2)(c); see Petersen, 145 Wn.2d at 798.

As to the first issue, no one claims the State's evidence is deficient. As to the second issue, Breedlove's own evidence is insufficient to show that he has "so changed" that confinement is no longer warranted. Dr. Fisher's report failed to identify a substantial change in Breedlove's mental disorder, pedophilia. His report stated:

> The most recent Annual Review focuses on Mr. Breedlove's mental disorder, namely pedophilia, and states that there is little indication that this mental disorder has changed since his initial commitment. I agree with this finding.[11]

Dr. Fisher contends that Breedlove's risk level should be judged differently in light of changes in sexual recidivism risk assessment, including research findings of age as a protective factor and declining base rates of sexual recidivism in the country. Dr. Fisher criticized the risk assessment method used for

[11] CP at 184.

Breedlove's initial commitment and opined that Breedlove's risk score at his initial commitment is "now associated with dramatically lower recidivism estimates."[12]

Essentially, Dr. Fisher challenges the initial commitment finding that Breedlove met the criteria for an SVP. This issue was recently addressed in McCuistion, where the Supreme Court held that evidence from a detainee that he was not and had never been mentally ill, would not support relief through the annual review process because it was in effect a collateral attack on the initial order of commitment. 174 Wn.2d at 386. The initial finding is "a verity in determining whether an individual is mentally ill and dangerous at a later date." McCuistion, 174 Wn.2d at 384-85. The 2005 amendments are "intended only to provide a method of revisiting the indefinite commitment due to a relevant change in the person's condition, not an alternative method of collaterally attacking a person's indefinite commitment for reasons unrelated to a change in condition." LAWS OF 2005, ch. 344, § 1.

Dr. Fisher's report did not identify any evidence demonstrating that Breedlove had experienced a substantial change. As the report noted:

> [I]n examining the considerable changes to the field of sex offender risk assessment that have occurred since Mr. Breedlove's initial commitment, as well as the changes that he himself has undergone, it is far too simplistic to say that because he was once found to be an SVP, he still meets criteria today.[13]

Dr. Fisher's conclusory opinion is that Breedlove never was an SVP. Dr. Fisher's report did state that Breedlove had changed through treatment, but failed to substantiate that statement with any evidence of that change. Indeed, the

---

[12] CP at 185.
[13] CP at 184.

evidence is conflicting as to whether the treatment was 12 or 24 weeks long. No specific evidence of the content of the meetings was presented. Further, the awareness program that Breedlove did complete was merely an informational course about the treatment offered.

The trial court "must look beyond an expert's stated conclusions to determine if they are supported by sufficient facts." In re Det. of Ward, 125 Wn. App. 381, 387, 104 P.3d 747 (2005), superseded by statute on other grounds as recognized by McCuistion, 174 Wn.2d at 397-98. The State put forth evidence that Breedlove continued to show sexual interest in children even when he was in custody.

Dr. Fisher's report fails to cite any changes that Breedlove has made. Attending a group based on "biblical principles" does not demonstrate change. It only demonstrated participation.

Because Breedlove has failed to demonstrate any change, we need not and do not discuss whether the trial court appropriately defined treatment. The trial court's decision to grant an unconditional release trial is reversed; the less restrictive alternative trial may proceed by agreement of the parties.

Trickey, J

WE CONCUR:

Spearman, C.J.

DECLARATION OF FILING AND MAILING OR DELIVERY

The undersigned certifies under penalty of perjury under the laws of the State of Washington that on the below date, the original of the document to which this declaration is affixed/attached, was filed in the **Court of Appeals – Division One** under **Case No. 70750-7-I**, and a true copy was mailed with first-class postage prepaid or otherwise caused to be delivered by other court-approved means to the following attorney(s) or party/parties of record at their regular office / residence / e-mail address as listed on ACORDS / WSBA website:

☒ respondent Malcolm Ross, AAG
[malcolmr@atg.wa.gov] [crjsvpef@atg.wa.gov]
Office of the Attorney General - Criminal Justice Division

☐ petitioner

☐ Attorneys for other party

MARIA ANA ARRANZA RILEY, Legal Assistant Date: July 22, 2015
Washington Appellate Project

WASHINGTON APPELLATE PROJECT

July 22, 2015 - 4:25 PM

Transmittal Letter

Document Uploaded: 707507-Petition for Review.pdf

Case Name: DETENTION OF DENNIS BREEDLOVE

Court of Appeals Case Number: 70750-7

Party Respresented: PETITIONER

Is this a Personal Restraint Petition? ◯ Yes ◉ No

Trial Court County: ____ - Superior Court # ____

The document being Filed is:

- ◯ Designation of Clerk's Papers ☐ Supplemental Designation of Clerk's Papers
- ◯ Statement of Arrangements
- ◯ Motion: ____
- ◯ Answer/Reply to Motion: ____
- ◯ Brief: ____
- ◯ Statement of Additional Authorities
- ◯ Affidavit of Attorney Fees
- ◯ Cost Bill
- ◯ Objection to Cost Bill
- ◯ Affidavit
- ◯ Letter
- ◯ Copy of Verbatim Report of Proceedings - No. of Volumes: ____
  Hearing Date(s): _____
- ◯ Personal Restraint Petition (PRP)
- ◯ Response to Personal Restraint Petition
- ◯ Reply to Response to Personal Restraint Petition
- ◉ Petition for Review (PRV)
- ◯ Other: _____

Comments:

No Comments were entered.

Sender Name: Maria A Riley - Email: maria@washapp.org

A copy of this document has been emailed to the following addresses:

malcolmr@atg.wa.gov
crjsvpef@atg.wa.gov