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STATE OF WASHINGTON
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Supreme Court No. 92131-8
Court of Appeals No. 32612-8-III

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IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,
Plaintiff/Respondent,

v.

GERHARD ROBERT WINTERMEIER,
Defendant/Appellant.

ANSWER TO PETITION FOR REVIEW

Douglas J. Shae WSBA #17942
Chelan County Prosecuting Attorney

James A. Hershey WSBA #16531
Chief Deputy Prosecuting Attorney

Chelan County Prosecuting Attorney's Office
P.O. Box 2596
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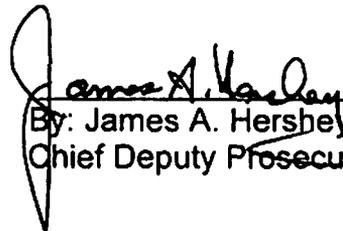
 ORIGINAL

On January 6, 2016, the Court ordered the State to file an answer to the Petition for Review addressing the applicability of State v. Conover, 183 Wn.2d 706, 355 P.3d 1093 (2015), and the potential effect of that case on the petitioner's sentence. In response, the State submits that the petitioner's case should be remanded to the trial court for resentencing in light of the court's decision in State v. Conover.

DATED this 19th day of January, 2016.

Respectfully submitted,

Douglas J. Shae
Chelan County Prosecuting Attorney


By: James A. Hershey WSBA #16531
Chief Deputy Prosecuting Attorney

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5 IN THE SUPREME COURT
6 OF THE STATE OF WASHINGTON

7 STATE OF WASHINGTON,)
8 Respondent,)
9 v.)
10 GERHARD R. WINTERMEIER,)
11 Petitioner.)
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No. 92131-8
Court of Appeals No. 32612-8-III
DECLARATION OF SERVICE

13 I, Cindy Dietz, under penalty of perjury under the laws of the State of Washington,
14 declare that on the 19th day of January, 2016, I electronically transmitted to:

15 Susan L. Carlson
16 Supreme Court Deputy Clerk
17 The Supreme Court
18 P.O. Box 40929
19 Olympia, WA 98504-0929
20 Via Email: supreme@courts.wa.gov

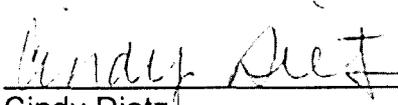
21 AND deposited in the United States Mail, properly stamped and addressed envelopes directed
22 to:

23 Dennis W. Morgan
24 Attorney at Law
25 P.O. Box 1019
Republic, WA 99166

Gerhard Wintermeier #841488
Washington State Penitentiary
1313 N. 13th Avenue, Unit 6-E-16-1
Walla Walla, WA 99362

said electronic transmission and envelopes containing true and correct copies of Answer to
Petition for Review.

Signed at Wenatchee, Washington, this 19th day of January, 2016.



Cindy Dietz
Legal Administrative Supervisor
Chelan County Prosecuting Attorney's Office

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Subject: RE: Wintermeier No. 92131-8

Received on 01-19-2016

Supreme Court Clerk's Office

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From: Cindy Dietz [mailto:Cindy.Dietz@CO.CHELAN.WA.US]
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The attached document is for filing in the case indicated below. Thank you for your assistance.

Case Name: Gerhard R. Wintermeier
Supreme Court Case No. 92131-8
Filed by: James A. Hershey, Chelan County Chief Deputy Prosecuting Attorney
WSBA #16531
Phone Number: 509-667-6204
E-mail Address of Person Filing Document: cindy.dietz@co.chelan.wa.us

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