

STATEMENT OF ADDITIONAL  
GROUNDS FOR REVIEW

2018 FEB -2 PM 1:39  
STATE OF WASHINGTON  
COURT OF APPEALS  
K

STATE OF WASHINGTON )  
 )  
 Respondent, )  
 )  
 v. )  
 Doreen Starrish )  
 (your name) )  
 )  
 Appellant. )

No. 71519-4-I  
STATEMENT OF ADDITIONAL  
GROUNDS FOR REVIEW

I, Doreen Starrish, 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

Ineffective Assistance of Counsel  
Attach papers

Additional Ground 2

Insufficient Evidence  
Attach papers

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

Date: 1-29-15

Signature: Doreen Starrish

## First Ground

Appellant was Denied effective Assistance of Counsel + trial guaranteed under U.S. Const. AMEND VI. Because counsel failed to object to evidence manipulated by police ever tested and entered into evidence at trial without foundation which prejudiced her: for failing to obtain exculpatory evidence Also prejudicing her A Reference or evidentiary hearing is necessary to Determine the extent for this court

Effective assistance of counsel is part of the right to a fair trial U.S. Const. Amend. VI; Strickland v. Washington 466 US 688, 101 S.Ct. 1074, 104 S.Ct. 2052 (1984); State v. Cienfuegos, 144 W.2d 226, 33d 1011 (2001)

To obtain relief an appellant must show that counsel's performance was deficient and that those deficiencies prejudiced them. Strickland, supra.

At trial the state introduced photographic evidence purporting to "fairly and accurately represent how it looked when [C] gang through the house that afternoon" RP 11/15/13 p. 112

There was no objection from defense counsel RP 11/18/13 p. 112 Appellant believes that state's exhibit 13 depicts the Appellant's bedroom, but in which was staged a Bloody pillow from Appellant's daughter's room along with hair and heroin obtained from Dan Boarman's room, in an obvious and prejudicial manner on the corner of the appellant's bed prominently

The foil, and baggie containing heroin were never tested or fingerprinted nor was the Blood from the pillow tested.

Appellant told trial counsel that the <sup>Blood on</sup> pillow was from her Daughters nose bleed Ex<sup>13</sup> number 19 pillow. it was not admitted but the picture was still in evidence and trial counsel failed to object and if tested would of supported Appellant but because it was not tested and trial counsel failed to object Denied Appellant fair trial Dec 6, 2013 pg 2. preceding line 19-21 the jury had a question about states exhibit number 19 with the pillow, which Appellant believes if it were tested would have supported what she said at trial she told her trial Attorney he failed to object the picture or to have the Blood tested. Denied Appellant fair trial.

failed to enter evidence that would have proved Aaron Smith to be the aggressor

NOV 12<sup>th</sup> pg. 68-77, NOV 12<sup>th</sup>, pg 75 line 23-5

I told my trial Attorney no one would understand the full picture NOV 13 pg. 39 line 9-15

lack of funds this was a pro bono case NOV 12, 2013 page 156 line 15-17 MR. Perez a pro bono case there's no funds no funds available, NOV 13, 2013 page 18 line 9-10.

He had no funds available and did not get the evidence provided. Appellant was Denied a fair trial.

asking for conviction over turned and new

## Second Ground

### Insufficient Evidence

The medical examiner testified that the wound itself was survivable - permissible - Allowable intervening causes - He died from lack of oxygen to the brain (page 19 line 24) (pg. 14 line 3-6)

NOV 12, page 24 ~~line 25~~ line 25

Aaron did not want police called. NOV 12 page 2 line 8-9. There was a delay in time that it took for aid & police to show up ~~page~~

NOV, 13 page 7 line 16-24

The CSI people said that the weapons they brought in to evidence could not be the weapon but they still brought into evidence without fingerprints  
• lack of nexus: because the DNA was not tested.

Dec 5<sup>th</sup> closing arguments Carolsem page 28 line 11-16 said that was the knife, but was not the C.S.1.

Damaged that knife while testing it & it produced Appellant. ~~Attested~~ untested evidence showed prejudice

### Insufficient Evidence

in *Winship*, 25 LEd2d 358 (1970); *State v. Green*, 94 Wash2d 216 (1970) Due process clause of U.S.

Const. Amend II, IVX.

asking for conviction over turned and new trial

Washington court of Appeals Division I  
state of Washington }  
County of Yakima } Declaration of mailing

I deposited in the mail the following documents  
on Jan, 29, 2015.

Statement of Additional Grounds was placed  
in the outgoing mail of the yakima county jail  
pursuant to BR

Said document was sent to the following address:  
Court of Appeals D.V.I  
one Union Square  
1600 University Street  
Seattle WA, 98101

Declared under penalty of perjury  
according to the laws of the state of Washington

Dated: 1/24/15

*Doreen Starnitz*  
Yakima County Jail  
111 NO front St.  
Yakima WA, 98901

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