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FILED
COURT OF APPEALS DIV I
STATE OF WASHINGTON
2014 JUL 31 PM 1:06

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

STATE OF WASHINGTON)

Respondent,)

v.)

Dennis Richard Waters jr
(your name))

Appellant.)

No. 71304-3 / NBK

STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Dennis R Waters jr, 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

Ryan mumms mother was allowed to sit from trial start to trial end. She should have not been able to testify after sitting through whole trial and become a witness on her son behalf. She made him sound like a little angel. I believe she was only there to prejudice the jury against me. I believe i am intitled to a new trial without Ethan muthors and mumms mother not being able to testify or being present during trial to make jury prejudice against me.

Additional Ground 2

Should not be able to have prosecutor use Police State ments or recording due to editing tapes, and reading full State ments. They made a edited tape. to these witnesses should not have been able to say "KILLED MURDERED" or EXECUTED. I had insufficient Counsel on so many level here are none of my reason this was an unjust trial on all levels to prove my innocence

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

Date: 7-23-2014

Signature: Dennis Richard Waters jr

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① → OVER

JUN 30 2014
Nelson Brannan Ryan, LLC

Ryan's mom should have never been able to testify there to prejudice the jury against me. There are so many things to have a new trial or entitled to a new trial, without etan and the the prosecutor not being able to use statement to police Snohomish County.

Ethan Mathers Oct 18 2013 pg 56 line 20 Her saye Mrs Rancourt did not object, October 18 pg 78 line 4 The judge was calling witnesses, Son Judge is showing prejudice.

pg 78 line 5 This should have been pointed out to the jury during closing, and was not Mrs Rancourt failed again.

pg 82 lines 10 thru 15. Witness should not have been able to say killed, murdered, executed. The rest of the statements lines 12 thru 15 are argumentative. Mrs Rancourt should have been able to object but she didn't.

pg 87 lines 14 to 22 Mrs Rancourt should have been able to follow in this talk because ethan mathers had talked to the police about that the judge was wrong.

pg 94 lines 22-23 This car had already been wrecked once by being rolled over. He did not try to fix so he couldn't be that attached to his car.

pg 96 lines 2 thru 8 judge should have done this long ago.

pg 97 lines 19 thru 22 Ethan knew that they went to get a gun. Ethan has lied and tried so hard to protect himself and any agreement with prosecutor should be null and void.

pg 98 lines 4 thru 10 lines 6 and 7 are argumentative.

pg 100 lines 10-14 Ethan again admits he knew that they went to get a gun. And when ethan is confronted by police he changes his story & lies & lied so many times to police knowing that he was under perjury laws.

Ethan Mathers cross exam pg 101 8 to 11 when pressed to tell the truth about getting a gun and possibly bullets.

pg 101 lines 22 thru 24 Ethan is back tracking about his being so sure of events. His whole examination is in doubt, Mrs Rancourt did not object this to jury in closing.

Ethan testified earlier that he was sure he and Ryan Mump did not go to get a gun. That was a lie.

pg 102 lines 9 thru 12 Ethan admits to lying and that their intention was to go get a gun.

pg 104 line 22 Ethan had already admitted that he and ryan went to get gun. So he had to know this statement is perjury.

pg 117 Lines 7 thru 6 who was the friend and exactly what did the friend say? Mrs Rancourt should have objected to ethan saying when ryan was in the front seat of my car dying.

pg 120 line 25 argumentative

Det down Oct 18 2013 pg 147 line 25 phone records These guys had a chance to withdraw and did not that would make them the aggressors.

pg 164 line 25 When i was arrested i told the officer that i wanted an attorney present when i talk to the police. My dad and my sister heard me tell the police i want a lawyer.

Smoots Oct 21 2013 page 55 Prosecutor talks about Ryan mumm shooting wa shots not one but 2.

pg 61 line 2 and 3 Mr Smoots States that he cant recall who told him to keep quiet Prosecutor was allowed to continue this line of questioning when my defense was not allowed to do this.

pg 62 lines 23 to 25 Double State ment a fact is the truth.

Direct
pg 162 lines 17 to 19 This Shows that ryan had ran out of bullets. But does not tell how many bullets were fired from that weapon. Cross exam ~~pg 176~~ pg 176 lines 7 and 8 This should have been objected too.

Jim glass Oct 22 2013 pg 14 lines 6 and 7 jim did not ask me to fight set to be a witness. This Shows that it was not murder.

pg 20 lines 8-9 i was not interested in what anybody had to say except what jim had to say.

③ continued Off of ②

Jim glass pg 20 line 10 There is no evidence i could even hear what other people were saying only heard Jim and that was nothing but saying hi and then he said there they are lets go.

pg 22 lines 17 thru 24 I would have never taken my dogs to a gun fight those dogs of mine were like my kids they were my world. I wouldnt engage in anything to endanger my kids my dogs

pg 26 line 6 and 7 This shows ryan mumm as the aggressor he was the first one with a gun out.

glass direct oct 22 pg 27 lines 2 to 4 again this shows ryan as the aggressor

pg 28 lines 9 thru 13 This shows that i was protecting myself and others who were present at the park as it says ryan was firing in any direction I only shot at ryan when i was shot at first after ryan had pointed gun at my head through wind shield to wind shield and fired 2 rounds in all then i engaged for protecting my life and other never shot at anybody else only at ryan in Red BMW.

pg 29 lines 22 and 23 I only reacted after ryan shot his weapon and pointed at me as he went by and fired 2 rounds at me and my vehicle.

pg 29 line 22 Ryan should not be referred to as a kid by prosecutor misleading jury calling him a kid.

pg 45 lines 16 to 19 Jim admits to not telling the truth about the ordeal prior to park second meeting but it states that i never had Jim lie for me through this whole ordeal.

pg 50 lines 3 to 5 Jim admits that i loaned him 10,000 dollars

pg 53 and 54 21-25 and line 1 on 54 It shows that i was only protecting myself and others.

yan Beames Direct oct 22 pg 76 line 11 Cant believe he got away with saying the same stuff good for him → over

Colloquy Oct 22 pg 82 lines 6 thru 9 This is about jury seeing something that they should not have seen. The judge should have asked the jury if in fact they had seen me being restrained or not, The judge answered for the jury

Beamer pg 86 lines 6 and 7 Should have been objected to speculation

AIBriksen Cross All of pages 126 and 127 and 128 line 1 to 12. She only said what her perception and feeling were at the time of testimony should have been allowed expert witness or not.

Hogan Direct Oct 23 pg 10 lines 5 and 6 Ryan did know about the pot Ethan said that Ryan was not part of taking the pot. When this witness said he was, Ethan lied again on the stand Ethan should have been excluded or should be executed if new trial. And Ryan's mother should not be able to testify she was not a witness to anything at all

pg 14 lines 12 to 20 This shows perfectly well that new there were weapons present. Because he offered weapons and inquired about them to (Hogan and friends) He asked if in fact they had weapons with them!

pg 15 lines 1 and 2 This shows that Ethan lied about knowing that Ryan mum had a gun. Another lie by Ethan.

Hogan cross Oct 23 pg 35 lines 1 thru 25 also shows that Ethan knew about the gun.

pg 39 line 25 page and 90 1 thru 10 This shows Ryan as the aggressor. I showed no malice.

Oct 23 Colloquy All pgs stand 52 Shows that my statement to the police had been altered.

pg 53 lines 24 and 25 That only parts of the edits are related to courts ruling, what about the parts that were edited but not part of the court ordered? How about what else was edited

5) Con from 4

Robinson direct Oct 23 pg 168 Lines 7 to 9 and 14 thru 20 My dad and my sister walked with me when I surrendered to police it was only 1 male and 1 female (Cop was wrong)

916 direct Oct 24th pg 96 lines 11 thru 17 But I don't think so? Does not fly in a case like this you need a positive or negative answer

916 lines 7 thru 10 Was this a shell casing from the guy in the white car the passenger was shooting.

9131 Lines 3 to 5 The prosecutor was allowed to say I shot my own minor but when the expert witness said she could not say that. She could only say the bullet came from the back of my vehicle to the front

9100 Oct 24 pg 152 line 8 thru 12 He said that the truck he seen was me with no canopy.

9153 Lines 18 thru 24 This witness statement suggests that there might have been another shooter involved my lawyers did nothing about this

Colloquy Oct 24 pg 163 Lines 13 and 14 This shows the court was aware of Ethan Mathers lying

9167 line 14 thru 24 Ethan should not have been able to testify he has no credibility he is a liar.

Oct 25th 2013 Colloquy pg 15 lines 15 thru 22 I followed the red BMW without firing any shots on highway 530 only tried a pit maneuver to stop vehicle then pulled into Am/pm arco at that time I stopped pursuit and went home

97 lines 5 to 8 Judge is making decisions for the jury

97 lines 4 and 5 Shows that I was not showing no malice or intent to cause death.

97 lines 5 thru 8 I was reacting to shots having been fired and seeing Ryan with a gun no no malice.

97 lines 9 and 10 Judge is guessing as to future evidence.

6)

pg 7 lines 13 thru 16 I was only shooting back at someone who had shot at me. I saw a direct threat to myself and others. I knew ryan mumm had a gun that ryan had pointed at me tried shooting me going by my passenger side. I didn't know how many bullets ryan had.

Taylor Summers Oct 25 2013 pg 8 lines 15 to 16 The evidence does not show that I was only shooting at BMW. This shows that I was not trying to shoot anybody else but the red BMW. The judge was making decisions based on his opinion not on the evidence.

pg 16 lines 14 thru 16 Shows ryan as the aggressor.

pg 17 lines 10 thru 12 This again shows ryan as the aggressor even though somebody rams your car there is no legal right to do that (pull a gun on them)

pg 17 lines 19 to 21 Shows that ryan was a threat to others not just myself.

pg 19 line 1 These people are not kids kids has been used through trial. They should be referred to as adults or young adults they were all over 18 yrs old.

pg 23 lines 17 and 18 ~~Murdered~~ should not have been allowed to be said.

Landy Chrestensen Oct 25 pg 121 line 5 This shows how hard ethan and ryan was in obtaining a gun.

pg 126 lines 72 to 74 This shows ryan as the aggressor

Oct 25 pg 127 22 to 23 This again shows ryan and ethan as the aggressors.

Hogarty 10-28-2013 I have never denied shooting ryan I told the police where the gun was and all of my other guns. I freely told them where everything was.

Statements Closing 10-29-2013 Lines 6 and 9 Mrs Larsen States that She thinks that I am lying about ramming BMW. She can not say this as something she thinks is wrong only the evidence.

pg 9 Lines 20 and 21 The evidence does not say anything about inside to outside. When Mrs Larsen tried to get expert to say inside to outside. The expert said I can only say front to back. That she was not able to determine if shots came from me or not back to front. Expert was not able to say that I shot my own mirror. Only that shots came back to front.

Closing rebuttal Mrs Larsen pg 143 lines 21 and 22 There is no evidence that shows that I knew or thought that Ryan was not shooting at me.

pg 147 lines 10 to 12 Friends and family is a pretty broad statement.

pg 147 lines 18 thru 20 There is no evidence that says Ethan did not put other thing in garbage. And could not find it to give to somebody to get rid of

alloguay 10-29-2013 pg 166 lines 23 and 24 Judge tells 18yr. old juror the are held to adult standards. But through the whole trial the judge and prosecutor called Ethan and Ryan kids through out the trial.

alloguay 10-30-2013 pg 182 Lines 7 to 9 Jury found me guilty of murder 1 not guilty of murder 2 and guilty also of manslaughter 1 this is double jeopardy.

pg 3 lines 3 thru 5 This is double jeopardy

pg 7 lines 18 thru 21 Judge says I tried to change the word kid to when I was talking about what happened. on 7-14-2012 and on pg 166 of december 16 2013

Judge tells 18yr. old ex juror that when you turn 18 you are held as an adult or standards of an adult. Everybody with Ryan and Ethan were over 18 so they were adults not kids and kids was used to describe the people involved everyone except me.

98 Lines 6 to 7 The Verdict should be based on what i was seeing and feeling at time of shooting. Ryan mumm was holding a gun in his hand. Ryan mumm did shoot his gun i guess. Ryan mumm did shoot at several people I shot at Ryan to disarm him or stop BMW.

99 Lines 22 and part of 23 Ryan mums mother says GOD took Ryan not me.

99 Lines 19 my dad wrote a letter to the judge downes telling him with everything he had read. Ethan Mathers was responsible for Ryan's death not me.

The Judge wrote my dad back and after reading the testimony from the trial. And all of the police statements. He understood it very well. Why didnt the judge let the Court know that he had received a letter from my dad.

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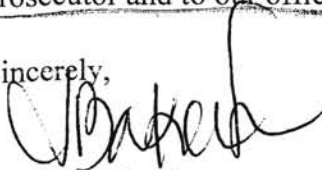
RE: *State v. Watters, Jr.*, COA No. 71304-3-I

Dear Mr. Watters, Jr.:

Enclosed is a letter from the Court of Appeals informing you of your right to file a Statement of Additional Grounds for Review. The letter should be self-explanatory. If you decide you want to file a Statement of Additional Grounds, you can fill out the enclosed form, or you can file something that more closely resembles a brief, with citations to the record and to legal authority. In order to exhaust any federal issues, you would need to cite the U.S. Constitution and appropriate federal case law and argue those issues in a traditional brief format.

The Statement of Additional Grounds for Review is due 30 days after you receive our brief, or 30 days after you receive the transcripts if you have requested transcripts. If you file a Statement of Additional Grounds, the original should be sent to the Court of Appeals with a copy to the prosecutor and a copy to our office. When you send the original to the Court, you should also send a letter showing "proof of service," which states that you mailed a copy to the prosecutor and to our office. Be sure to sign and date the letter and the Statement.

Sincerely,



Jennifer Winkler
Attorney at Law

LETTER to you on Back

Enclosure

