

COURT OF APPEALS
DIVISION THREE
OF THE STATE OF WASHINGTON

FILED

SEP 30 2015

COPY
COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

STATE OF WASHINGTON)
)
 Respondent,)
)
 v.)
)
 Ramon Molfirn Jr)
 (your name))
)
 Appellant.)

No. 33169-5-111
STATEMENT OF ADDITIONAL
GROUNDS FOR REVIEW

I, Ramon Molfirn, 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

if you read page 53 there was no gun recovered no ballistics found
State v. Pierce, 155 Wn. App. 701, (2010) insufficient evidence for
firearm enhancement because no proof of a firearm

Additional Ground 2

Sixth Amendment's confrontation clause* second victim
Debra Villarreal was not at trial violation when
no victim and no chance to confront at trial

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

Date: 9-23-2015
Form 23

Signature: Ramon Molfirn

Additional Grounds 3

when the state seeks to prove that a single act or occurrence results in multiple violations of the same statute, the Rule of Lenity requires only one punishment absent a showing of legislative intent to impose multiple punishments, 9.94A.325 (5)(A) same criminal conduct sentencing state v. Torngren, 147 Wn. App. 556 (2008) Division III

Additional Grounds 4

Judgment and sentence page 2 line 9 says
A special verdict / finding returned / entered that
the defendant used a firearm in the commission
of counts 1 and 2 RCW 9A.44.130. if you read
page 53 of officer Nebeker testified there was
no gun recovered and no ballistics evidence
"exceptional sentence" court must have findings of
fact and conclusion of law and have a special
jury finding to impose such a sentence
my case has neither