No. 94543-8
Court of Appeals No. 74036-9-I

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

CHRISTOPHER LEWIS LOCKEN,

Petitioner.

ON APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR ISLAND COUNTY

PETITION FOR REVIEW

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A. IDENTITY OF PETITIONER

Pursuant to RAP 13.4, Petitioner Christopher Locken asks this Court to accept review of the opinion of the Court of Appeals in State v. Locken 74036-9-I.

B. OPINION BELOW

The Court of Appeals agreed with Mr. Locken's argument that the trial court erred in excluding relevant evidence of the alleged victim's animosity towards Mr. Locken, in the prosecution of Mr. Locken for second degree assault. However, the court concluded the erroneous exclusion of this highly relevant evidence did not violate Mr. Locke's Sixth Amendment rights to present a defense and to confront witnesses.

C. ISSUE PRESENTED

The Sixth Amendment right to confrontation guarantees an accused the right to present relevant evidence showing the possible biases and motives of the witnesses against him. The right to present a defense and the right to testify likewise protect the accused's ability to defend himself in front of a jury. Here, the trial court improperly relied on the hearsay rule to prohibit Mr. Locken from presenting evidence that his principal accuser had willingly engaged in a war of words with him, which included Mr. Solis threatening death. Did the court's ruling, which caused the jury to hear a skewed depiction of the men's relationship, violate Mr. Locken's constitutional right to confront his accusers, his right to testify, and his right to present a defense?

D. STATEMENT OF THE CASE

Residents of Whidbey Island, Mr. Locken and Mr. Solis have known each other a long time. RP143. Mr. Solis is married to Megan McAdams, who also knew Mr. Locken. RP143. When Mr. Solis was in jail, Ms. McAdams spent about a week at Mr. Locken's home, sharing a bed with him. RP241 (testimony of Mr. Locken's grandmother); RP258-260 (testimony of Mr. Locken).

Mr. Solis and Ms. McAdams claimed that Mr. Locken had called and texted them and that this communication was "like weird upset stuff... threatening or violent... a lot of the time it was just not sensical at all [sic]... kind of crazy stuff." RP143-44; RP196 (Ms. McAdams testifying about "threats... weird obsessive messages.")

Mr. Solis was "not really" worried by these messages, even though they included a colorful invitation to a duel. RP145-46. On the day of the alleged assault, Mr. Locken supposedly wrote to Mr. Solis: "Do you want to do pistols at high noon?" RP223, 235.

Mr. Solis testified that "sometimes" he responded with what he called "my own kind of crap-talking I guess." RP144, 145. He said the texts were "irritating" and had a "threatening" nature. RP146. The two men never actually fought. RP146.

That day, Mr. Solis and Ms. McAdams were hitchhiking. RP147. Mr. Solis had texted back and forth with Mr. Locken and let him know where they were. RP147. He did not think Mr. Locken would come to them and

was not afraid. RP173.

Mr. Solis testified that as he was standing at an intersection with Ms. McAdams, he saw Mr. Locken's car driving toward them and it "just cut the corner," close to where they were. RP150. Mr. Solis said the car slowed down going into the turn. RP151. The car slowed down to "somewhere between 10 and 20 miles-an-hour." RP152. Mr. Solis said he pushed Ms. Adams off to the side but was hit himself, falling backwards into the mud. RP151, 161, 167. Mr. Locken's car turned around and left. RP161, 190. Ms. McAdams gave a similar account of this event. RP188-190.

On re-direct, the prosecutor led Mr. Solis to say that as the car approached, he was in fear of being run over. RP184. Ms. McAdams testified she "was more [in] shock than fear" and "didn't really know what to think right at that second." RP195.

The police officer who responded to the scene checked the muddied Mr. Solis for injuries but saw none. RP232. Mr. Solis raised his shirt, but the officer "did not see anything." RP232. Mr. Solis' skin was not even red. RP232. Mr. Solis declined medical aid that day. RP162. He said he sought care later. RP162, 168.

Mr. Locken testified he had a misunderstanding with Mr. Solis in the past, because he was confused as to who Mr. Solis was dating. RP260. When this was cleared-up, he was no longer jealous. RP265-66, 268, 270, 274.

Mr. Locken meant to be funny, but not harmful, when he drove by

Mr. Solis and Ms. McAdams. RP262. He testified that Ms. McAdams "was way out of the way." RP262. As he approached, he made sure he did not endanger Mr. Solis:

> And I wasn't looking directly at him when I drove by because **I was making sure I stayed on the road or the dirt path.** And drove by and sprayed the mud on him. Turned around and laughed at him a whole bunch when we drove by because **we thought it was pretty funny that he was soaked in mud.**

RP 262 (emphasis added).

There was space between Mr. Locken's car and Mr. Solis. RP265. Mr. Locken was certain that Mr. Solis would not be harmed: "I could easily tell by the angle of descent or whatever that he was not going to be hit by the vehicle." RP265. He had made a "kind of a half-ass attempt" to make Mr. Solis think he would be hit, but Mr. Locken "had to go slow enough to make sure I could miss him." RP276.

Mr. Locken's passenger, Jerah Gleason, also testified that Mr. Locken did not aim the car at Mr. Solis. RP250. Mr. Gleason testified that Mr. Solis was not struck. RP249. Mr. Gleason testified Mr. Solis was only splashed with mud. RP246.

The prosecution presented some undated text communications from Mr. Locken to Mr. Solis. RP143-44. This included Mr. Locken's pronouncements to Mr. Solis that he "could split his wig at 50 yards," that he had his "Walter [handgun] and [Mr. Locken] was planning to split [his] wig," and that Mr. Solis "should be afraid" and feel "lucky [he] escaped with [his] life." RP273.

The trial court rejected Mr. Locken's attempts to let the jury know what Mr. Solis had been saying to him. RP112-16, 135-38, 245-46, 251, 260-63, 266, 273-74 (excluded statements included "a threat to kill," expressions of desire to "beat [Mr. Locken] down," invitation "to fight," and "disgusting things" said about Mr. Locken's grandmother.)

The jury declared Mr. Locken not guilty of the gross misdemeanor offense of hit and run as charged in Count II. CP 12. However, the jury convicted Mr. Locken of the strike offense of assault in the second degree charged as Count I. CP13.

E. ARGUMENT

The trial court's refusal to let Mr. Locken present evidence that the complainant made threatening statements to him violated his basic constitutional trial rights.

A defendant's right to impeach a prosecution witness with evidence of bias is guaranteed by the constitutional right to confront witnesses. Davis v. Alaska, 415 U.S. 308, 316-18, 94 S. Ct. 1105, 39 L. Ed. 2d 347 (1974); State v. Johnson, 90 Wn. App. 54, 69, 950 P.2d 981 (1998); U.S. Const. amend. VI; Const. art. I, § 22. The right to confrontation encompasses the right to reveal the witness's possible biases, prejudices, or ulterior motives as they may relate directly to issues or personalities in the case at hand. Davis, 415 U.S. at 316. "The partiality of a witness is subject to exploration at trial, and is always relevant as discrediting the witness and affecting the weight of his testimony." Id. (internal quotation marks and citation omitted).

The most fundamental aspect of this right is the ability to conduct a

meaningful cross-examination of adverse witnesses. State v. Darden, 145 Wn.2d 612, 620, 41 P.3d 1189 (2002). It is fundamental that a defendant charged with the commission of a crime must be given great latitude to show the possible motives or biases of prosecution witnesses. State v. Spencer, 111 Wn. App. 401, 410, 45 P.3d 209 (2002). A defendant has a right to confront the witnesses against him with evidence of bias so long as the evidence is at least minimally relevant. State v. Hudlow, 99 Wn.2d 1, 16, 659 P.2d 514 (1983).

Evidence is relevant if it has any tendency to make the existence of a fact that is of consequence to the determination of the action more probable or less probable than it would be without it. ER 401. Furthermore, a criminal defendant has a constitutional right to testify on his or her own behalf. Rock v. Arkansas, 483 U.S. 44, 107 S. Ct. 2704, 97 L.Ed.2d 37 (1987). "On the federal level, the defendant's right to testify is implicitly grounded in the Fifth, Sixth, and Fourteenth Amendments," and in Washington it "is explicitly protected under our state constitution." State v. Robinson, 138 Wn.2d 753, 758, 982 P.2d 590 (1999). "This right is fundamental, and cannot be abrogated by defense counsel or by the court." Id.

The right to present witnesses in one's own defense is likewise an essential trial right: "[f]ew rights are more fundamental than that of an accused to present witnesses in his own defense." Chambers v. Mississippi, 410 U.S. 284, 302, 93 S. Ct. 1038, 35 L.Ed.2d 297 (1973); State v. Franklin, 180 Wn.2d 371, 378, 325 P.3d 159 (2014).

Pretrial, defense counsel said that she was prepared to produce from Mr. Locken's cell phone, the complainant's "statements back to Mr. Locken that were inflammatory." RP112. The parties discussed the text exchanges between Mr. Locken and Mr. Solis. RP114-16. The trial court agreed with the State that "statements made by Mr. Solis are hearsay," but that what Mr. Locken had texted would be allowed into evidence as an admission of a party opponent. RP135-38.

Defense counsel had specified that:

> Mr. Solis actually made a threat to kill my client, Mr. Locken. And that is in the phone that is in the Jail that could be provided and that would show the entire conversation.

RP137.

Defense counsel further tried to explain that "[t]he fact that Mr. Locken has been threatened by Mr. Solis is something that is an issue to whether or not this was a one-sided thing, which Mr. Solis is attempting to say." RP138.

The passenger, Mr. Gleason, knew that Mr. Solis had threatened Mr. Locken. RP 245, 246, 251. The trial court sustained each of the State's objections when Mr. Gleason began to tell the jury about this. RP245, 246, 251 (witness trying to tell the jury that "Mr. Solis had made threatening texts to [Mr. Locken] saying he was going to kill him. He wanted to beat [Mr. Locken] down and he wanted to fight him.")

The trial court repeatedly stopped Mr. Locken from testifying about what Mr. Solis had said to him and how this had affected him. RP260, 261.

Mr. Locken could not explain the background to the relationship. RP262-63 (objection sustained when Mr. Locken said "He had been trying to get me to fighthim for months. And at this point I didn't want to fight him, and I pretty much just—"). Mr. Locken was not allowed to testify how Mr. Solis' past threats pertained to the charge:

> [Mr. Locken]: This wouldn't have even happened if he would have shut up. And he kept egging me on, and I thought it would be funny to--
> [Prosecutor]: Objection. THE COURT: Sustained.

RP266.

Mr. Locken was asked if he was "pretty angry" with Mr. Solis, but prohibited from explaining the context of the relationship:

> [Mr. Locken]: He was saying pretty disgusting things about my grandmother. About my other -- [Prosecutor]: Nonresponsive. THE COURT: Sustained.

RP273-74.

Here, the Court of Appeals agreed the trial court wrongly excluded the evidence. Opinion at 3-4. Indeed, only statements "offered in evidence to prove the truth of the matter asserted" are hearsay. ER 801(c). What Mr. Solis had said out-of-court was not offered for its truth, but to impeach the complainant, to expose his bias, and to show its effect on the listener, Mr. Locken. Mr. Solis' out-of-court statements were relevant irrespective of their truth. In fact, Mr. Solis' threat to kill Mr. Locken – a statement he would likely disavow as idle talk – was relevant precisely because Mr. Solis did not mean what he texted.

Mr. Locken should have been allowed to reveal to the jury that Mr.

Solis had threatened to kill him, RP 137-38, and was otherwise dishing out just as much vitriol as what was attributed to Mr. Locken. This information was relevant to the key question of whether Mr. Solis was placed in reasonable fear of imminent harm on December 6, 2015.

Mr. Solis said that when he saw Mr. Locken drive toward him he was scared his friend would hit him. RP184. Mr. Locken testified he had the car under control and what he meant to do was get mud on Mr. Solis. RP262, 265, 276. The jury had to decide whether Mr. Solis was actually placed in "reasonable apprehension and imminent fear." CP 23, 28 (jury instructions relevant to assault). The background to the relationship was directly relevant to resolving this question.

The State repeatedly turned to Mr. Locken's texts to prove he wanted to assault Mr. Solis, which is why the prejudice to Mr. Locken from not being able to introduce the other side of the story was so great. RP 273; RP191, 196 (Ms. Adams testifying); RP222-23 (police officer reading a text Mr. Solis said he received from Mr. Locken).

In closing, the prosecution argued:

> Defense doesn't want to talk about the texts that Mr. Locken was sending... Mr. Locken indicated '*I'll kill you. I could split your wig at 50 yards.*' I assume that means he could shoot him at 50 yards.

RP343 (emphasis added).

But the fact that Mr. Solis responded in kind shows that neither man meant what they tapped-out to each other on their telephones. There was no evidence that Mr. Locken owned a "Walter" [sic] or any other gun. RP273.

The boast that he is a marksman worthy of qualifying for Olympic pistol-shooting events was unsupported. RP273.

The significance – or rather, the lack of significance – of the ongoing exchange between the two young men should have been made known to the jury. The prosecutor asked Mr. Locken to admit that in his text to Mr. Solis he said that he wanted to hurt or kill Mr. Solis. RP274. In a testy exchange between a prosecutor armed with one-half of the truth and a defendant who had been repeatedly told that the full truth could not come out, all that Mr. Locken was able to say was: "You're reading them incorrectly." RP274.

Presumably, if confronted with the fact that he threatened Mr. Locken with death in a text of his own, Mr. Solis would deny committing a felony harassment and explain he did not mean what he had written to Mr. Locken. Indeed, Mr. Solis said he responded to some of Mr. Locken's threatening texts. RP144-45. He downplayed what he did as "[his] own kind of crap- talking." RP144, 145. But, the jury heard no details as to what Mr. Solis actually said and his words sound just as serious as Mr. Locken's. RP144-45, 173.

Not allowing Mr. Locken to inform the jury that Mr. Solis had been threatening him, that this included a threat to kill, and other vibrant language directed at Mr. Locken and his grandmother, undercut Mr. Locken's ability to argue that Mr. Solis had not been placed in a reasonable fear of anything and in the process denied him his fundamental trial rights.

The error was clearly prejudicial. Without needing to account for Mr.

Solis' participation in the ongoing verbal feud – and the reality that neither party had made a serious credible threat – the prosecutor was able to make the following argument:

> If you take the defense's idea of this case, I could leave today. I could go down to Coupeville High School or wherever else, a - a daycare where there's kids out in the street, and I could drive my car off the shoulder and go right at these people and then at the last second going 20 miles-an-hour turn away, and there would be no crime. Because I didn't intend to run over any little kids or anything. That doesn't make sense.

RP 347-48.

Had the jury been appropriately informed Mr. Solis himself made empty threats against Mr. Locken, this argument would not have worked. In the above hypothetical, the only conclusion is that the actor means or intends to frighten the other, but the interpretation of Mr. Locken's allegedly criminal act depends on its context. The trial court's misapplication of the hearsay rule took away this key context from the jury, which is why the conviction should be reversed.

The way the case was presented to the jury, one man was "making threats" and the other just "crap talking." The reality is, that neither man was a victim of a crime because no crime had occurred. Mr. Solis was an equal participant; both of the men had engaged in the exchange. Of course, the jury cannot evaluate whether the assertion that Mr. Solis is "crap talking" unless it can compare the text of what he said to Mr. Locken against what Mr. Locken said to him. This solution the trial court refused.

As a result of the trial court's ruling, the jury was misled that Mr.

Locken caused Mr. Solis "reasonable apprehension and imminent fear," when in fact the mud-splashing, like the two- way puerile sparring by text message that came before it, was just not that serious. Both men had engaged in facially-sinister puffery, but only one ended up charged and convicted of a serious offense.

Made to be the butt of a foolish practical joke in front of his wife, Mr. Solis was motivated in his testimony by a desire to come out on top. But this is a story of two dunces, not just one. The trial court's ruling to exclude what Mr. Solis had texted to Mr. Locken out of court was erroneous because the statement was not offered for the truth of the matter asserted and thus not hearsay.

Mr. Locken's defense was denial. It was therefore critical that he be allowed to challenge the motives and biases of the single complainant. Mr. Solis' out-of-court threat to kill Mr. Locken shows that Mr. Solis was not scared of Mr. Locken and never frightened by the out-of-court talk. Certainly Mr. Solis never turned to the police when he and Mr. Locken were involved in their exchanges.

The trial court's ruling precluding Mr. Locken from eliciting relevant evidence that could have revealed the witness's possible motives and biases violated his constitutional right to confrontation. Davis, 415 U.S. at 316; Hudlow, 99 Wn.2d at 16.

Such an error is presumed to have resulted in prejudice unless the government proves "beyond a reasonable doubt that the error complained of

did not contribute to the verdict obtained." Chapman v. California, 386 U.S. 18, 24, 87 S. Ct. 824,17 L. Ed. 2d 705 (1967). In assessing whether the error was harmless, the Court may not "speculate as to whether the jury, as sole judge of the credibility of a witness, would have accepted this line of reasoning had counsel been permitted to fully present it." Davis, 415 U.S. at 317. Instead, the Court must conclude that "the jurors were entitled to have the benefit of the defense theory before them so that they could make an informed judgment as to the weight to place on [the witness's] testimony." Id.

Mr. Solis, as the complainant, was the critical State witness. There was a dispute as to whether he was actually hit or not. His fiancée, Ms. McAdams, did not testify that the approaching car caused her fear. RP195. It was Mr. Solis alone who supplied the information from which the jury could convict. Mr. Locken of assault on the "reasonable apprehension" theory. Mr. Locken was entitled to wide latitude to explore Mr. Solis' biases and motives.

It is likely that had the jury heard the evidence, they would have been receptive to the suggestion that what Mr. Locken had done was not an assault at all. On the other hand, without the evidence, the jury would likely been viewing Mr. Locken's testimony with great skepticism. Here, exclusion of the evidence was not harmless beyond a reasonable doubt. A new trial should be ordered.

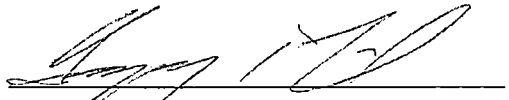
The conclusion of the Court of Appeal s that the error was harmless

fails to apply Chapman standard and affirms a conviction which flows directly from the constitutional violation. This Court should grant review under RAP 13.4.

F. CONCLUSION

For the reasons above this Court should accept review..

Respectfully submitted this 16th day of May 2017.



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IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON, Respondent, v. CHRISTOPHER LEWIS LOCKEN, Appellant.	No. 74036-9-I DIVISION ONE UNPUBLISHED OPINION FILED: April 17, 2017

APPELWICK, J. — Locken seeks reversal of his conviction because the trial court excluded as hearsay threatening text messages sent to him by the victim. Locken contends that the messages should not have been excluded because they were not offered for the truth of the matter asserted. The exclusion of the evidence was error, but it was harmless. We affirm the conviction, but remand for the trial court to conduct an inquiry into Locken's ability to pay discretionary legal financial obligations.

FACTS

The State charged Christopher Locken with hit and run injury and assault in the second degree after he allegedly struck David Solis with his vehicle while Solis was standing on the side of the road. Locken and Solis had known each other for many years. Their relationship had soured in the months leading up to the incident. The incident occurred after Locken had been sending Solis

malicious messages, and Solis responded in kind. The testimony of Solis and his wife, Megan McAdams, was essential to establishing Solis was actually struck or was placed in fear of bodily injury.

Locken sought to introduce threatening text messages[1] sent from Solis to Locken to show that the threats exchanged between the parties were not "a one-sided thing." The trial judge excluded the messages sent from Solis to Locken as hearsay. But, it held that any messages sent from Locken to Solis were not hearsay, because they qualified as admissions of a party opponent.

The jury found Locken guilty of assault in the second degree, but not guilty of hit and run. Locken appeals.

DISCUSSION

Locken raises two issues. First, he contends that the trial court erred in excluding evidence of threatening messages that Solis had sent Locken. Second, he argues that the trial court erred by not inquiring into his ability to pay discretionary legal financial obligations.

I. Exclusion of messages from the victim

Determining whether evidence is admissible is within the discretion of the trial court and will be reversed only upon a showing of manifest abuse of discretion. State v. Bourgeois, 133 Wn.2d 389, 399, 945 P.2d 1120 (1997). A trial court abuses its discretion when its decision is manifestly unreasonable or

[1] Because they were excluded, the messages themselves do not appear in the record. Rather, in Locken's offer of proof, he asserted that the messages were threatening. The State does not dispute this.

based on untenable grounds. State v. Magers, 164 Wn.2d 174, 181, 189 P.3d 126 (2008).

The trial court excluded the text messages as hearsay. Whether a statement is hearsay depends on the purpose for which the statement is offered. State v. Crowder, 103 Wn. App. 20, 26, 11 P.3d 828 (2000). Out-of-court statements offered in evidence to prove the truth of the matter asserted are hearsay and generally inadmissible. ER 801(c); ER 802. Statements not offered to prove the matter asserted, but rather as a basis for inferring something else, are not hearsay. Crowder, 103 Wn. App. at 26. And, threats are typically not offered to prove their truth, but merely to show that they were made and the effect they had on the listener. See, e.g., Tompkins v. Cyr, 202 F.3d 770, 779 n.3 (5th Cir. 2000) ("Neither the testimony as to the threats, the recordings, the transcripts, nor the letters constituted hearsay. The threats here were not, and were not alleged to be, factual statements, the truth of which was in question. Rather, the threats were verbal acts.").

Here, Locken sought to introduce the threatening text messages to show that Solis, who was a key witness for the State, had threatened Locken.[2] Locken sought to show that Solis played a part in instigating the confrontation between Locken and Solis, and that he might be a biased witness against Locken. The statements were not offered for their truth. Rather, Locken sought to introduce

[2] The State contends that Locken's evidentiary argument was waived because no formal objection was placed on the record. But, while defense counsel may not have used the term "objection," the record clearly shows that Locken made substantial arguments as to why the trial court should admit the messages as evidence. We therefore consider the argument.

the threats into evidence to prove that the threats were not "one sided," and that Solis partially instigated the confrontation.

The trial court abused its discretion in excluding the threatening messages as hearsay.

Locken contends that the trial court's erroneous exclusion of the messages requires reversal because it violated his right to explore Solis's potential bias. In response, the State contends that any error was harmless.

A defendant has a constitutional right to impeach a prosecution witness with bias evidence. State v. Spencer, 111 Wn. App. 401, 408, 45 P.3d 209 (2002). Any error in excluding such evidence is presumed prejudicial. Id. But, such errors are subject to harmless error analysis. Id. Reversal is required unless no rational jury could have a reasonable doubt that the defendant would have been convicted even if the error had not taken place. Id. However, the exclusion of cumulative evidence is harmless. See State v. Flores, 164 Wn.2d 1, 19, 186 P.3d 1038 (2008).

The threatening messages at issue tended to show Solis's disdain for Locken and threats to Locken. The trial court noted to defense counsel that "of course, you can ask him those questions" about the threats. But, denied the motion to admit the text messages into evidence.

Locken contends that the evidentiary error rendered him unable to explain the background to the relationship between Locken and Solis. We disagree. The admitted evidence made it abundantly clear that Solis and Locken disliked one another. The jury heard evidence that Locken had had previously been in a

romantic relationship with Solis's wife. Solis testified that he had responded to Locken's threats with his "own kind of crap-talking." Solis testified that, on the day of the incident, he had dared Locken to come meet him at his location. And, Locken testified that the threats he made were in response to Solis' threats, and that Solis "had been trying to get me to fight him for months."

The testimony from Solis demonstrated a protracted period of antagonistic exchanges right up to the day he dared Locken to meet him. This demonstrated the bias Locken sought to prove. The messages would have added nothing.

We hold that excluding the messages sent by Solis was harmless error.

II. LFOs

Locken argues that the trial court erred by not inquiring into his ability to pay discretionary legal financial obligations (LFOs), as required by State v. Blazina, 182 Wn.2d 827, 830, 344 P.3d 680 (2015). The State concedes the trial court failed to inquire into Locken's ability to pay LFOs. We therefore reverse the imposition of discretionary LFOs, and remand to the trial court for an inquiry into Locken's ability to pay.

We affirm Locken's conviction. But, we remand for resentencing with respect to discretionary legal financial obligations.

Appelwick, J

WE CONCUR:

Trickey, ACJ

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 document **Petition for Review to the Supreme Court** to which this declaration is affixed/attached, was filed in the **Court of Appeals** under **Case No. 74036-9-I**, and a true copy was mailed with first-class postage prepaid or otherwise caused to be delivered to the following attorney(s) or party/parties of record at their regular office or residence address as listed on ACORDS:

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Date: May 16, 2017

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