NO. 95696-1

COURT OF APPEALS, DIVISION I
OF THE STATE OF WASHINGTON

In re the Detention of Louis Brock:

STATE OF WASHINGTON,

Respondent,

v.

LOUIS BROCK,

Petitioner.

ANSWER TO PETITION FOR REVIEW

ROBERT W. FERGUSON
Attorney General

KELLY PARADIS
Assistant Attorney General
WSBA No. 47175, OID No 91094
Office of the Attorney General
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 389-2004

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Cases

Statutes

Rules

I. INTRODUCTION

Following an individual's commitment as a sexually violent predator (SVP), RCW 71.09.070 requires the Department of Social and Health Services to conduct an evaluation of the individual's mental condition at least once every year. A separate statute, RCW 71.09.090, allows an individual to petition a court for release and sets forth procedures governing the subsequent show cause hearing. This statute requires the prosecuting agency to present prima facie evidence at the hearing that the individual continues to meet SVP criteria, but it in no way restricts such evidence to the annual evaluation conducted by the Department. Rather, the statute expressly states that the prosecuting agency "may" rely exclusively on this evaluation. RCW 71.09.090(2)(b).

Based on the plain language of RCW 71.09.090(2)(b), the Court of Appeals correctly concluded that reliance on the Department's evaluation is permissive, not mandatory. Accordingly, the prosecuting agency is permitted—but not required—to rely exclusively on this evidence at the show cause hearing. It is entirely proper for the prosecuting agency to rely on other evidence to satisfy its prima facie burden, as it did in this case.

Louis Brock, who was unconditionally released from detention last year, challenges the Court of Appeals' decision, arguing that it presents an issue of substantial public interest that this Court should decide. Not so.

This case is moot, and Brock's unconditional release demonstrates that the SVP civil commitment scheme is operating as intended. Moreover, the Court of Appeals correctly resolved the routine issue of statutory construction presented in this case. This Court should deny Brock's petition.

II. RESTATEMENT OF THE ISSUE

For the reasons stated below, this Court should deny review. If this Court accepts review, this case would present the following issue:

A. Where RCW 71.09.090(2)(b) states that that the prosecuting agency "may" rely on the Department's annual evaluation to meet its prima facie burden of proof at the show cause hearing, did the Court of Appeals properly conclude that the statute does not limit the prosecuting agency to such evidence?

III. STATEMENT OF THE CASE

Brock has a lengthy history of assaulting and raping women. CP 84-86. In 1991, the Snohomish County superior court found Brock to be a sexually violent predator and committed him to the custody of the Department of Social and Health Services at the Special Commitment Center for control, care, and treatment. CP 35, 119.

In May 2015, the trial court granted Brock's petition for a trial on whether he should be conditionally released to a less restrictive alternative. CP 191. Pursuant to RCW 71.09.090(3)(a), the Attorney General's Office[1]

[1] The Attorney General's Office serves as the "prosecuting agency" handling this SVP case. *See* RCW 71.09.020(11).

retained Dr. Henry Richards, Ph.D. as its expert for this trial. CP 13, 20-22. In preparing for trial, Dr. Richards conducted a thorough evaluation of Brock's mental condition and dangerousness, which he provided in a detailed 31-page report. CP 82-113.

In February 2016, while the less restrictive alternative trial was pending, the Department conducted an annual examination of Brock's mental condition as required by statute. CP 115. At the time of the evaluation, Brock had steadfastly refused to participate in sex offender treatment. CP 124, 62. In spite of this, the Department's evaluator stated that she could not conclude "with any degree of psychological certainty" that Brock continued to meet SVP criteria. CP 136.

Following the Department's evaluation, Brock petitioned for unconditional release. *See* CP 47, 58. The case proceeded to a show cause hearing under RCW 71.09.090 to determine whether probable cause existed for an unconditional release trial. *See* CP 4-37. At that hearing, the Attorney General's Office had the prima facie burden to show that Brock continued to meet SVP criteria. RCW 71.09.090(2)(b); *In re Det. of Petersen*, 145 Wn.2d 789, 798, 42 P.3d 952 (2002). To meet this burden, it relied on the report Dr. Richards completed in November 2015 in anticipation of the

less restrictive alternative trial. CP 5-10, 54-59, 82-113.[2] The report concluded that Brock continued to meet SVP criteria. CP 82-113.

Brock objected to the use of this report at the show cause hearing, arguing that the Attorney General's Office must rely exclusively on the Department's evaluation to meet its prima facie burden. CP 12-21, 47-53. The trial court rejected this argument, concluding that RCW71.09.090(2)(b) permits the prosecuting agency to rely on any evidence to make its prima facie showing. CP 28-29. It further concluded that Dr. Richards' report provided prima facie evidence that Brock continued to meet SVP criteria. CP 28-37. The trial court denied Brock's request for an unconditional release trial and entered an order continuing his civil commitment. *Id.*

Brock sought discretionary review in the Court of Appeals, Division One. The Court granted review and linked Brock's case with *In re Detention of Nelson*, which raised a similar issue.[3] Following the grant of discretionary review, both Brock and Nelson obtained jury trials regarding their requests for unconditional release. In July 2017, Brock was unconditionally released

---

[2] The less restrictive alternative trial occurred in July 2016. The jury returned a verdict that the State had proved beyond a reasonable doubt that Brock's proposed less restrictive alternative was not in his best interest and did not include conditions that would adequately protect the community. CP 191-93. The court entered an order denying Brock's petition for conditional release. *Id.* That order is not at issue in this appeal.

[3] The King County Prosecuting Attorney's Office is the prosecuting agency handling Nelson's case.

from detention. *See* Appendix A (Letter to Washington State Court of Appeals, Division I).[4]

The Court of Appeals acknowledged that the cases were technically moot given that Brock and Nelson had obtained the relief they were seeking, but it elected to review them because of "the recurring nature of the issue presented." *In re Det. of Nelson*, 2 Wn. App. 2d 621, 628, 411 P.3d 412 (2018). In a consolidated opinion the Court affirmed, concluding that the plain language of RCW 71.09.090(2)(b) does not limit the prosecuting agency's evidence at show cause hearings to annual evaluations prepared by the Department. *Id.* at 628-31. Brock now seeks this Court's review.

IV. REASONS WHY REVIEW SHOULD BE DENIED

Brock seeks discretionary review under RAP 13.4(b)(4). Pet. at 5. This Court will accept a petition for review on that ground only if it involves an issue of substantial public interest that should be determined by this Court. RAP 13.4(b)(4).

Review of this moot case is unwarranted. Both Brock and Nelson have obtained the relief they were seeking. In addition, Brock was unconditionally released from detention almost a year ago. This underscores that the SVP civil commitment scheme is operating as intended. Moreover,

[4] The Attorney General's Office submitted this letter to the Court of Appeals on July 17, 2017, to update the Court about Brock's unconditional release.

the Court of Appeals correctly resolved the routine issue of statutory interpretation presented in this case. Its decision is well reasoned, consistent with settled principles of statutory construction, and provides no basis for this Court's review.

A. The Court of Appeals Correctly Concluded that the SVP Act Does Not Limit the Prosecuting Agency's Evidence at Show Cause Hearings to Annual Evaluations Produced by the Department

The SVP Act does not limit the prosecuting agency's evidence at show cause hearings to annual evaluations produced by the Department. Brock's arguments to the contrary incorrectly conflate the Department's obligation to conduct annual evaluations under RCW 71.09.070 with the prosecuting agency's obligation to present evidence at the show cause hearing under RCW 71.09.090. These are different obligations, arising under different statutes, involving different entities.

The only relevant statute in this case is RCW 71.09.090, which governs show cause hearings. As the plain language of that statute reveals, the prosecuting agency is permitted—but not required—to rely on the annual evaluation. It is entirely proper for the prosecuting agency to rely on other evidence to meet its burden. The Court of Appeals' decision is correct.

1. The Department's obligation to conduct an annual evaluation is distinct from the prosecuting agency's obligation to present evidence at the show cause hearing

Contrary to Brock's assertion, the Court of Appeals properly concluded that the annual evaluation and the show cause hearing are separate and distinct procedures. *Nelson*, 2 Wn. App. 2d at 628; Pet. at 8. They are governed by different statutes, impose requirements on separate entities, and serve distinct functions. One statute, RCW 71.09.070, governs annual evaluations and imposes obligations on the Department. A different statute, RCW 71.09.090, governs show cause hearings and imposes an obligation on the prosecuting agency. This Court should reject Brock's attempts to conflate these two statutes in a manner that imposes evidentiary limitations at show cause hearings.

RCW 71.09.070 governs annual evaluations of sexually violent predators. Under this statute, the Department is required to conduct an annual examination of the committed person's mental condition at least once every year. RCW 71.09.070(1). The evaluator must prepare a report that includes consideration of whether: the committed person meets SVP criteria, conditional release to a less restrictive alternative is in the person's best interest, and conditions can be imposed that would adequately protect the community. RCW 71.09.070(2). The Department must also file this report with the court and serve copies on the prosecuting agency and the committed person. RCW 71.09.070(5).

A different statute, RCW 71.09.090, governs show cause hearings. Under this statute, unless the secretary authorizes the committed person to petition for release or the person waives his right to petition, the trial court must set a show cause hearing. RCW 71.09.090(1), (2). The show cause hearing is a judicial proceeding, and its purpose is to determine whether there is probable cause to warrant an evidentiary hearing. *In re Det. of Marcum*, 189 Wn.2d 1, 11, 403 P.3d 16 (2017). At the hearing, the prosecuting agency has the burden to present prima facie evidence that the committed person continues to meet SVP criteria and conditional release to a less restrictive alternative is inappropriate. RCW 71.09.090(2)(b). In meeting this burden, the prosecuting agency "may"—but need not—rely exclusively on the Department's annual report. *Id.* If the prosecuting agency fails to meet its burden, the court must order an evidentiary hearing. RCW 71.09.090(2)(c)(i). Alternatively, the court must order an evidentiary hearing if the committed person establishes probable cause to believe that his condition has "so changed" that he no longer meets SVP criteria or that conditional release to a less restrictive alternative would be appropriate. RCW 71.09.090(2)(c)(ii).

As he did below, Brock conflates these two statutes throughout his petition for review. For example, he asserts that "at the annual review stage, the State must make a prima facie showing of current mental illness and

dangerousness." Pet. at 5. In addition, he claims that because the requirements found in the annual review statute apply only to Department evaluators, only the Department is authorized to perform annual evaluations and other "unauthorized" evaluations must be excluded from the show cause hearing. Pet. at 10-11, 4.

The Attorney General's Office agrees that annual evaluations are the purview of the Department and that the Department is the only entity obligated under the annual review statute, RCW 71.09.070. But this does not mean that other evaluations must be excluded from the show cause hearing. The annual review statute in no way governs the show cause hearing or limits the evidence that the prosecuting agency can submit to meet its burden. The only statute that is relevant to this question is RCW 71.09.090. As discussed next, that statute unambiguously permits the prosecuting agency to rely on evidence other than annual evaluations produced by the Department.

2. The Court of Appeals correctly concluded that the plain language of RCW 71.09.090 provides that the prosecuting agency is permitted—but not required—to rely exclusively on annual evaluations

The Court of Appeals properly concluded that the plain language of RCW 71.09.090(2)(b) unambiguously provides that the prosecuting agency is not required to rely on the Department's annual evaluations to meet its

prima facie burden at the show cause hearing. *Nelson*, 2 Wn. App. 2d at 629. Under the statute, the prosecuting agency is entitled to rely on other evidence to satisfy its burden.

Statutory construction is a question of law reviewed de novo. *In re Det. of Strand*, 167 Wn.2d 180, 186, 217 P.3d 1159 (2009). The goal of statutory interpretation is to discern and implement the Legislature's intent. *State v. Armendariz*, 160 Wn.2d 106, 110, 156 P.3d 201 (2007). In interpreting a statute, the court looks first to the plain language. *Id.* If the plain language is unambiguous, the court's inquiry is at an end and the statute must be enforced in accordance with its plain meaning. *Id.* A fundamental rule of statutory construction is that the Legislature is deemed to intend a different meaning when it uses different terms. *State v. Roggenkamp*, 153 Wn.2d 614, 625, 106 P.3d 196 (2005). In addition, plain language cannot be rendered meaningless or superfluous. *In re Det. of Boynton*, 152 Wn. App. 442, 452, 216 P.3d 1089 (2009).

Here, the plain language of RCW 71.09.090(2)(b) indicates that the prosecuting agency's reliance on the Department's annual evaluation is permissive, not mandatory. In relevant part, the statute provides:

> At the show cause hearing, the prosecuting agency shall present prima facie evidence establishing that the committed person continues to meet the definition of a sexually violent predator . . . . In making this showing, the state ***may*** rely

> exclusively upon the annual report prepared pursuant to RCW 71.09.070.

RCW 71.09.090(2)(b) (emphasis added).

The plain language of this statute states that the prosecuting agency "shall" present prima facie evidence that the committed person continues to meet the definition of an SVP. In contrast, the same statutory provision provides that the prosecuting agency "may" rely exclusively on the Department's annual evaluation report in making this showing. It is well established that "where a provision contains both the words 'shall' and 'may,' it is presumed that the lawmaker intended to distinguish between them, 'shall' being construed as mandatory and 'may' as permissive." *Scannell v. City of Seattle*, 97 Wn.2d 701, 704, 648 P.2d 435 (1982). This unambiguous language directly supports the Court of Appeals' conclusion that prosecuting agency is permitted—but not required—to rely on the Department's annual evaluation report at the show cause hearing. *Nelson*, 2 Wn. App. 2d at 629. If the legislature intended for the prosecuting agency to rely exclusively on this evidence, it would have used mandatory language directing the agency to do so.

The plain language of the statute also supports the Court of Appeals' conclusion that the State has the discretion to rely on other evidence to meet its burden, including other expert evaluations. *Nelson*, 2 Wn. App. 2d at

623, 628. Brock asserts that the permissive language only gives the prosecuting agency discretion to choose between the annual evaluator's written report and the annual evaluator's testimony. Pet. at 7. He claims that the statute does not give the prosecuting agency discretion to submit additional evaluations altogether. *Id.* at 7-8. But this assertion is inconsistent with the statutory language, which states that the prosecuting agency shall present "evidence" to meet its prima facie burden. RCW 71.09.090(2)(b). It imposes no limitations on the nature of this evidence as suggested by Brock.

Moreover, Brock's interpretation would render the quoted section of the statute meaningless. The Department is required by statute to file the annual evaluation report with the court. RCW 71.09.070(5). If the prosecuting agency were limited to this evidence at the show cause hearing, there would be no need to include additional statutory language requiring the prosecuting agency to present evidence at the hearing. The only reasonable interpretation of the statute is one that recognizes that the prosecuting agency may elect to submit additional evidence at the hearing. Indeed, this is consistent with this Court's construction of the statute. *See, e.g.*, *State v. McCuistion*, 174 Wn.2d 369, 382, 275 P.3d 1092 (2012) ("At the show cause hearing, the trial court is entitled to consider all of the evidence, *including evidence submitted by the State*") (emphasis added)).

Brock argues that the Court of Appeals' interpretation will lead to the absurd consequence that the State will never fail to meet its prima facie burden because "expert after expert could be brought in until one is finally found that opines the committed person meets the SVP definition." Pet. at 12. He claims this would render this mechanism for a release trial a "functional nullity." *Id.* at 13. This concern is unfounded. For one, both Brock and Nelson obtained unconditional release trials through the procedures outlined in 71.09.090, and Brock was unconditionally released last year. Second, as the Court of Appeals recognized, "[a] party's discretion to retain and rely on expert witnesses of its choosing is a regular component of civil and criminal proceedings." *Nelson*, 2 Wn. App. 2d at 631. Further, these proceedings are subject to the rules of evidence and professional guidelines. *See, e.g.*, *McCuistion*, (Stephens, J., dissenting) 174 Wn.2d at 409 n. 5 ("Expert opinions remain subject to challenge for admissibility under the rules of evidence and [*Frye v. United States*, 293 F. 1013 (D.C. Cir. 1923)]"); ER 702-03 (regulating opinion testimony by experts). There is no reason this Court should presume that these ordinary protections are insufficient in this circumstance.

Brock's concern that the Court of Appeals' interpretation will lead to "inevitable delay at the show cause stage" is equally unfounded. Pet. at 14. This claim rests on the erroneous premise that the Court of Appeals'

decision "authoriz[es] substitute annual evaluations." *Id.* It does no such thing. Rather, it addresses the evidence that the prosecuting agency can present at a show cause hearing. The prosecuting agency never sought to *substitute* Dr. Richards' pre-existing evaluation for the Department's annual evaluation; instead, it merely chose to rely on Dr. Richards' evaluation to meet its prima facie burden. The Department's annual evaluation remained additional evidence before the court at all relevant times. Brock provides no basis for concluding that the State's reliance on *other* evidence will delay the show cause hearing.

Finally, Brock argues that the doctrine of constitutional avoidance supports his argument that the statute requires the prosecuting agency to rely exclusively on the annual evaluation at the show cause hearing. Pet. at 14-18. In general, he claims that allowing the prosecuting agency to rely on a different evaluation undermines the efficacy and objectivity of the annual review process and nullifies a state-created right to a release trial, in violation of substantive and procedural due process. *Id.* The Court of Appeals properly rejected this argument too.

First, this argument is meritless because RCW 71.09.090 is unambiguous on its face. Consequently, it would be improper to invoke the doctrine of constitutional avoidance. *Davis v. Cox*, 183 Wn.2d 269, 282, 351 P.3d 862 (2015) ("because the statute contains no ambiguity, we cannot

use the doctrine of constitutional avoidance to 'press statutory construction to the point of disingenuous evasion even to avoid a constitutional question'") (internal quotation marks omitted) (quoting *State v. Abrams*, 163 Wn.2d 277, 282, 178 P.3d 1021 (2008)).

Second, as the Court of Appeals correctly recognized, "[w]hat is critical to the constitutionality of the civil commitment scheme is a 'periodic and timely evaluation of the sexually violent person's mental health condition.'" *Nelson*, 2 Wn. App. 2d at 630 (quoting *In re Det. of Rushton*, 190 Wn. App. 358, 371, 359 P.3d 935 (2015)). The annual evaluation statute—RCW 71.09.070—implements this requirement by obligating the Department to conduct an evaluation at least once every year. The annual evaluation, and the Department's obligations, are complete once it submits the annual evaluation report to the court. Brock does not dispute that this occurred in his case. Allowing the prosecuting agency to rely on a different evaluation does not undermine the objectivity of this process.

Moreover, although a sexually violent predator is entitled to periodic and timely review of his suitability for release, such review does not automatically entitle him to a trial. *See McCuistion*, 174 Wn.2d at 385-88. A trial is required only if the secretary determines that the person's condition has "so changed" that he no longer meets SVP criteria and authorizes the person to petition for release, or if the court determines there

is probable cause for a trial following a show cause hearing. *See* RCW 71.09.090(1), (2). Because the annual review does not necessarily guarantee a release trial, no state created right was "nullified" in these circumstances.

V. CONCLUSION

The Court of Appeals correctly concluded that the SVP Act does not limit the prosecuting agency's evidence at show cause hearings to annual evaluations produced by the Department. The Court's decision is well reasoned, consistent with the plain language of the statute, and provides no basis for this Court's review. For these reasons, this Court should deny Brock's petition.

RESPECTFULLY SUBMITTED this 29 day of May, 2018.

ROBERT W. FERGUSON
Attorney General

KELLY PARADIS, WSBA No. 47175
Assistant Attorney General

Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON
800 Fifth Avenue #2000 • Seattle WA 98104-3188

July 17, 2017

Richard D. Johnson, Court Administrator/Clerk
Washington State Court of Appeals Division I
600 University Square
One Union Square
Seattle, WA 98101-1176

RE: ***In re the Detention of Louis Brock***
Case No. 75364-9

Dear Mr. Johnson:

In the State's Response Brief, the State advised that Brock's appeal was moot because there was a pending unconditional release trial set, which was the relief he was seeking. However, the State advised the Court that it believed appellate review was still warranted because the issue Brock raised was a recurring issue. Brief of Respondent at 5 n.5.

Since that time, the trial court has entered an order dismissing Brock's Sexually Violent Predator Petition. Brock is scheduled to be unconditionally released on July 26, 2017. *See* Appendix 1, Order Granting Petitioner's Motion to Dismiss Petition Without Prejudice and Unconditionally Releasing Respondent.

This letter is to advise the Court of the updated status of Brock's case. The State still believes appellate review on this case is warranted because it is a recurring issue.

Sincerely,

Kristie Barham
Assistant Attorney General
WSBA #32764 / OID #91094
Attorney for Respondent State of Washington

cc: Christopher Gibson (w/enclosures)

APPENDIX 1

Appendix 002

STATE OF WASHINGTON
SNOHOMISH COUNTY SUPERIOR COURT

In re the Detention of: LOUIS W. BROCK, Respondent.	NO. 91-2-01736-9 ORDER GRANTING PETITIONER'S MOTION TO DISMISS PETITION WITHOUT PREJUDICE AND UNCONDITIONALLY RELEASING RESPONDENT

THIS MATTER came before the Court on the Petitioner's motion for voluntary dismissal of its petition. The Petitioner is represented by ROBERT W. FERGUSON, Attorney General, and Thomas D. Howe, Assistant Attorney General. The Respondent is represented by his attorney, Christine Sanders.

The Court has reviewed the motion and attached evaluations of Mr. Brock. Having considered this evidence and the presentations of counsel, and being familiar with the files and records herein, the Court now enters the following Findings of Fact:

FINDINGS OF FACT

1. On March 22, 1991, the State of Washington, through the Snohomish County Prosecutor's Office, filed a petition alleging that Respondent, Louis Brock was an SVP.

2. On December 3, 1991, the Court found that Respondent was an SVP and he was committed to the care and custody of DSHS.

3. On December 1, 2016, Dr. Kristin Carlson, Ph.D. completed an annual review of Mr. Brock's condition pursuant to RCW 71.09.070. Based on a records review, clinical interview with Mr. Brock, a collateral interview with Mr. Brock's case manager, and a comprehensive risk

ATTORNEY GENERAL'S OFFICE
Criminal Justice Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-6430

assessment, Dr. Carlson opined that, although Respondent continues to suffer from a personality disorder that impairs his ability to manage his behaviors, there is no longer sufficient evidence for her to conclude that he meets the criteria for commitment as an SVP.

4. On June 6, 2017, Dr. Henry Richards completed an SVP evaluation of Respondent, Louis Brock. Based on a records review, clinical interview with Mr. Brock, and a comprehensive risk assessment, Dr. Richards opined that Mr. Brock does not meet the criteria for civil commitment under RCW 71.09.

Having entered the foregoing Findings of Fact, the Court now enters the following:

CONCLUSIONS OF LAW

1. This Court has jurisdiction over the subject matter and the parties in this case.

2. Dr. Henry Richards and Dr. Kristin Carlson are qualified to provide expert forensic psychological testimony on all relevant issues in this case.

3. Having reviewed the evaluation reports of Dr. Henry Richards and Dr. Kristin Carlson, the Court finds there is insufficient evidence at this time to meet the "beyond a reasonable doubt" standard of proof that Mr. Brock meets the criteria for civil commitment as a sexually violent predator.

4. Pursuant to CR 41(a)(1), the petition should be dismissed without prejudice and Mr. Brock should be released.

Based on the foregoing Findings of Fact and Conclusions of Law, the Court hereby enters the following:

///

///

///

///

ATTORNEY GENERAL'S OFFICE
Criminal Justice Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
(206) 464-6430

ORDER

IT IS HEREBY ORDERED: That the March 22, 1991 SVP Petition is hereby DISMISSED without prejudice effective July 26, 2017, and Respondent shall be released from detention on July 26, 2017 or later by agreement between Respondent and the Special Commitment Center.

DATED this 27 day of July, 2017.

THE HONORABLE RICHARD OKRENT
Judge of the Superior Court

Presented by:

ROBERT W. FERGUSON
Attorney General

THOMAS D. HOWE WSBA # 34050
Assistant Attorneys General
Attorneys for State of Washington

Copy received; Approved as to form:

CHRISTINE SANDERS, WSBA #24680
Attorney for Respondent

NO. 95696-1

WASHINGTON STATE SUPREME COURT

In re the Detention of Louis Brock: STATE OF WASHINGTON, Respondent, v. LOUIS BROCK, Petitioner.	DECLARATION OF SERVICE

I, Elizabeth Jackson, declare as follows:

On May 29, 2018, I sent via electronic mail, per service agreement, a true and correct copy of Answer to Petition for Review, and Declaration of Service, addressed as follows:

Christopher Gibson
Nielsen Broman & Koch, PLLC
sloanej@nwattorney.net
gibsonc@nwattorney.net

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 29th day of May, 2018, at Seattle, Washington.

ELIZABETH JACKSON

WASHINGTON STATE ATTORNEY GENERAL'S OFFICE - CRIMINAL JUSTICE DIVISION

May 29, 2018 - 4:19 PM

Transmittal Information

Filed with Court:	Supreme Court
Appellate Court Case Number:	95696-1
Appellate Court Case Title:	In the Matter of the Detention of Louis Brock
Superior Court Case Number:	91-2-01736-9

The following documents have been uploaded:

- 956961_Answer_Reply_20180529161758SC153180_0730.pdf
  This File Contains:
  Answer/Reply - Answer to Petition for Review
  The Original File Name was 006-Answer_to_PFR.pdf

A copy of the uploaded files will be sent to:

- Sloanej@nwattorney.net
- ThomasH1@ATG.WA.GOV
- brookeb@atg.wa.gov
- gibsonc@nwattorney.net
- kochd@nwattorney.net
- kristieb@atg.wa.gov

Comments:

Sender Name: Elizabeth Jackson - Email: Elizabethj@atg.wa.gov
Filing on Behalf of: Kelly Paradis - Email: KellyP@atg.wa.gov (Alternate Email: crjsvpef@ATG.WA.GOV)

Address:
800 Fifth Avenue
Suite 2000
Seattle, WA, 98104
Phone: (206) 464-6430

Note: The Filing Id is 20180529161758SC153180