Supreme Court No. 99379-3
(COA No. 37166-2-III)

THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

I.A.S.,

Petitioner.

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

PETITION FOR REVIEW

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A. IDENTITY OF PETITIONER AND DECISION BELOW

I.A.S., petitioner here and appellant below, asks this Court to accept review of the published Court of Appeals decision terminating review dated December 1, 2020, pursuant to RAP 13.3(a)(2)(b) and RAP 13.4(b), a copy of which is attached as Appendix A.

B. ISSUE PRESENTED FOR REVIEW

By statute, the State must collect and test the DNA of a person convicted of a felony, and this DNA collection occurs at or after sentencing. When children enter a deferred disposition in juvenile court, they stipulate to guilt but the charge is dismissed and sealed before sentencing upon compliance with certain conditions. The Court of Appeals ruled that by entering a deferred disposition, a child is convicted of a crime and must immediately submit to the collection of their DNA, without regard to whether the case will soon be dismissed and sealed.

As the Court of Appeals recognized, whether a child is required to submit to DNA collection at the time they enter a deferred disposition is a recurring issue on which lower courts have disagreed. Review of the relevant statutes shows the

legislature intended DNA collection to occur at or after sentencing, and no sentencing happens for a successful juvenile court deferred disposition. The purpose of the deferred disposition is to allow a child to escape from the onerous consequences of a criminal conviction. Should this Court review the issue of whether a child must submit to the collection of DNA when entering a deferred disposition in juvenile court, which is a matter of substantial public interest on which lower courts have disagreed?

C. STATEMENT OF THE CASE

I.A.S. entered an agreed deferred disposition in juvenile court. RP 3, 9; CP 20. The probation officer supported the deferred disposition and asked the court to waive "the DNA fee and testing" during the deferred disposition. RP 11, 12. When Judge Rachelle Anderson accepted the deferred disposition, she told I.A.S. a deferred disposition "is designed for a young man just like yourself, to give you the opportunity to comply with some conditions so that you can put this behind you, as if these matters were not pled guilty or committed." RP 18.

When accepting the deferred disposition, the judge said, "there will have to be a $100 DNA fee and the collection of DNA." RP 19.

The prosecutor expressed confusion about the court's order of the DNA fee and collection. RP 20. He said his "position has been" that DNA collection and the DNA fee are not appropriate to order at the time of the deferred disposition. RP 20-21. The court explained it changed its mind and was going to order DNA collection at the start of a deferred disposition, but it would postpone the collection fee if the prosecution was not asking for it. RP 21.

Defense counsel objected and asked the court to reconsider. Both the defense attorney and prosecutor filed motions regarding whether the entry of a deferred disposition triggers a mandatory obligation to submit a DNA sample to law enforcement or whether this requirement only arises if a deferred disposition is unsuccessful and a final conviction and judgment entered.

The prosecution acknowledged other judges in Spokane County had reached different conclusions on the applicability of

DNA collection for children in deferred dispositions. CP 32. It attached rulings from Judges Neal Rielly and Michael Price in other cases, who did not order children to submit a DNA sample unless the deferred disposition was unsuccessful. CP 42-43, 60. On the other hand, Judge Ellen Clark ruled the DNA sample is mandatory under the statute at the time a person enters a deferred disposition. CP 46.

Judge Anderson herself had previously delayed DNA collection until after the conclusion of a deferred disposition but reversed her position in I.A.S.'s case. The judge reasoned that a deferred disposition is labeled a "conviction" when entered, although it will be vacated and the records sealed if the terms of the deferred disposition are completed. CP 81.

The prosecutor noted "reasonable minds can reach differing legal conclusions." CP 32. He concluded that "ultimately an appellate court's going to have to . . . make some decisions" on this issue. RP 28.

The Court of Appeals ruled the entry of a deferred disposition constitutes a conviction and this conviction triggers a mandatory obligation to submit to a biological sample for DNA

collection, without regard to the likelihood the conviction is likely to be vacated at the conclusion of deferred disposition.

On the same day it decided I.A.S.'s case, it issued a similar ruling in another case, *State v. M.Y.G.*, _ Wn. App. _, _ P.3d _, COA No. 37240-5-III, 2020 WL 7038617 (Dec. 1, 2020).

D. ARGUMENT

The Court of Appeals misconstrued the governing statutes and legislative intent by holding a child is required to submit to the seizure of his DNA and its placement in a police database when entering a juvenile court deferred disposition.

1. *The purpose of a deferred disposition in juvenile court is for children to avoid the lasting consequences of a criminal conviction*.

Children receive many protections not available to adults when they are prosecuted for criminal offenses. *State v. S.J.C.*, 183 Wn.2d 408, 422, 352 P.3d 749 (2015). These additional protections for children stem from the rehabilitative focus of juvenile court proceedings, as opposed to the goals of deterrence and punishment that are the root of adult criminal prosecutions. *Id*. at 422.

The legislature "has always treated juvenile court records as distinctive and deserving of more confidentiality than other types of records." *Id*. at 417. Unlike adults, children are entitled to have their initials used in a case caption to protect their privacy. RAP 3.4. Children are entitled to sealing of their juvenile conviction records when they are 18 years old, unless they were sentenced for certain serious offenses. RCW 13.50.260(1)(a). In deferred dispositions, children receive immediate sealing when they satisfy its terms, without waiting until they turn 18. *State v. H.Z.-B.*, 1 Wn. App. 2d 364, 367, 405 P.3d 1022 (2017).

The opportunity to enter a deferred disposition is another difference between juvenile and adult felony cases. RCW 13.40.127. Children are eligible for a deferred disposition based on their lack of criminal history and the less serious nature of the charged offenses. RCW 13.30.127(1).

When entering a deferred disposition, the child admits the police reports support a finding of guilt. RCW 13.40.127(3). In return, the court "shall defer the finalization of [the] case" for up to one year while the child participates in community

supervision. RP 5; RCW 13.40.127(5). After the child satisfies the conditions of community supervision, the court must vacate the provisionally entered conviction and seal the case file. *H.Z.-B.*, 1 Wn. App. 2d at 371.

A deferred disposition is not a "disposition" in terms of finally settling a criminal case. *State v. M.C.*, 148 Wn. App. 968, 972, 201 P.3d 413 (2009). To defer the disposition means to delay it, before any final settlement occurs. *Id.*; citing *State v. C.R.H.,* 107 Wn. App. 591, 596, 27 P.3d 660 (2001). In a juvenile court deferred disposition, the final settlement may be vacating and dismissing the case with prejudice, or it may result in the entry of a final adjudication and sentence following a disposition hearing, if the child does not satisfy the terms of the supervision. *Id*. The deferred disposition statute "thus unambiguously provides that an order deferring disposition is not itself a disposition." *Id*.

The deferred disposition statute does not direct courts to collect a biological sample for DNA testing. As the trial court acknowledged, the statute is "silent" regarding the seizure of the child's DNA as a condition of the deferred disposition. CP 81.

2. The statutory scheme does not direct the court to mandate children supply the State with DNA samples at the time they enter a deferred disposition.

The court's authority to impose a sentence or otherwise mandate sentencing conditions must stem from statute. *State v. Bacon*, 190 Wn.2d 458, 464, 415 P.3d 207 (2018). Courts may not develop their own sentencing procedures. *State v. Pillatos*, 159 Wn.2d 459, 469, 480, 150 P.3d 1130 (2007). The power to impose sentences and conditions of a sentence "must be granted by the legislature." *Bacon*, 190 Wn.2d at 464.

The legislature must be "clear and definite" when it establishes penalties from a criminal conviction. *State v. Weatherwax*, 188 Wn.2d 139, 155, 392 P.3d 1054 (2017). Penal statutes are strictly construed. *Id*. When two possible constructions of a statute are permissible, the rule of lenity requires the court to construe the statute in favor of the defendant and against the State. *State v. Parent*, 164 Wn. App. 210, 213, 267 P.3d 358 (2011).

By statute, after a person is convicted of an enumerated offense and as part of the sentence, the court must order an

eligible person to submit to a seizure of their DNA for purposes of DNA analysis. RCW 43.43.754(1), (5).

RCW 43.43.754(1) states that a "biological sample must be collected" for DNA analysis "from" a "juvenile convicted of a felony" or other specified offenses. This statute goes on to explain that these "[b]iological samples shall be collected in the following manner," triggered by the place a person is serving the sentence imposed. RCW 43.43.754(5).

The authority of law to collect this biological sample and obtain a DNA analysis rests on the person's status following a conviction. *State v. Surge*, 160 Wn.2d 65, 74, 156 P.3d 208 (2007); Const. art. I, § 7. The State is constitutionally prohibited from requiring a person to submit to DNA testing without a warrant when the person is merely arrested or charged with a crime. *State v. Garcia-Salgado*, 170 Wn.2d 176, 184, 240 P.3d 153 (2010). The individual privacy interests in DNA, and the right to be free from unwarranted seizures, limit the State's authority to obtain a person's DNA sample.

The DNA collection statute does not mention deferred dispositions. RCW 43.43.754. It does not dictate the court shall

order the seizure of DNA from a child completing a deferred disposition.

The governing statute directs the actual collection of the biological sample for DNA analysis only after a person has been sentenced, not at the time the conviction is entered, even though the obligation to provide a DNA sample is triggered by the conviction. RCW 43.43.754(1), (5). RCW 43.43.754(5) provides that these biological samples "shall be collected" in a certain "manner." This mandatory manner of collecting DNA is based on *where* the person is serving a term of confinement, following the imposition of a sentence. *Id*.

A separate statute also directs the court to order a person pay a fee for collecting the DNA and maintaining the database. RCW 43.43.7541. This fee is authorized only when a sentence is imposed. *Id*.

By directing the actual collection of DNA following sentencing, placing the obligation to collect the DNA sample on the place of confinement after sentence, and authorizing a fee for collecting DNA as part of a person's sentence, the statutory scheme shows the legislature contemplated the sentence itself to

trigger the actual authority to demand a person submit to DNA collection.

3. The Court of Appeals incorrectly construed the statute to require DNA collection at the time a child enters a deferred disposition based on a misreading of the controlling statutes and rules of statutory construction.

The Court of Appeals reasoned that the DNA collection statute demands immediate collection upon a "conviction" for a qualifying even if the conviction is entered on a "provisional basis." Slip op. at 6. It deemed the stipulation of guilt that is required to enter a deferred disposition to be a conviction under the DNA statute. This misconstrues a juvenile stipulation of guilt. Under RCW 13.04.240, an order of adjudication for a child in juvenile court "shall in no case be deemed a conviction."

The Court of Appeals erred by ruling the child's stipulation of guilt mandates an irreversible and immediate obligation to submit to DNA connection. The DNA collection statute sets forth the manner in which a person must provide DNA, and this manner occurs when the person is serving the sentence resulting from the conviction, not before the sentence is entered. RCW 43.43.754(1), (5), (6). For people whose sentence

does not put them in custody, the court must set "a reasonable period of time" for the person to report to a local law enforcement office to provide the biological sample. RCW 43.43.754(6). A reasonable construction of this statute to that the court sets the DNA obligation at the time of sentencing, and may delay it until the deferred disposition has been resolved.

If the deferred disposition is successfully completed, the conviction must be vacated and there would be no requirement to order DNA collection and analysis. *State v. J.O.*, 165 Wn. App. 570, 575, 265 P.3d 991 (2011). If the conviction is not vacated, the child will be obligated to provide a DNA sample.

As evidence of the ambiguity that results from the intersection of the juvenile court's deferred disposition scheme and the DNA collection statute, different judges considered and interpreted the obligations differently as the trial briefing showed in this case. *See* CP 42-43, 81. A statute is ambiguous when more than one interpretation of the plain language is reasonable. *Weatherwax*, 188 Wn.2d at 154, quoting *State v. Evans*, 177 Wn.2d 186, 192, 298 P.3d 724 (2013).

If the statutory scheme is capable of two interpretations for juvenile cases involving deferred dispositions, the rule of lenity controls. *State v. Jacobs*, 154 Wn.2d 596, 603, 115 P.3d 281 (2005). The statute must be interpreted in the light most favorable to the defendant. *Id*. Under the rule of lenity, I.A.S. may not be required to submit to the collection of his DNA until the deferred disposition is final. If he does not successfully complete the conditions of the deferred disposition, the court shall order him to submit to the collection of his DNA in a reasonable time.

The legislature knows how to expressly require an affirmative obligation for a person who enters a deferred disposition. The entry of a deferred disposition alone triggers the prohibition on restoration of firearm rights under RCW 9.41.040(3). *State v. S.G.*, 11 Wn. App. 2d 74, 77, 451 P.3d 726 (2019). It expressly includes a deferred disposition. RCW 9.41.040(3). This shows "the legislature knew how to include" an obligation triggered by the entry of a deferred disposition, the "absence of such language" indicates the legislature intentionally limited its application to exclude pending deferred

dispositions. *State v. Delgado*, 148 Wn.2d 723, 728, 63 P.3d 792 (2003); *S.G.*, 11 Wn. App. 2d at 78. The DNA collection statute contains no express language mandating the collection of DNA from a person whose "conviction" stems from the entry of a deferred disposition, unlike the firearms prohibitions in RCW 9.41.040(3).

The statutory scheme dictates that the court's authority to collect a DNA sample for a child who has entered a deferred disposition occurs upon the final imposition of a sentence, following an unsuccessful deferred disposition.

This Court should take review to resolve this issue as a matter of substantial public interest, and due to the Court of Appeals' erroneous construction of the governing statutes to order onerous and permanent penal consequences for a child who enters a deferred disposition.

E. CONCLUSION

Petitioner I.A.S. respectfully requests that review be granted pursuant to RAP 13.4(b).

DATED this 31st day of December 2020.

Respectfully submitted,

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APPENDIX A

FILED
DECEMBER 1, 2020
In the Office of the Clerk of Court
WA State Court of Appeals, Division III

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON
DIVISION THREE

STATE OF WASHINGTON,	)	
	)	No. 37166-2-III
Respondent,	)	
	)	
v.	)	PUBLISHED OPINION
	)	
I.A.S.,[†]	)	
	)	
Appellant.	)	

SIDDOWAY, J. — I.A.S. and the State ask us to review the recurring issue of whether a juvenile who is granted a deferred disposition is required to submit to DNA[1] collection upon conviction, or only if and when the deferred disposition is revoked and an order of disposition is entered. I.A.S. argues that DNA collection should be deferred and should not occur if the conviction is vacated. The State argues DNA collection is required upon conviction.

[†] To protect the privacy interests of the minor, we use his initials throughout this opinion. General Order for the Court of Appeals, *In re Changes to Case Title*, (Aug. 22, 2018), effective Sept. 1, 2018.

[1] Deoxyribonucleic acid.

Plain language in former RCW 43.43.754 (2019) required that the juvenile submit to DNA collection upon conviction. We affirm the trial court's order that a biological sample be collected from I.A.S. and that he fully cooperate in the testing.[2]

PROCEDURAL BACKGROUND

The facts underlying the five criminal charges against I.A.S. for offenses committed when he was 17 are not important. I.A.S. moved for a deferred disposition of his charges.

The trial court ordered a deferred disposition. Over a defense objection, it ordered DNA to be collected from I.A.S. as provided by RCW 43.43.754, but agreed not to impose the DNA fee provided by RCW 43.43.7541 until and unless the deferral was revoked and an order of disposition was entered on the findings that I.A.S. was guilty.

A defense motion for reconsideration, renewing I.A.S.'s objection to collection of his DNA, was denied. The trial court granted I.A.S.'s request to stay collection of his DNA subject to a timely appeal. I.A.S. appeals.

ANALYSIS

I.A.S. argues the court did not have authority to order DNA collection before a final disposition.

[2] A similar result is reached in *State v. M.Y.G.*, case no. 37240-5-III, filed today, in which DNA collection upon conviction was challenged on somewhat different grounds.

Under RCW 13.40.127, juvenile courts have the authority to defer imposing a sentence for eligible juveniles through a deferred disposition. A juvenile offender granted a deferred disposition must plead guilty or otherwise submit to a finding of guilt and is placed on community supervision for a period not to exceed one year. RCW 13.40.127(2), (5). "The court may impose any conditions of supervision that it deems appropriate." RCW 13.40.127(5). The court's finding of guilt is consistently characterized by the deferred disposition statute as a "conviction." At the conclusion of the period of supervision, if the court finds that the juvenile has completed the terms of supervision, "the juvenile's *conviction* shall be vacated" and the court dismisses the case with prejudice. RCW 13.40.127(9)(b) (emphasis added) ("[A] conviction under RCW 16.52.205" is an exception.). "A deferred disposition shall remain a *conviction* unless the case is dismissed and the conviction is vacated pursuant to (b) of this subsection or sealed pursuant to RCW 13.50.260." RCW 13.40.127(9)(c) (emphasis added). *And see* RCW 13.40.127(5) (evaluation authorized for juveniles "convicted of animal cruelty" whose disposition is being deferred).

Under RCW 43.43.754(1), "[a] biological sample must be collected for purposes of DNA identification analysis from . . . [e]very adult or juvenile individual *convicted* of a felony" or certain other enumerated offenses, as well as anyone required to register as a sex offender. (Emphasis added.) At the time the trial court entered the order deferring I.A.S.'s disposition, the statute provided that for persons subject to the DNA collection

requirement who were serving a term of confinement in a city or county jail facility, the city or county jail facility was responsible for obtaining the biological samples. RCW 43.43.754(5)(a). For those who were serving or "are to serve" a term of confinement in a Department of Corrections (DOC) facility or a Department of Children, Youth and Families (DCYF) facility, the facility holding the person was responsible for collecting the biological sample. RCW 43.43.754(5)(c).

For those like I.A.S. who would not be confined during the period of community supervision, the law provided:

> (5) Biological samples shall be collected in the following manner:
>
> . . . .
>
> (b) The local police department or sheriff's office shall be responsible for obtaining the biological samples for:
>
> (i) Persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who do not serve a term of confinement in a department of corrections facility, department of children, youth, and families facility, or a city or county jail facility; . . .
>
> . . . .
>
> (6) *For persons convicted of any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who will not serve a term of confinement, the court shall order the person to report to the local police department or sheriff's office as provided under subsection (5)(b)(i) of this section within a reasonable period of time established by the court in order to provide a biological sample.* The court must further inform the person that refusal to provide a biological sample is a gross misdemeanor under this section.

Former RCW 43.43.754(5)(b)(i), (6) (2019) (emphasis added). Following amendment earlier this year, RCW 43.43.754(d) now provides that for persons who will not serve a term of confinement, "the court shall . . . if the local police department or sheriff's office has a protocol for collecting the biological sample in the courtroom, order the person to immediately provide the biological sample to the local police department or sheriff's office before leaving the presence of the court." LAWS OF 2020, ch. 26, § 7.

I.A.S. argues that he is entitled to avoid the DNA collection consequence of a conviction because of his deferred disposition. He points out that children receive many protections that are not available to adult defendants because of the rehabilitative focus of juvenile proceedings, and deferred dispositions are an example: the purpose of a deferred disposition is for the child to avoid the lasting consequences of a criminal conviction. He points to *State v. M.C.*, 148 Wn. App. 968, 972, 201 P.3d 413 (2009), in which the court held a victim penalty assessment may not be imposed when an order deferring disposition is entered under RCW 13.40.127 because an order deferring disposition is not a disposition. He points to the fact that a separate statute, RCW 43.43.7541, imposes a DNA fee on offenders at the time of sentencing, not at the time of conviction. He argues that the statutory provision that the court order a juvenile in I.A.S.'s circumstances to report to a local police department or sheriff's department for collection "within a reasonable period of time established by the court" is ambiguous and, applying the rule of lenity, the ambiguity must be resolved in his favor. He contends the language can

reasonably be construed to mean the conclusion of the period of supervision, when (and if) the court enters an order of disposition.

Statutory interpretation is a question of law reviewed de novo. *State v. Armendariz*, 160 Wn.2d 106, 110, 156 P.3d 201 (2007). Our fundamental purpose in construing statutes is to ascertain and carry out the intent of the legislature. *In re Marriage of Schneider*, 173 Wn.2d 353, 363, 268 P.3d 215 (2011). "If the statute's meaning is plain on its face" we will "give effect to that plain meaning as the expression of what was intended." *Tracfone Wireless, Inc. v. Dep't of Revenue*, 170 Wn.2d 273, 281, 242 P.3d 810 (2010). "For a statute to be ambiguous, two reasonable interpretations must arise from the language of the statute itself, not from considerations outside the statute." *Cerrillo v. Esparza*, 158 Wn.2d 194, 203-04, 142 P.3d 155 (2006). An amendment to a statute "may be strong evidence of what the Legislature intended in the original statute." *Moen v. Spokane City Police Dep't*, 110 Wn. App. 714, 719, 42 P.3d 456 (2002). RCW 43.43.754(1)(a) unambiguously provides that a biological sample must be collected for purposes of DNA identification analysis from every juvenile convicted of a felony. I.A.S. does not dispute that he has been adjudicated, albeit on a provisional basis, of a qualifying crime. I.A.S. even acknowledges he falls in the category described in RCW 43.43.754(6). Br. of Appellant at 13. He merely argues that the "reasonable period of time" for the sample to be provided could mean waiting out the

period of supervision and deeming the collection requirement inapplicable if the case is dismissed and the conviction vacated.

We are unpersuaded. Nothing in RCW 43.43.754 suggests that "reasonable time" is contingent on the conclusion of further proceedings. The presumptive time to collect the DNA of persons who are serving or are to serve a term of confinement in a DOC or DCYF facility is the earliest time it *can* be collected by the facility: as part of the intake process. RCW 43.43.754(5)(c). The statute now requires that a juvenile's DNA be collected immediately, in the courtroom, if a law enforcement protocol for courtroom collection exists. Considering all that the legislature has said in the statute, it is absurd to construe "reasonable time" as meaning a period of time as long as nine months or a year. *See Dep't of Ecology v. Campbell & Gwinn, LLC*, 146 Wn.2d 1, 11, 43 P.3d 4 (2002) (Plain meaning is discerned from all that the legislature has said in the statute and related statutes that disclose legislative intent about the provision in question.).

The fact that the DNA collection fee is imposed at the time of sentencing does not create ambiguity. Imposing the fee at that time is merely consistent with imposing other costs, fines, and restitution as part of the sentencing process. It is not a reason for construing RCW 43.43.754 as meaning something other than what it says.

Finally, *M.C.* is not helpful to I.A.S.'s argument. It turned on plainly different statutory language. Division One of this court held that a victim penalty assessment could not be imposed at the time of an order deferring a disposition because the relevant

statute, former RCW 7.68.035(1)(b) (2000), provided that the fee was imposed when the juvenile was adjudicated of an offense "in any juvenile offense *disposition*." (Emphasis added.) Relying on an earlier case in which it had considered the meaning of the key word "disposition," the court held the statute "unambiguously provides that an order deferring disposition is not itself a disposition." *M.C.*, 148 Wn. App. at 972. RCW 43.43.754 does not provide that DNA collection takes place at the time of a "juvenile offense disposition." Notably, RCW 7.68.035(1)(b) was amended following *M.C.* to drop the reference to a "juvenile offense disposition." The statute now imposes the victim penalty assessment upon adjudication. *Id.*, *see* LAWS OF 2015, ch. 265, § 8.

The trial court's order that a biological sample be collected from I.A.S. and that I.A.S. fully cooperate in the testing is affirmed.

Siddoway, J.

WE CONCUR:

Pennell, C.J.

Fearing, J.

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,	)	
	)	
RESPONDENT,	)	
	)	
v.	)	COA NO. 37166-2-III
	)	
I.A.S.,	)	
	)	
JUVENILE PETITIONER.	)	

DECLARATION OF DOCUMENT FILING AND SERVICE

I, MARIA ARRANZA RILEY, STATE THAT ON THE 31ST DAY OF DECEMBER, 2020, I CAUSED THE ORIGINAL **PETITION FOR REVIEW TO THE SUPREME COURT** TO BE FILED IN THE **COURT OF APPEALS – DIVISION THREE** AND A TRUE COPY OF THE SAME TO BE SERVED ON THE FOLLOWING IN THE MANNER INDICATED BELOW:

[X]	LARRY STEINMETZ [lsteinmetz@spokanecounty.org] [SCPAappeals@spokanecounty.org] SPOKANE COUNTY PROSECUTOR'S OFFICE 1100 W. MALLON AVENUE SPOKANE, WA 99260	( ) ( ) (X)	U.S. MAIL HAND DELIVERY E-SERVICE VIA PORTAL
[X]	I.A.S. 105 ALKI LN CHENEY, WA 99004	(X) ( ) ( )	U.S. MAIL HAND DELIVERY _____

SIGNED IN SEATTLE, WASHINGTON THIS 31ST DAY OF DECEMBER, 2020.

X_____

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WASHINGTON APPELLATE PROJECT

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