

SPOKESMAN-REVIEW

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High court sends assault case back for resentencing

Stabbing a man in the neck, leaving him paralyzed below the chest and in a wheelchair for life, isn't grounds for an exceptional sentence, the Washington Supreme Court has ruled, returning a case that originated in Pend Oreille County to Superior Court for resentencing.

Troy Dean Stubbs was sentenced to 38 years in prison for the first-degree assault against Ryan E. Goodwin after a jury determined that the attack was particularly egregious.

In October 2005, the two men were at a birthday gathering near Cusick, Wash., when Stubbs stabbed Goodwin, then 22, in the back of the neck, severing Goodwin's spinal cord.

Superior Court Judge Rebecca Baker agreed with prosecutors to give Stubbs, now 44, the longer sentence after the jury determined that the attack was particularly egregious. Stubbs faced a standard range of 13 1/2 to 20 years in prison.

The Court of Appeals upheld the sentencing, but the Washington Supreme Court found that "the trial court erred by relying on the jury's finding regarding the severity of Goodwin's injuries to justify the exceptional sentence that it imposed."