IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,	)	No. 60974-2-I
	)	
Respondent,	)	DIVISION ONE
	)	
v.	)	
	)	UNPUBLISHED OPINION
JONATHAN EDWARD HAGAN, JR.,	)	
	)	
Appellant.	)	FILED: August 24, 2009

PER CURIAM. John Hagan appeals his conviction for second degree murder, arguing that he was denied his federal and state constitutional rights because his jury venire was not drawn from King County as a whole. He contends the jury source list statute, RCW 2.36.055, and King County Local General Rule (LGR) 18 violate his rights under Const. art. I, § 22 and Const. art. IV, §§ 5 and 6. Specifically, he contends RCW 2.36.055 violates his constitutional right to "a speedy public trial by an impartial jury of the county in which the offense is charged to have been committed[.]" Const. art. 1, § 22. He also contends the Legislature and the County lacked authority to enact RCW 2.36.055 and LGR 18 under sections 5 and 6 of Article IV of our Constitution. These arguments are controlled by the Supreme Court's decision in State v. Lanciloti, 165 Wn.2d 661, 663-64, 201 P.3d 323 (2009). The Court held "that the legislature was within its power to authorize counties with two superior courthouses to divide themselves into two districts." Lanciloti, 165 Wn.2d at 671.

Hagan further argues that LGR 18 deprived him of a jury venire that included a fair cross section of the community, in violation of the Sixth Amendment and

RCW 2.36.080(1). But Hagan has not presented any evidence to show that the jury venire in his case violated the Constitution or the statute. We therefore decline to consider his claim. See Lanciloti, 165 Wn.2d at 671-72.

Affirmed.

For the court:

Becker, J.

Grosse, J.

Schindler, C.J.