

2018 MAR 12 AM 7:58

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	
)	No. 75508-1-I
Respondent,)	
)	DIVISION ONE
v.)	
)	
JAMES EDWIN MULLINS,)	UNPUBLISHED OPINION
)	
Appellant.)	FILED: <u>MAR 12 2018</u>

PER CURIAM. James Mullins appeals his convictions for second degree murder and witness tampering, arguing in part that prosecutorial misconduct and the court's failure to give instructions on intentional murder and manslaughter denied him a fair trial. The State concedes these errors, noting that "[t]he State has conferred with counsel for Mullins [who] concurs in the motion to remand for a new trial," and that the remaining issues raised by Mullins on appeal are moot. We accept the concession of error.

Reversed and remanded for a new trial.

For the Court:

Cox, J.
Speckman, J.
Beliveau, J.