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IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

JAMES EDWIN MULLINS,

Appellant.

No. 75508-1-I

DIVISION ONE

UNPUBLISHED OPINION

FILED: MAR 12 2018

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.

Schneider, J.