

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

STATE OF WASHINGTON,  
  
Respondent,  
  
v.  
  
MARVIS DONTE BAILEY,  
  
Appellant.

No. 78325-4-I

UNPUBLISHED OPINION

FILED: **FEB 25 2019**

PER CURIAM — Marvis Bailey appeals the \$100 DNA fee imposed as part of his sentence for first degree robbery. Citing State v. Ramirez, 191 Wn.2d 732, 746-50, 426 P.3d 714 (2018), Bailey contends the DNA fee should be stricken from his judgment and sentence because he is indigent and his DNA is already on file with the Washington State Patrol Crime Lab. The State concedes the fee must be stricken. We accept the concession of error and remand for the court to strike the DNA fee from the judgment and sentence.

Remanded for amendment of the judgment and sentence.

FOR THE COURT:

Andrus, J.  
Appelback, CJ  
Seach, J.