

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

SHANNON D. HATTON,

Appellant.

No. 80447-2-I

DIVISION ONE

UNPUBLISHED OPINION

PER CURIAM — Shannon Hatton was convicted by a jury of first degree unlawful possession of a firearm, violation of the Uniform Controlled Substances Act (VUCSA), chapter 69.50 RCW, and physical control while under the influence. He challenges the firearm conviction, contending that the mandatory impound and inventory search of his vehicle violated article I, section 7 of the Washington Constitution. The State concedes that the conviction must be vacated based on the Washington Supreme Court's opinion in State v. Villela, 194 Wn.2d 451, 450 P.3d 170 (2019). In response to the State's concession, Hatton has withdrawn his sole remaining claim of error based on racial disproportionality in jury selection.

We accept the State's concession. We affirm Hatton's VUCSA and physical control convictions. We dismiss the firearm conviction and remand to the trial court for resentencing.

FOR THE COURT:

Chun, J.

Andrews, A.C.J.

Verellen J