

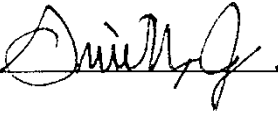
IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

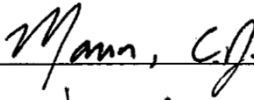
STATE OF WASHINGTON,	)	No. 81135-5-I
	)	
Respondent,	)	DIVISION ONE
	)	
v.	)	UNPUBLISHED OPINION
	)	
FRANK LEE EVANS,	)	
	)	
Appellant.	)	
_____	)	

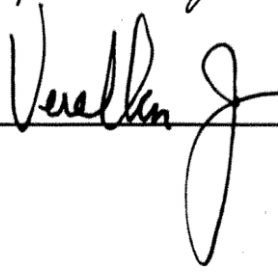
PER CURIAM — Frank L. Evans appeals the judgment and sentence imposed following his 2020 resentencing for five counts of first degree assault, committed in 2007. Evans contends that the judgment and sentence contains a scrivener’s error, in that it imposes a fixed term of 36 months of community custody, instead of a variable term of 24 to 48 months of community custody pursuant to the statutes in effect at the time the offenses were committed. See State v. Schmidt, 143 Wn.2d 658, 673-74, 23 P.3d 462 (2001) (the law in effect at the time a criminal offense is committed controls the sentence). The State concedes the error.

Accordingly, we remand with directions to correct the term of community custody in Evans’ judgment and sentence.

FOR THE COURT:

  
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