

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

ROBERT M. FLEEKES, JR.,

Appellant.

No. 83354-5-I

DIVISION ONE

UNPUBLISHED OPINION

MANN, J. — Robert Fleeks Jr. was convicted of one count of murder in the second degree and one count of unlawful possession of a firearm in the second degree. We reviewed Fleeks’s conviction in the linked case, State v. Fleeks, No. 82911-4-I, (Wash. Ct. App. Jan. 23, 2023), and reversed the second degree murder conviction and remanded for trial. We affirmed the conviction for second degree unlawful possession of a firearm.


Fleeks appeals the sentencing court’s award of restitution to reimburse the Crime Victims Compensation Program (CVCP) in the amount of \$40,000. On appeal, Fleeks argues that (1) the sentencing court abused its discretion in ordering Fleeks to

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reimburse the CVCP for benefits paid to George's family and (2) the order of restitution did not comport with due process.

Because we reversed Fleeks's underlying second degree murder conviction, and the challenged restitution arose out of that conviction, we vacate the order of restitution.

Vacated.



WE CONCUR:

