

**IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON**

STATE OF WASHINGTON,  
  
Respondent,  
  
v.  
  
FREDERICK M. PIGOTT,  
  
Appellant.

No. 83945-4-I  
  
DIVISION ONE  
  
UNPUBLISHED OPINION

PER CURIAM. Frederick Pigott appeals the judgment and sentence imposed upon his guilty plea to assault in the fourth degree, designated as a crime of domestic violence. His court-appointed attorney has filed a motion to withdraw on the ground that there is no basis for a good faith argument on review. Pursuant to State v. Theobald, 78 Wn.2d 184, 470 P.2d 188 (1970), and Anders v. California, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967), the motion to withdraw must:

[1] be accompanied by a brief referring to anything in the record that might arguably support the appeal. [2] A copy of counsel's brief should be furnished the indigent and [3] time allowed him to raise any points that he chooses; [4] the court—not counsel—then proceeds, after a full examination of all the proceedings, to decide whether the case is wholly frivolous.


Theobald, 78 Wn.2d at 185 (quoting Anders, 386 U.S. at 744) (alterations in original).

This procedure has been followed. Pigott's counsel on appeal filed a brief with the motion to withdraw. Pigott was served with a copy of the brief and informed of his right to file a statement of additional grounds for review. Pigott did not file a supplemental brief.

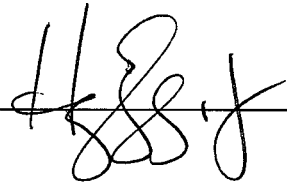
The material facts are accurately set forth in counsel's brief in support of the motion to withdraw. The court has reviewed the briefs filed in this court and has independently reviewed the entire record. The court specifically considered the following potential issue raised by counsel: whether the trial court erred in imposing a sentence in excess of the parties' joint recommendation of 15 days.

The issue raised by counsel is wholly frivolous. The motion to withdraw is granted and the appeal is dismissed.

FOR THE COURT:

  
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Diaz, J.  
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