

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

STATE OF WASHINGTON,

Respondent.

v.

JAMES LOUIS PRAY,

Appellant.

No. 84400-8-I

DIVISION ONE

UNPUBLISHED OPINION

PER CURIAM — James Pray appeals from the judgment and sentence entered upon his jury convictions of two counts of possession of a controlled substance with intent to deliver. The State concedes the evidence was insufficient to support these convictions, and the parties jointly move to reverse them. We accept the State’s concession, grant the parties’ motion, reverse Pray’s convictions,¹ and remand to the trial court to dismiss the underlying charges with prejudice. See *State v. Devries*, 149 Wn.2d 842, 845, 72 P.3d 748 (2003) (when conviction rests on insufficient evidence, remedy is generally to reverse and remand with instructions to dismiss the charge with prejudice). Additionally, because the parties stipulate that no further review will be sought, we grant their request for an expedited mandate and direct the clerk to issue the mandate as soon as is feasible. See RAP 12.5(b) (“The clerk of the Court of Appeals will issue the mandate for a Court of Appeals decision terminating review upon

¹ Because we reverse Pray’s convictions, the remaining issues that Pray raises on appeal are moot, and we do not consider them.

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stipulation of the parties that no motion for reconsideration or petition for review will be filed.”).

Reversed and remanded.

FOR THE COURT:

Burns, J.

Díaz, J.

Cohen, J.