

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

December 7, 2021

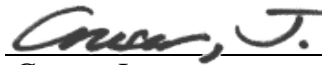
In the Matter of the Personal Restraint of
DAVID DERAHN LEWIS,
Petitioner.

No. 50740-4-II


UNPUBLISHED OPINION

CRUSER, J.—David Derahn Lewis seeks relief from personal restraint imposed following his 1999 conviction for aggravated first degree murder, a crime he committed when he was 20 years old and for which he received a sentence of life imprisonment without the possibility of parole. He argues that under *In re Personal Restraint of Monschke*, 197 Wn.2d 305, 329, 482 P.3d 276 (2021), his sentence is unconstitutional and that he is entitled to be resentenced so that the trial court can take into account his youthfulness at the time of his crimes. The State concedes that Lewis is entitled to resentencing. Accordingly, we grant Lewis’s petition and remand his 1999 judgment and sentence to the trial court for resentencing.

A majority of the panel has determined that this opinion will not be printed in the Washington Appellate Reports but will be filed for public record under RCW 2.06.040, it is so ordered.


Cruser, J.

We concur:


Glasgow, A.C.J.


Price, J.