

March 16, 2021

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

STATE OF WASHINGTON,

Respondent,

v.

JACOB TODD GIEDD,

Appellant.

No. 54364-8-II

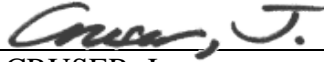
UNPUBLISHED OPINION

CRUSER, J.—Jacob Todd Giedd appeals his sentence for unlawful possession of a controlled substance (methamphetamine). Giedd argues, and the State concedes, that he is entitled to withdraw his plea, or be sentenced under his correct standard range, because his plea agreement was based on an incorrect standard sentencing range. Since the briefing was completed in this case, our supreme court issued its decision in *State v. Blake*, No. 96873-0 (Wash. Feb. 25, 2021), <https://www.courts.wa.gov/opinions/pdf/968730.pdf>. In light of the decision in *Blake*, we remand this matter to the superior court to address the continued validity of Giedd’s conviction. In light of our remand, we need not address Giedd’s “Emergency Motion to Vacate Drug Conviction.” This motion is more properly addressed in the superior court.

CONCLUSION

We remand this matter to the superior court to address the validity of Giedd’s conviction in light of *State v. Blake*.

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




CRUSER, J.

We concur:



WORSWICK, P.J.



GLASGOW, J.